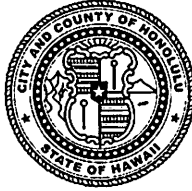


DEPARTMENT OF THE CORPORATION COUNSEL  
**CITY AND COUNTY OF HONOLULU**

530 SOUTH KING STREET, ROOM 110 • HONOLULU, HAWAII 96813  
PHONE: (808) 768-5193 • FAX: (808) 768-5105 • INTERNET: [www.honolulu.gov](http://www.honolulu.gov)

'20JUN08 AM 11:50 CITY CLERK

KIRK CALDWELL  
MAYOR



June 8, 2020

PAUL S. AOKI  
ACTING CORPORATION COUNSEL

AMY R. KONDO  
ACTING FIRST DEPUTY CORPORATION  
COUNSEL

The Honorable Ikaika Anderson  
Chair and Presiding Officer  
and Members  
Honolulu City Council  
530 South King Street, Room 202  
Honolulu, Hawaii 96813

Dear Chair Anderson and Councilmembers:

**SUBJECT: Kuahea Street Area Emergency Repairs, Parcels 1-A and 1-B**

We transmit herewith for your consideration and adoption a draft of a resolution providing for the acquisition of land for the Kuahea Street Area Emergency Repairs, Parcels 1-A and 1-B, project at Waiomao, Palolo Valley, Honolulu, Oahu, Hawaii.

Parcels 1-A and 1-B comprise a total area of 5,205 square feet and are shown in color on the map attached to the resolution.

Condemnation has been requested by the Department of Design and Construction.

Very truly yours,

A handwritten signature in black ink, appearing to read "Molly A. Stebbins".

MOLLY A. STEBBINS  
Deputy Corporation Counsel

APPROVED:

A handwritten signature in black ink, appearing to read "Paul S. Aoki".

PAUL S. AOKI  
Acting Corporation Counsel

MAS:di  
Attachs.



## RESOLUTION

(FOR CONDEMNATION)

PROVIDING FOR THE ACQUISITION OF LAND FOR PUBLIC USE, TO WIT: KUAHEA STREET AREA EMERGENCY REPAIRS, SITUATE AT WAIOMAO, PALOLO VALLEY, HONOLULU, OAHU, HAWAII, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN.

BE IT RESOLVED by the Council of the City and County of Honolulu:

I.

That for a valid public use and purpose, to wit: Kuahea Street Area Emergency Repairs, proceedings in eminent domain as provided by law be instituted for the acquisition of real property, in fee simple, identified as Parcels 1-A and 1-B (TMK: 3-4-030-012), situate at Waiomao, Palolo Valley, Honolulu, Oahu, Hawaii, and more particularly described in the legal description and map marked as Exhibit A, attached hereto and made a part hereof, and that the Acting Corporation Counsel of the City and County of Honolulu be and he is hereby authorized and empowered to institute the said proceedings.

The subject property has been identified as vital for the City's ongoing emergency public works project to protect and maintain City infrastructure. Potential loss and/or damage to public infrastructure will pose a threat to public health, welfare and safety. The threat impacts access to the valley and therefore impacts essential emergency services for approximately 1200 residents (source: 10/9/19 presentation at Neighborhood Board).

The City, through various consultants, has been monitoring the earth movement in the Waiomao area of Palolo since the development of the subdivision in the 1950s. The earth movement has accelerated in the recent year, causing significant damage to the City's infrastructure. The acquisition of the subject property is necessary for the above-described emergency public works project.

That this acquisition by eminent domain is necessary for the aforesaid public use and purpose.



**RESOLUTION**

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II.

That in the process of said proceedings in eminent domain, the Acting Corporation Counsel be and he is hereby authorized and empowered to negotiate terms of settlement, subject to the approval of this Council and/or of the Court before which such proceedings are commenced.

BE IT FINALLY RESOLVED by the Council that the Clerk be and is hereby directed to transmit copies of this resolution to the Department of Design and Construction and to the Department of the Corporation Counsel.

