

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

KIRK CALDWELL  
MAYOR



NELSON H. KOYANAGI, JR.  
DIRECTOR

GARY T. KUOKAWA  
DEPUTY DIRECTOR

October 6, 2014

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

RECEIVED  
CITY CLERK  
C & C OF HONOLULU  
2014 OCT 8 PM 4:04

Dear Chair Martin and Councilmembers:

**SUBJECT: Resolution for the Abandonment and Quitclaiming of City's Interests  
Within Portions of Various Streets, Kakaako, TMK 2-1-60**

We request your approval to abandon and quitclaim the City's interests to the State of Hawaii, Hawaii Community Development Authority ("HCDA"), within portions of the following streets, as shown colored in yellow on the map attached as Exhibit A:

- Parcels A and B, with areas of 204 square feet and 219 square feet, respectively, which are approximately 1" (0.7 feet wide) within the makai side of Ilalo Street, including the two curb cuts on either side of Koula Street;
- Parcel C, with an area of 33,664 square feet, which is a portion of Koula Street between Ilalo and Olomehani Streets bisecting TMKs: 2-1-60:5 and 6; and
- Parcel D, with an area of 176 square feet, which is the portion of the northwest curb at the intersection of Olomehani and Ahui Streets.

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and Members  
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We recommend the abandonment and quitclaiming of the City's interests to HCDA for the nominal consideration of \$1.00, in mutual cooperation and reciprocity with the State of Hawaii. The abandonment and quitclaiming of the City's interests to the HCDA will clear the title and correct the incursions within the streets that were discovered on the street widening maps and File Plan 2471.

To the extent to which the appraised value of Parcels A, B, C, and D exceeds the nominal consideration of \$1.00 and is deemed a gift to the State of Hawaii, we recommend that the City Council determine that such gift serves a public purpose, in accordance with Section 37-1.8(a)(2), Revised Ordinances of Honolulu, as amended.

Since Parcels A, B, C, and D are portions of county highways as defined in Section 264-1 of the Hawaii Revised Statutes, as amended, they can only be offered to abutting property owners. The HCDA is the only abutting property owner. Approval by the City Council of the gift of \$1,749,999.00, which is the difference of the appraised value and the negotiated sale price, will serve a public purpose because it will enable the sale of the parcels, to the sole abutting landowner; will clear the title for Parcels A, B, C, and D and correct the incursions within the streets; and alleviate maintenance and potential liability for the City as a landowner.

The various City agencies, including the Departments of Facility Maintenance, Planning and Permitting, and Transportation Services, have no objections to the abandonment and quitclaiming of the City's interests within portions of the various streets. The City has ownership and jurisdiction of the streets, pursuant to Act 288, SLH 1993, and the adoption of City Council Resolution 93-287, CD-1, FD-1.

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Chair and Presiding Officer  
and Members  
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A hardcopy and CD containing the proposed Resolution are attached. If you have any questions, please feel free to call me at 768-3901.

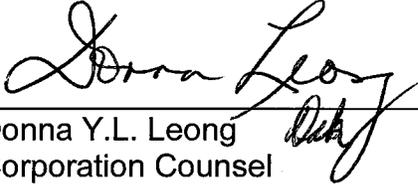
Sincerely,



Nelson H. Koyanagi, Jr., Director  
Department of Budget and Fiscal Services

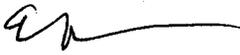
Attachments

APPROVED AS TO FORM AND LEGALITY:



Donna Y.L. Leong  
Corporation Counsel

APPROVED:



Ember Lee Shinn  
Managing Director



**RESOLUTION**

APPROVING THE ABANDONMENT AND QUITCLAIMING OF CITY'S INTERESTS WITHIN PORTIONS OF VARIOUS STREETS, KAKAAKO, TMK 2-1-60.

