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TIMELINE – OWNERSHIP OF KEWALO TRACT STREETS

1. Kewalo Track Map – Late 1800 or Early 1900 tax map key for Kewalo Tract. (Now the Central Kakaako Neighborhood – see attached map)
<http://ags.hawaii.gov/wp-content/uploads/2013/04/Kewalo-Tract-49.pdf>
2. 9/15/1896 – (from 11/6/2003 Title Search) “Title to the land under search as hatched on map attached hereto and marked as Exhibit “A” was vested in Charles S. Desky, Trustee, by virtue of that certain Deed dated September 15, 1896, recorded in Liber 164 at Page 255. This deed is silent as to the provisions of the trust and its beneficiaries.”
3. 1/14/1897 – (from 11/6/2003 Title Search) “By Affidavit dated January 14, 1897, recorded in Liber 162 at Page 222, Charles S. Desky, Trustee sets forth the plot of Kewalo Tract.” (See attached map)
4. 1903 – The Second Legislative Assembly of the Territory of Hawaii Regular Session – Journal of The Senate 1903. Charles S. Desky conveys to the Territory, without charge, the following named streets, situated in Kewalo: Queen Street, extension South of South St.; Kawaiahao Street; Hustace Avenue; Cooke Street’ Ward Street’ Cummins Street; Laniwai Street. Also that after such conveyance said names street be maintained, repaired and cared for by the Government as public highways.
https://books.google.com/books?id=UwZhAAAAIAAJ&pg=PA693&lpg=PA693&dq=Charles+S.+Desky&source=bl&ots=MUqlFCOKYn&sig=YKWaAX0_D_9dKF53QpF3n7BYI8Y&hl=en&sa=X&ei=Y4i5VJTRH8mvogSR-YCgBA&ved=0CEgQ6AEwCA#v=onepage&q=Charles%20S.%20Desky&f=false
5. 10/27/1905 - The Hawaiian Star newspaper article reports a 10/4/1903 mortgage foreclosure on Charles S. Desky’s property with reference to Waimanu and Kawaiahao Streets.
<http://www.newspapers.com/newspage/49616601/>
6. 10/1/1924 – Honolulu Advertiser obituary reports Charles S. Desky died in San Francisco, California. It states “To Date – No conveyances appear of record by Charles S. Desky, Trustee, dealing with the subject land. Nor is there a record of his death in the Bureau of Health Statistics or a probate of his estate. “
7. 12/17/1985 – By Quitclaim Deed, Adele M. Christian, granddaughter of Charles S. Desky, conveyed to Calvert J. T. Chun, all her interest in the subject land, besides other land.
8. 1/10/1986 – By Quitclaim Deed Calvert J. T. Chun conveyed to Kakaako Land Company, Inc. all his interest in the subject land, besides other land.

MISC. COM. 3215

Submitted by Roy Bumgarner

9. 11/6/2003 Title Search Notes:

- Charles S. Desky died on September --, 1924 at San Francisco, California.
- No probate proceedings for the Estate of Charles S. Desky, Trustee, deceased, has been located.
- No conveyances appear of record by Charles S. Desky, Trustee, dealing with the subject land. Nor is there a record of his death in the Bureau of Health Statistics or a probate of his estate.
- Discrepancies, conflicts in boundary lines, shortages in area, encroachments or any other matters which a correct survey or archaeological study would disclose. Note – A current survey, with metes and bounds description, should be made of said premises.
- Tax Map Key Not Found (1) 2-3-003- _____-0000. (For the land under search as hatched on map attached hereto and marked as Exhibit "A")

10. March 22, 2012 – KITV News "Kakaako Business Fight Parking Fees" reports Kakaako Land Company claim they own a portion of Queen Street from Ward Avenue to Office Depot near Kamakee Street. Signs are installed charging businesses to pay for parking.

https://www.google.com/?gws_rd=ssl#q=kitv+news+kakaako+private+streets

11. 2013/2014

- a. During testimony for the two 803 Waimanu development permit applications, Imperial Plaza residents questioned why the developer was not required to Improve Kawaiahao Street to City standards as required in the 2011 Mauka Area Rules. And why was it labeled a street if it could not meet City standards.
- b. Private parking signs began to appear on other streets in Central Kakaako. Curbs were painted red with "reserved 24/7" painted in white. Signs secured by tires filled with concrete began to appear on sidewalks. (Some of these curbs and sidewalks were improvements made by developers as a condition for obtaining HCDA and City and County permit approval.)

12. 8/12/2014 – City and County published public notice in Honolulu StarAdvertiser stating the Department of Facility Maintenance would no longer be providing surface maintenance of

- a. Waimanu Street, from Drier Street to Kamakee Street
- b. Kawaiahao Street, from Cooke Street to Kamakee Street
- c. Queen Street, from Ward Avenue to Kamakee Street

Per the notice, this decision was based on the numerous restrictive signs ("Reserved Parking", "Private Parking", and "Parking for Rent") along Waimanu Street, Kawaiahao Street and Queen Street which do not comply with the requirements of RDH Section 14-32.2(c)

13. September 2014 – The stop sign in front of 811 Waimanu Street was knocked down. Residents reported the fallen sign to police and City & County Department of Transportation.

Kewalo Tract Streets as of – January 19, 2015

14. 9/13/2014 – Hawaii News Now “Kakaako Businesses Sue Land Company”
<http://www.hawaiinewsnow.com/story/26523501/exclusive-kakaako-businesses-sue-land-company>
15. 10/1/2014 –Kakaako Meeting of HCDA discussed issue of Kakaako private streets and accepted public .
16. 10/28/2014 – Ala Moana/Kakaako Neighborhood Board meeting - Residents reported problems with Kakaako “private streets”. Who is responsible for safety (Police?); maintenance (City & County of Honolulu Department of Transportation Services?); ownership (State, City & County, HCDA, or “private owners”)?
17. 10/29/2014 – Meeting with Tony Ching, Executive Director HCDA:
 - a. Executive Director Ching acknowledged the 10/6/2003 Title Search covers only the portion of Queen Street hatched on Exhibit “A” map. AND, there is no clear answer on who owns this portion of Queen Street and other “private” streets in Kakaako.
 - b. The cost of a survey/title search is too high to resolve issues of other “private” streets.
 - c. HCDA is not responsible for private streets. The best approach for the community would be through the city.
18. November/December 2014 – communications with Councilmember Carol Fukunaga’s staff
 - a. Provided map of Private Streets (Exhibit C)
 - b. Twice notified Department of Transportation Services the stop sign located at Drier and Waimanu Street had been knocked down and needed to be re-installed.
 - c. Confirmed there was not a Tax Map Key for “Kewalo Tract private streets”.
19. January 7, 2015 HCDA meeting – Agenda item under IV. Kakaako Matters “2. Information and Discussion re: November 20, 2014 letter from Johnathan L. Ortiz and November 20, 2014 email from Cedric Chun regarding the Kakaako Land Company.” KITV News reported: “Residents, Businesses Ask Kakaako Agency to Help Resolve Problems with Disputed Roads”
<http://www.kitv.com/news/residents-businesses-ask-kakaako-agency-to-help-resolve-problems-with-disputed-roads/30588356>