

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

April 12, 2013

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.:13OD-050

Oahu

Grant of Perpetual, Non-Exclusive Easement and Issuance of a Construction and Management Right-of-Entry to the City and County of Honolulu, Board of Water Supply for Water Meter Purposes, Aiea, Ewa, Oahu, TMK: (1) 9-9-078:004 (Portion).

APPLICANT:

City and County of Honolulu, Board of Water Supply

LEGAL REFERENCE:

Section 171-95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of State land situated at Aiea, Ewa, Oahu identified by TMK: (1) 9-9-078:004 (portion), as shown on the attached map labeled Exhibit A.

AREA:

190 sq. ft. more or less.

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: 1-2

TRUST LAND STATUS:

Non-ceded. Land acquired after 8/1959 .

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:
YES ___ NO x

CURRENT USE STATUS:

Set aside to the Department of Education by way of Governor Executive Order No. 4039 for the Aiea Public Library site

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain and repair a right-of-way over, under and across State-owned land for water meter purposes.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Final Environmental Assessment for Aiea Town Master Plan was published in the OEQC's Environmental Notice on January 23, 2003 with a finding of no significant impact (FONSI). The new library site was included in the master plan.

DCCA VERIFICATION:

Not applicable. Government agency.

APPLICANT REQUIREMENTS:

None. Survey maps and descriptions according to State DAGS standards with subdivision approval from the Department of Planning and Permitting were provided by Applicant.

REMARKS:

The State acquired the subject property in 2003. The Board set aside the land to the Department of Education Hawaii Public Library System under Governor Executive Order No. 4039 for the proposed new Aiea Public Library site.

By way of memorandum dated December 5, 2012, the Department of Accounting and General Services, on behalf of the City and County of Honolulu, Board of Water Supply is requesting an easement for water meter purposes consisting of approximately 190 sq. feet at the subject location.

Staff did not solicit comments on the request because comments were previously solicited regarding the Library during the Environmental Assessment stage.

Staff has no objection to this request.

RECOMMENDATION: That the Board:

1. Subject to the Applicant fulfilling all of the Applicant Requirements listed above, authorize the issuance of a perpetual non-exclusive easement to the City and County of Honolulu, Board of Water Supply, covering the subject area for water meter purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;
 - B. Review and approval by the Department of the Attorney General; and
 - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

2. Issuance of a construction and management right-of-entry to the City and County of Honolulu, Board of Water Supply, covering the subject area for water meter purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right-of-entry document form, as may be amended from time to time and
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

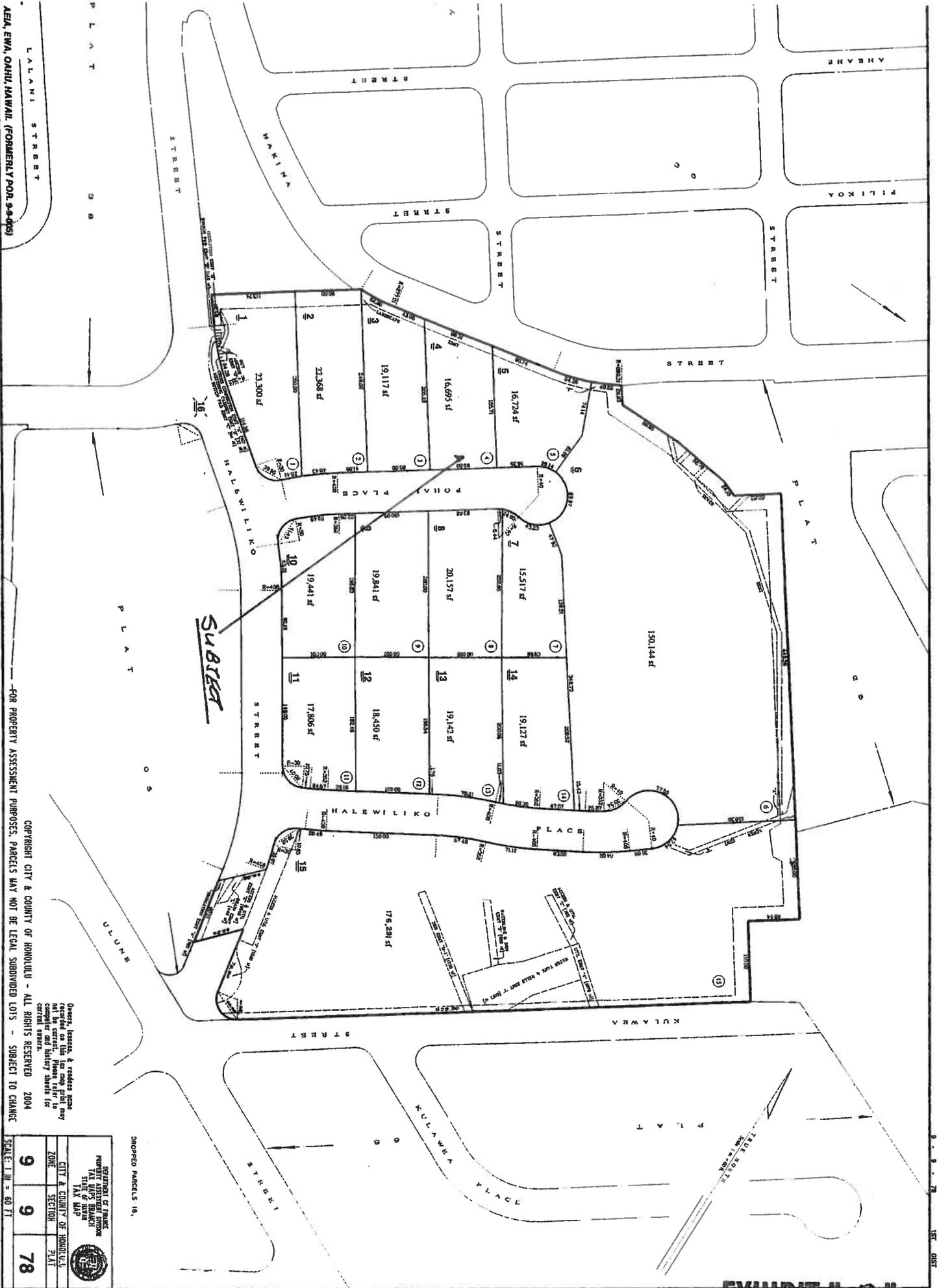


Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson



LALANI STREET

FOR PROPERTY ASSESSMENT PURPOSES, PARCELS MAY NOT BE LEGAL SUBDIVIDED LOTS - SUBJECT TO CHANGE

DEPARTMENT OF PLANNING HONOLULU CITY AND COUNTY STATE OF HAWAII TAX MAPS DIVISION TAX MAP			
CITY & COUNTY OF HONOLULU	SECTION	PLAT	
9	9	78	

SCALE: 1" = 60 FT

EXHIBIT "A"