



RESOLUTION

APPROVING THE ABANDONMENT AND SALE OF LOT 2-B AND GRANTING OF EASEMENTS E-1 AND E-2 ABUTTING 219 FOREST RIDGE WAY (TMK: 2-5-015:013), HONOLULU, OAHU, HAWAII.

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, Lot 2-B, with an area of 209 square feet, which is a portion of the roadway abutting 219 Forest Ridge Way (TMK: 2-5-015:013), is shown shaded in green on the map designated as Exhibit "A", attached hereto and by reference is made part of this resolution; and

WHEREAS, the City accepted ownership and jurisdiction of Lot 2-B pursuant to Act 288, SLH 1993 and adoption of the City Council Resolution 93-287, CD-1, FD-1; and

WHEREAS, Lot 2-B is a county highway 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, said 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 for a reasonable length of time and at a reasonable price; and

WHEREAS, a non-exclusive residence and carport easement with an area of 268 square feet was granted to the former owners, and assigned to the current owners, of 219 Forest Ridge Way (TMK: 2-5-015:013) by the State of Hawaii, as shown in yellow on the map designated as Exhibit "A"; and

WHEREAS, the non-exclusive residence and carport easement has a term of 55 years and will terminate on June 27, 2040; and

WHEREAS, Easements E-1 and E-2, with an area of 25 square feet and 85 square feet, respectively, will be granted to Andrew and Susan Schwartz, the current abutting property owners of 219 Forest Ridge Way (TMK: 2-5-015:013), and are shown colored in red on the attached Exhibit "A" and will end coterminous with the carport easement granted by the State; and



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WHEREAS, the various City agencies, including the Department of Facility Maintenance, have no objections to the sale of Lot 2-B and the granting of Easements E-1 and E-2; and

WHEREAS, the Director of Budget and Fiscal Services (hereinafter "Director"), with the concurrence of the Corporation Counsel, has recommended to the Council the sale of Lot 2-B, pursuant to Sections 37-1.2, 37-1.4 and 37-1.6, Revised Ordinances of Honolulu 1990, as amended; and

WHEREAS, the granting of Easements E-1 and E-2 will be in accordance with Section 46-66, HRS; and

WHEREAS, the sale price of Lot 2-B is \$16,300, based on an appraisal done by the Department of Design and Construction; and

WHEREAS, the fees to grant Easements E-1 and E-2, are \$1,950 and \$6,600, respectively, based on an appraisal done by the Department of Design and Construction; and

WHEREAS, the total proceeds of \$24,850 will be deposited into the reserve for the fiscal stability fund; now, therefore,

BE IT RESOLVED, by the Council of the City and County of Honolulu that Lot 2-B is hereby abandoned as a public roadway effective as of the date of recordation of the deed of conveyance; and

BE IT FURTHER RESOLVED by the Council of the City and County of Honolulu that it approves the sale of Lot 2-B, and the granting of Easements E-1 and E-2 to Andrew and Susan Schwartz; and

BE IT FURTHER RESOLVED that the sale be in accordance with the recommendations of the Director, and/or designee, and with all applicable laws; and

BE IT FURTHER RESOLVED by the Council of the City and County of Honolulu that it approves the total proceeds in the amount of \$24,850 be deposited into the reserve for fiscal stability fund; and

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

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 16-210

Introduced: 08/16/16 By: ERNEST MARTIN – BY REQUEST Committee: BUDGET

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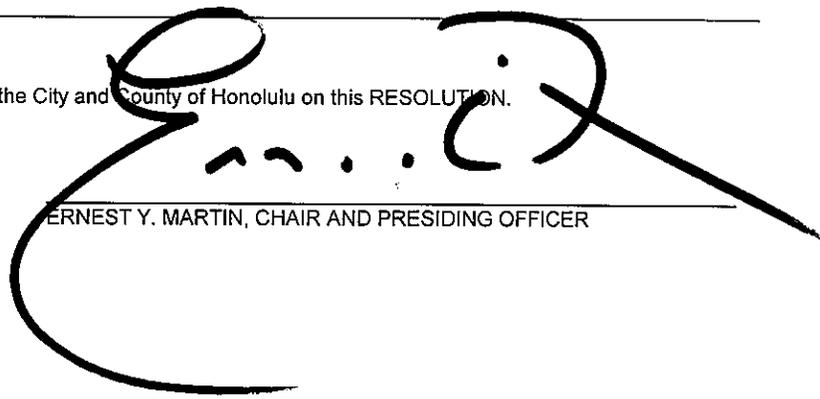
Voting Legend: * = Aye w/Reservations

08/24/16	BUDGET	CR-271 - RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
09/07/16	COUNCIL	CR-271 AND RESOLUTION 16-210 WERE ADOPTED. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA. 1 ABSENT: 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.



GLEN I. TAKAHASHI, CITY CLERK



ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER