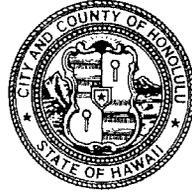


DEPARTMENT OF BUDGET AND FISCAL SERVICES
CITY AND COUNTY OF HONOLULU
530 SOUTH KING STREET, ROOM 208 • HONOLULU, HAWAII 96813
PHONE: (808) 768-3900 • FAX: (808) 768-3179 • INTERNET: www.honolulu.gov

PETER B. CARLISLE
MAYOR



MICHAEL R. HANSEN
DIRECTOR

NELSON H. KOYANAGI, JR.
DEPUTY DIRECTOR

August 20, 2012

The Honorable Ernest Y. Martin, Chair
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

RECEIVED
CITY CLERK
C & C OF HONOLULU
2012 AUG 20 AM 11:33

Dear Chair Martin and Councilmembers:

Subject: Resolution for Relocation of Electrical Easement for
Hawaiian Electric Company, Inc. within the
Waimanalo Gulch Sanitary Landfill Property
(Original Easement within a portion of TMK: 9-2-003:073)

We request your approval to amend the easement described as Part 1 that was granted by the City to the Hawaiian Electric Company, Inc. (HECO) for its electrical facilities within the Waimanalo Gulch Sanitary Landfill property.

By Resolution 08-185, CD1, dated October 15, 2008, HECO was granted three overhead easements described as Parts 1, 2, and 3 within the Waimanalo Gulch Sanitary Landfill for its overhead electrical lines and poles. The easements were granted to HECO for a 25-year term terminating January 20, 2032 for the easement fee of \$50,000. The electrical lines for the easements provide power to Nanakuli, Ma'ili, Palehua, portions of Waianae, including the Navy's facilities at Lualualei, and the Board of Water Supply's reservoir above Makakilo.

The Department of Environmental Services (ENV) is requesting the relocation of the overhead electrical lines and poles within the easement described as Part 1 within a portion of TMK: 9-2-003:073 because of its conflict with the landfill. The relocated location for this easement was mutually agreed upon by ENV, HECO, and an adjoining landowner (who will grant a portion of its land for the substitute easement), and was reviewed and approved by the State Public Utilities Commission, as required. The locations of the existing easement (described as RW 2003-068, Part 1) and the relocated easement (described as RW 2003-068A, Part 2) are shown on the map attached as Exhibit A. All costs for the relocation will be borne by HECO, except with respect to certain costs incurred due to a delay or cancellation of the project not caused by HECO.

The Honorable Ernest Y. Martin, Chair
and Members
Page 2

A hard copy and diskette containing the proposed Resolution are attached. If you have any questions, please feel free to call me at ext. 83901.

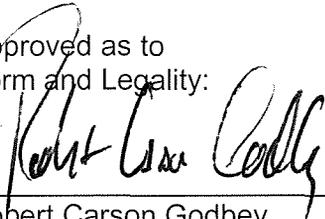
Sincerely,



Michael R. Hansen, Director
Department of Budget and Fiscal Services

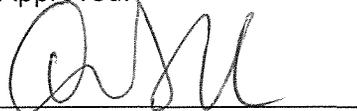
MRH:dm
Attachment

Approved as to
Form and Legality:



Robert Carson Godbey
Corporation Counsel

Approved:



Douglas S. Chin
Managing Director



RESOLUTION

APPROVING THE AMENDMENT TO THE GRANT OF EASEMENT WITHIN THE WAIMANALO GULCH SANITARY LANDFILL FOR ELECTRICAL LINES TO HAWAIIAN ELECTRIC COMPANY, INC., WITHIN TMK: 9-2-003:73

WHEREAS, Section 46-66, Hawaii Revised Statutes, as amended, (HRS) authorizes each county, subject to approval of the council, to grant, sell, or otherwise dispose of any easement for particular purposes by direct negotiation or otherwise, including easements for any public utility purpose; and