INTRODUCED BY:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

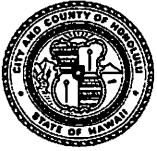
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
KIRK CALDWELL, Mayor  
City and County of Honolulu



**RESOLUTION**

KUAHEA STREET AREA  
EMERGENCY REPAIRS

PARCEL 1-A  
 (Fee Simple)

Being all of Lot 4, as shown on Map 2 of Land Court Consolidation 50, and covered by Transfer Certificate of Title No. 1,061,542. Situate at Waiomao, Palolo Valley, Honolulu, Oahu, Hawaii.

Beginning at the Southwest corner of this parcel of land, being also the Northwest corner of Lot 43 (Map 3) of Land Court Consolidation 50, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MAKANUI" being 1,197.89 feet South and 213.74 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 12-9-2-124, and running by azimuths measured clockwise from true South:

- |    |          |            |  |
|----|----------|------------|--|
| 1. | 130° 00' | 47.39 feet | along Lot B-6 along Grant 6349 to Rosalie Kong;  |
| 2. | 176° 35' | 25.52 feet | along Lot 3 (Map 2) of Land Court Consolidation 50;  |
| 3. | 262° 21' | 85.23 feet | along the South side of Waiomao Homestead Road;  |
| 4. | 356° 35' | 64.38 feet | along Lot 5 (Map 2) of Land Court Consolidation 50;  |
| 5. | 86° 35'  | 50.58 feet | along Lot 43 (Map 3) of Land Court Consolidation 50 to the point of beginning and containing an area of 4,644 square feet. |



**RESOLUTION**

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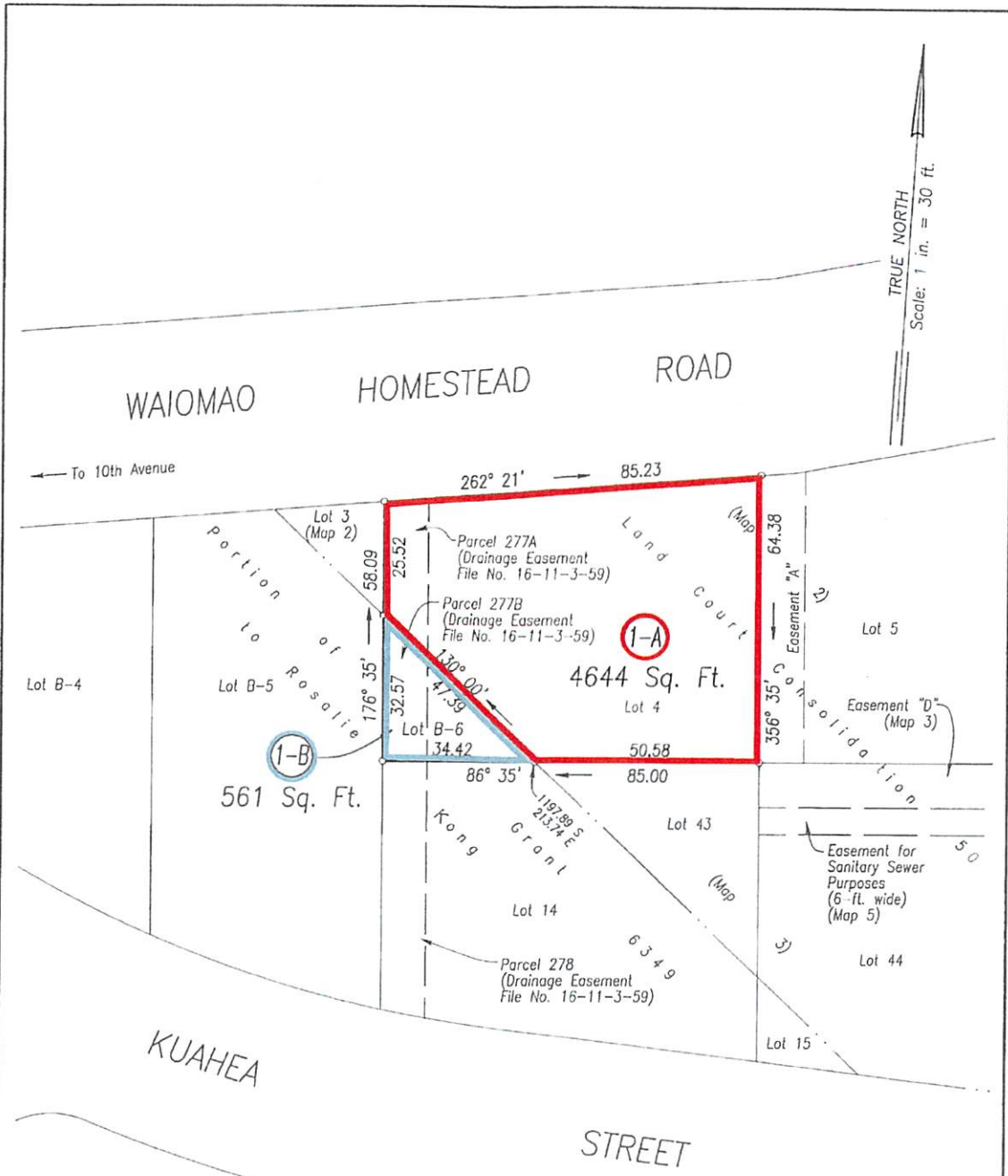
KUAHEA STREET AREA  
EMERGENCY REPAIRS