WHEREAS, Paragraph 16, Section 46-1.5, Hawaii Revised Statutes ("HRS"), as amended, authorizes the counties, under certain conditions, to dispose of real property as the interests of the inhabitants of the county may require; and

WHEREAS, the City has ownership and jurisdiction of Parcels A and B, with areas of 204 square feet and 219 square feet, respectively, within the makai side of Ilalo Street, including the two curb cuts on either side of Koula Street; and

WHEREAS, the City has ownership and jurisdiction of Parcel C, with an area of 33,664 square feet, which is a portion of Koula Street between Ilalo and Olomehani Streets, bisecting TMKs: 2-1-60:5 and 6; and

WHEREAS, the City has ownership and jurisdiction of Parcel D, with an area of 176 square feet, which is a portion of the northwest curb at the intersection of Olomehani and Ahui Streets; and

WHEREAS, said Parcels A, B, C, and D are shown colored in yellow on the map marked as Exhibit A, which is attached hereto and by reference made a part of this resolution; and

WHEREAS, the intended use of said parcels is to consolidate them with the abutting properties for purposes of conveyance; and

WHEREAS, said parcels are under the zoning jurisdiction of the State of Hawaii, Hawaii Community Development Authority; and

WHEREAS there are no city facilities or improvements on the said parcels; and

WHEREAS, said Parcels A, B, C, and D are portions of county highways as defined in Section 264-1, HRS; and

WHEREAS, said Section 264-1, HRS provides that all county highways once established shall continue until vacated, closed, abandoned, or discontinued by a resolution of the legislative body of the county wherein the county highway lies; and

WHEREAS, Section 264-3, HRS provides that a county highway, before it is disposed of in any way, it shall be first offered to the abutters; and



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## RESOLUTION

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WHEREAS, the Director, Department of Budget and Fiscal Services ("BFS Director") has recommended to the Council to abandon and quitclaim the City's interests in said Parcels A, B, C, and D, pursuant to Sections 37-1.2, 37-1.4, 37-1.6, and 37-1.8 Revised Ordinances of Honolulu 1990, as amended; and

WHEREAS, the various city agencies, including the Departments of Facility Maintenance, Planning and Permitting, and Transportation Services, have no objections to the abandonment and quitclaiming of the City's interests within said Parcels A, B, C, and D; and

WHEREAS, the value of said Parcels A, B, C, and D is appraised at \$1,750,000.00; and

WHEREAS, the BFS Director has recommended that said Parcels A, B, C, and D be abandoned and quitclaimed by negotiated sale to the State of Hawaii, Hawaii Community Development Authority ("HCDA"), for the nominal consideration of \$1.00, in mutual cooperation and reciprocity with the State of Hawaii; and

WHEREAS, the difference of \$1,749,999.00 between the estimated value of said Parcels A, B, C, and D and the nominal consideration of \$1.00 is considered as a gift of City real property; and

WHEREAS, the Council of the City and County of Honolulu has determined and declares that the extent to which the difference between the estimated fair market value of Parcels A, B, C, and D and the nominal consideration is deemed a gift of City real property to the State of Hawaii, HCDA, such gift serves a public purpose because it will enable the sale of the parcels to the sole abutting landowner; will clear the title for Parcels A, B, C, and D and correct the incursions within the streets; and alleviate maintenance and potential liability for the City as a landowner; now therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that said Parcels A, B, C, and D are hereby abandoned as a public roadway effective as of the date of recordation of the quitclaim deed; and

BE IT FURTHER RESOLVED that the Council of the City and County of Honolulu approves the abandonment and quitclaiming for nominal consideration of \$1.00 of the City's interests within said Parcels A, B, C, and D to the State of Hawaii, HCDA, in accordance with the recommendations of the BFS Director, and/or designee, and with all applicable laws and city policies; and



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. \_\_\_\_\_

**RESOLUTION**

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BE IT FURTHER RESOLVED that the BFS Director, and/or designee, shall be authorized to sign the quitclaim deed and other necessary documents; and

BE IT FINALLY RESOLVED that the Clerk be directed to transmit a certified copy of this resolution to the BFS Director.

INTRODUCED BY:

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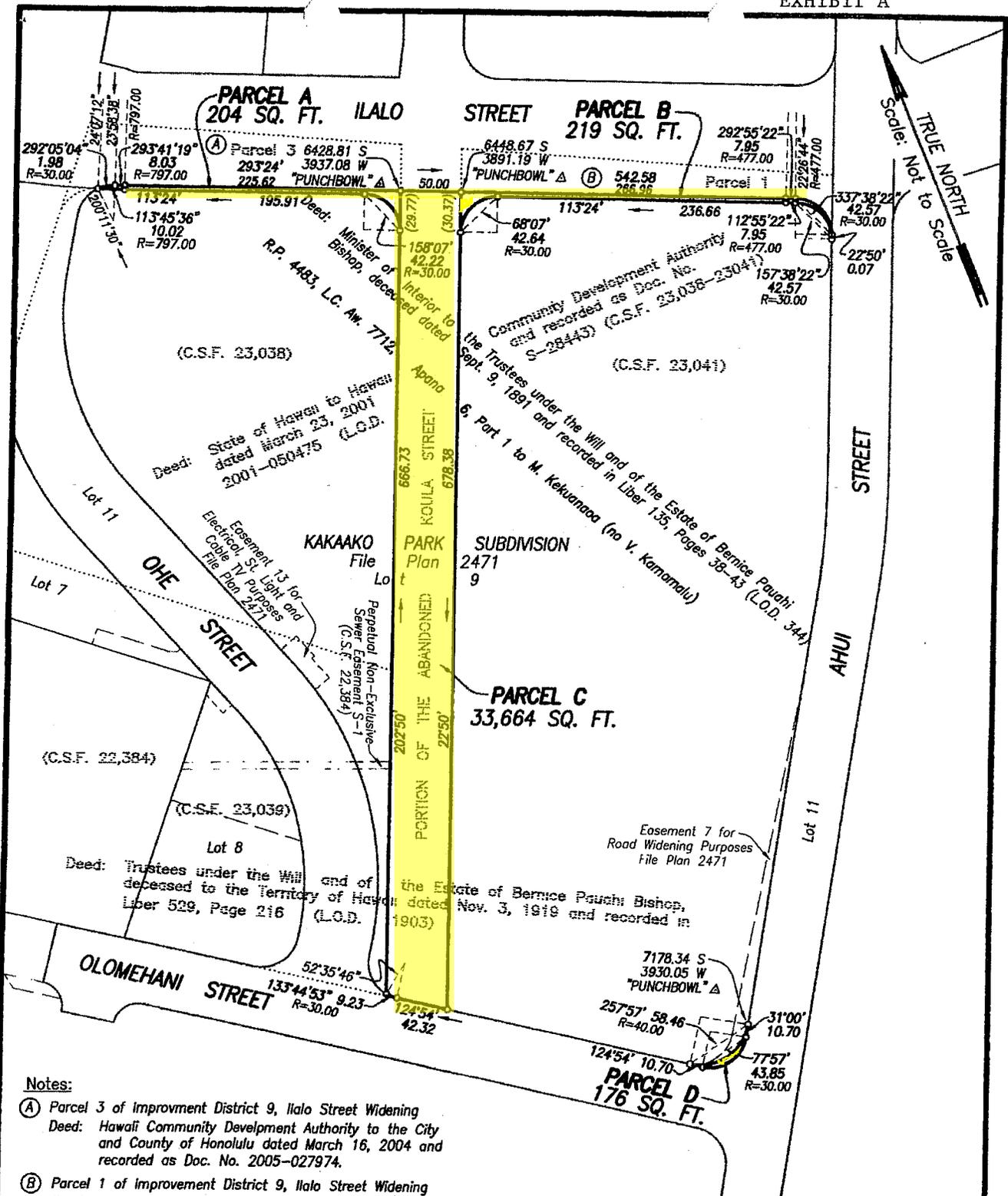
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Councilmembers

DATE OF INTRODUCTION:

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



Notes:

- (A) Parcel 3 of Improvement District 9, Ilalo Street Widening  
Deed: Hawaii Community Development Authority to the City and County of Honolulu dated March 16, 2004 and recorded as Doc. No. 2005-027974.
- (B) Parcel 1 of Improvement District 9, Ilalo Street Widening  
Deed: Hawaii Community Development Authority to the City and County of Honolulu dated March 16, 2004 and recorded as Doc. No. 2005-027972.

**PORTIONS OF LOT 9 OF  
KAKAAKO PARK SUBDIVISION, FILE PLAN 2471  
PARCELS A, B, C AND D**

Kaakaukui, Honolulu, Oahu, Hawaii

Scale: Not to Scale

JOB 0-099(12)  
C. BK.

TAX MAP 2-1-60

SURVEY DIVISION  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
**STATE OF HAWAII**

C.S.F. NO.

GZY September 4, 2012