WHEREAS, by Resolution 08-185, CD1, dated October 15, 2008, Hawaiian Electric Company, Inc. (HECO) was granted three overhead easements described as Parts 1, 2, and 3 within the Waimanalo Gulch Sanitary Landfill for its electrical lines and poles for a 25-year term ending January 20, 2032 for the easement fee of \$50,000; and

WHEREAS, the Department of Environmental Services (ENV) requested the relocation of certain overhead electrical lines and poles within the easement described as Part 1, situated within a portion of TMK: 9-2-003:73; and

WHEREAS, said relocation was mutually agreed upon by ENV, HECO, and an adjoining landowner, and was reviewed and approved by the State Public Utilities Commission, as required; and

WHEREAS, the locations of the existing easement (described as RW 2003-068, Part 1) and the relocated easement (described as RW 2003-068A, Part 2) are shown on the map attached as Exhibit A; and

WHEREAS, said relocation will be performed at HECO's expense, except for potential payment by the City of certain costs resulting from any project delay or cancellation not caused by HECO; and

WHEREAS, HECO will continue to abide by all terms and conditions of the easement grants, as amended; and

WHEREAS, the granting of the amended easement with respect to that portion of the easement granted by the City will be in accordance with Section 46-66, HRS; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu, that it approves the amendment to the grant of easement in fulfillment of the above-referenced relocation requirements; and

BFS-WAIMANALO GULCH-ESMT.R13



RESOLUTION

BE IT FURTHER RESOLVED that the amendment of the easement grant shall be made in accordance with the recommendations of the Director, Department of Budget and Fiscal Services, and/or designee, and with all applicable laws and city policies; and

BE IT FURTHER RESOLVED that the Director, Department of Budget and Fiscal Services, and/or designee shall be authorized to sign the amendment and other necessary documents; and

BE IT FINALLY RESOLVED that the Clerk be directed to transmit a certified copy of this resolution to the Director, Department of Budget and Fiscal Services.

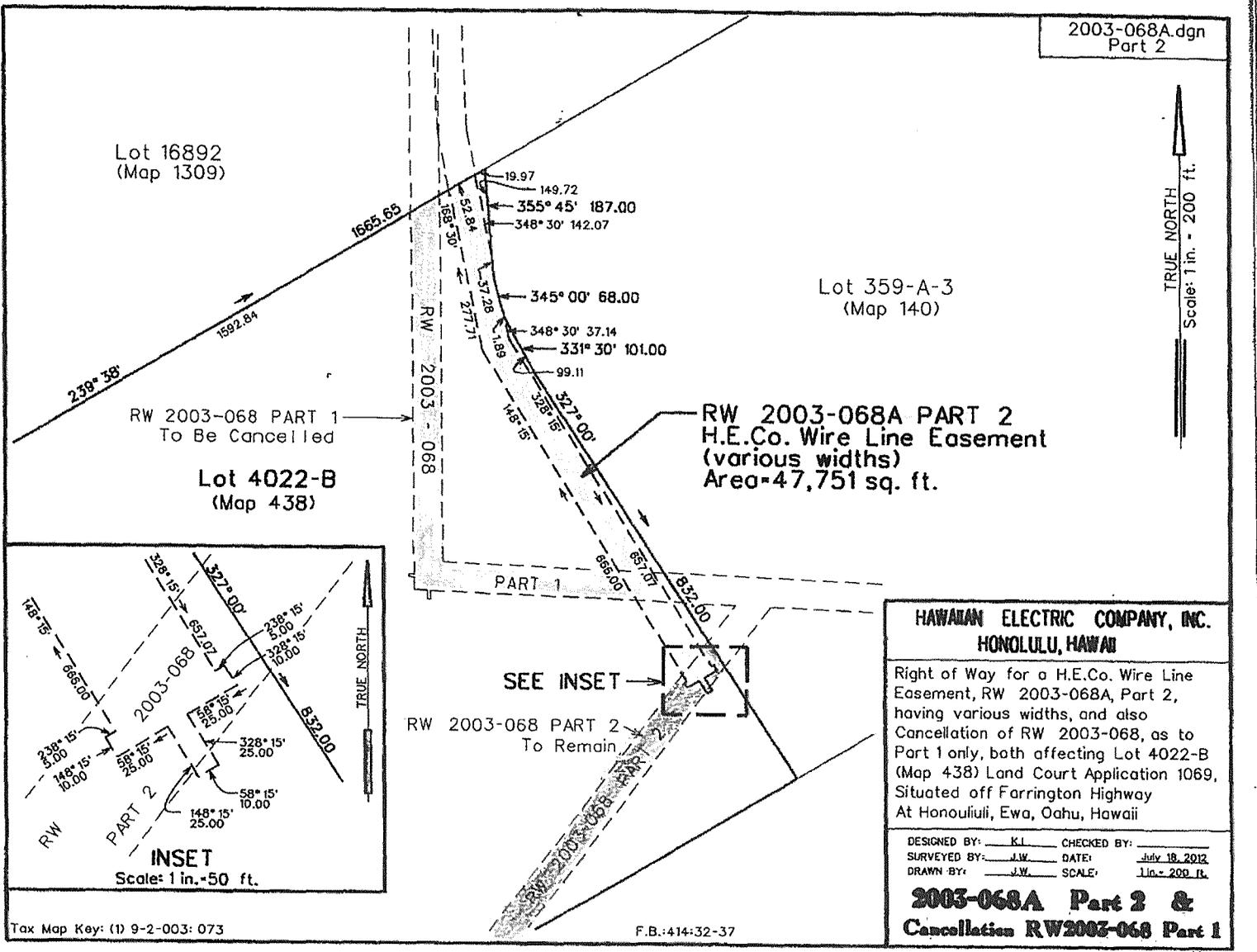
INTRODUCED BY:

Councilmembers

DATE OF INTRODUCTION:

Honolulu, Hawaii

2003-068A.dgn
Part 2



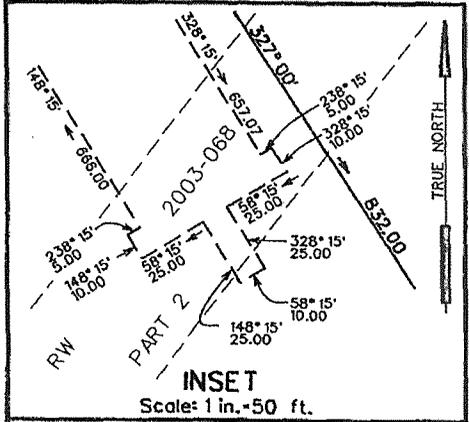
Lot 16892
(Map 1309)

Lot 359-A-3
(Map 140)

RW 2003-068 PART 1
To Be Cancelled

Lot 4022-B
(Map 438)

RW 2003-068A PART 2
H.E.Co. Wire Line Easement
(various widths)
Area=47,751 sq. ft.



SEE INSET

RW 2003-068 PART 2
To Remain

HAWAIIAN ELECTRIC COMPANY, INC.
HONOLULU, HAWAII

Right of Way for a H.E.Co. Wire Line Easement, RW 2003-068A, Part 2, having various widths, and also Cancellation of RW 2003-068, as to Part 1 only, both affecting Lot 4022-B (Map 438) Land Court Application 1069, Situated off Farrington Highway At Honolulu, Ewa, Oahu, Hawaii

DESIGNED BY: KL CHECKED BY: _____
SURVEYED BY: J.W. DATE: July 18, 2012
DRAWN BY: J.W. SCALE: 1 in. = 200 ft.

**2003-068A Part 2 &
Cancellation RW2003-068 Part 1**

Tax Map Key: (1) 9-2-003: 073

F.B.:414-32-37

8 1/2"x11"