PARCEL 1-B  
 (Fee Simple)

Being all of Lot B-6 of a subdivision of a portion of Grant 6349 to Rosalie Kong. Situate at Waiomao, Palolo Valley, Honolulu, Oahu, Hawaii.

Beginning at the Southeast corner of this parcel of land, being also the Southwest corner of Lot 4 (Map 2) of Land Court Consolidation 50, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MAKANUI" being 1,197.89 feet South and 213.74 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 12-9-2-124, and running by azimuths measured clockwise from true South:

- |    |          |            |   |
|----|----------|------------|---|
| 1. | 86° 35'  | 34.42 feet | along Lot 14 along remainder of Grant 6349 to Rosalie Kong;   |
| 2. | 176° 35' | 32.57 feet | along Lot B-5 along remainder of Grant 6349 to Rosalie Kong;  |
| 3. | 310° 00' | 47.39 feet | along Lot 4 (Map 2) of Land Court Consolidation 50 to the point of beginning and containing an area of 561 square feet. |



**LEGEND:**

(1-A) Fee Acquisition

**NOTE:**

Coordinates referred to "MAKANUI"  $\Delta$   
 Owner of Parcels 1-A and 1-B:  
 Property Holdings, LLC

PARCELS 1-A AND 1-B  
 PARCEL MAP

DEPARTMENT OF DESIGN AND CONSTRUCTION  
 CITY AND COUNTY OF HONOLULU  
 DIVISION OF LAND SURVEY AND ACQUISITION

**KUAHEA STREET AREA  
 EMERGENCY REPAIRS**

AT WAIOMAO, PALOLO VALLEY, HONOLULU, OAHU, HAWAII

SURVEYOR: D. Ishikawa DATE: April 22, 2020  
 PROJ-SURV.: D. Ishikawa CHECKED BY: S. Tamamoto  
 SCALE: 1 in. = 30 ft. TRACER: D. Ishikawa  
 APPROVED: [Signature] APPROVED: [Signature]  
 DIRECTOR CHIEF

W.S.	F.B.	C.B.
W.S. BY	F.W. BY	C.B.

TAX MAP KEY: 3-4-30: 12

EXHIBIT A

FILE	POCKET	FOLDER	NO.
12	9	2	124