

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:

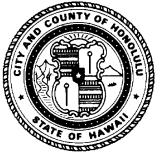
I.

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 ("City") be and he is hereby authorized and empowered to institute the said proceedings; provided that the Acting Corporation Counsel or Corporation Counsel shall first mediate the dispute as to the valuation of the property with the landowner prior to initiating condemnation 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.



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II.

That in the process of said proceedings in eminent domain, the Acting Corporation Counsel or Corporation Counsel be and 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:

Ikaika Anderson (br)

DATE OF INTRODUCTION:

June 9, 2020
Honolulu, Hawaii

Councilmembers