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## RESOLUTION

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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



## 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



RESOLUTION

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.

10:51 AM 9-10-14

INTRODUCED BY:

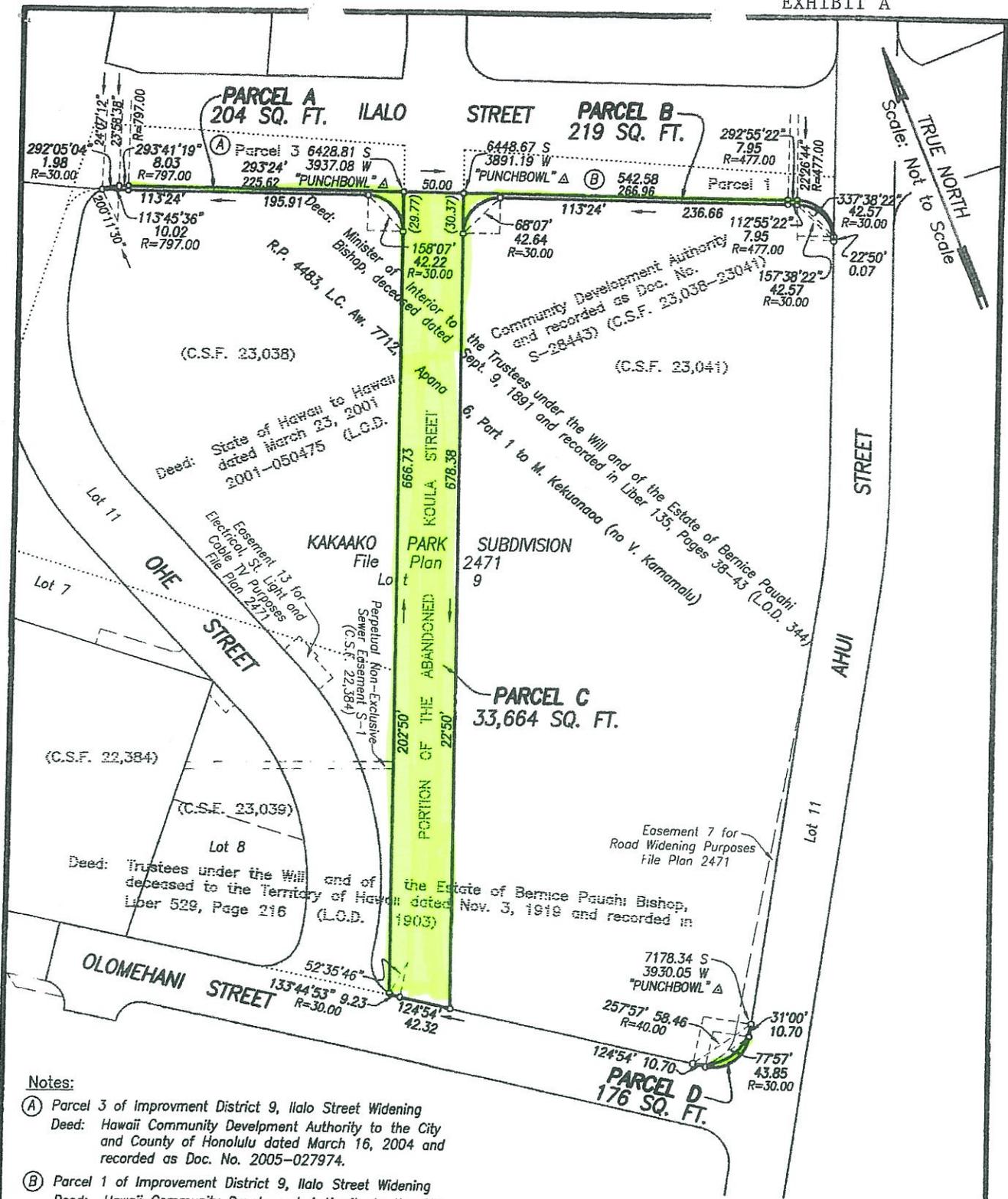
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Councilmembers

DATE OF INTRODUCTION:

OCT 9 2014  
Honolulu, Hawaii



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

Kaakaukukui, Honolulu, Oahu, Hawaii

Scale: Not to Scale

JOB 0-099(12)  
 C. BK.

TAX MAP 2-1-60

C.S.F. NO.

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

GZY September 4, 2012

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
C E R T I F I C A T E

**RESOLUTION 14-248**

Introduced: 10/09/14

By: ERNEST MARTIN (BR)

Committee: BUDGET

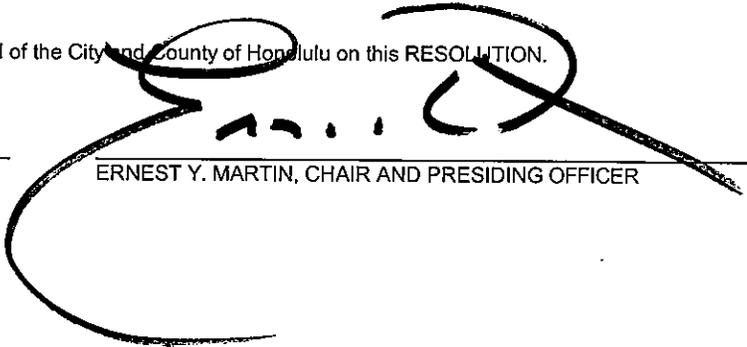
Title: RESOLUTION APPROVING THE ABANDONMENT AND QUITCLAIMING OF CITY'S INTERESTS WITHIN PORTIONS OF VARIOUS STREETS, KAKAAKO, TMK 2-1-60.

Voting Legend: \* = Aye w/Reservations

10/15/14	BUDGET	CR-303 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.  NOTE: EFFECTIVE NOVEMBER 4, 2014, COUNCILMEMBER BREENE HARIMOTO, REPRESENTING COUNCIL DISTRICT VIII, RESIGNED FROM OFFICE. (Refer to Communication <u>CC-245</u> )  NOTE: BRANDON ELEFANTE WAS SWORN IN AND TOOK OFFICE AS A MEMBER OF THE HONOLULU CITY COUNCIL ON WEDNESDAY, NOVEMBER 12, 2014 REPRESENTING DISTRICT VIII.
11/12/14	COUNCIL	CR-303 AND RESOLUTION 14-248 WERE ADOPTED.  9 AYES: ANDERSON, CHANG, ELEFANTE, FUKUNAGA, KOBAYASHI , MANAHAN, MARTIN, MENOR, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

*For*   
BERNICE K. N. MAU, CITY CLERK

  
ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER