LAND COURT SYSTEM ) REGULAR SYSTEM

Return by Mail ( ) Pickup ( ) To:

\_\_\_\_\_\_Total Number of Pages:

Tax Map Key Nos. (2) 3-8-001:275, 276, and Por. 267

FROM:

STATE OF HAWAII

BOARD OF LAND AND NATURAL RESOURCES

TO:

STATE OF HAWAII

DEPARTMENT OF TRANSPORTATION 400 Rodgers Boulevard, Suite 700 Honolulu, Hawaii 96819-1880

EXECUTIVE ORDER NO. 4562

## SETTING ASIDE LAND FOR PUBLIC PURPOSES

BY THIS EXECUTIVE ORDER, I, the undersigned, Governor of the State of Hawaii, by virtue of the authority in me vested by Section 171-11, Hawaii Revised Statutes, as amended, and every other authority me hereunto enabling, do hereby order that the public land hereinafter described be, and the same is, hereby set aside for the following public purposes:

FOR ADDITION TO KAHULUI AIRPORT, to be under the control and management of the State of Hawaii, Department of Transportation, being those parcels of land situate at Kahului, Wailuku, Maui, Hawaii, and identified as "Kahului Airport, Project No. AM1021-11, A&B Land Acquisition" consisting of:

epartment of the

735297\_1.DOC

"Parcel 1," containing an area of 9.637 acres, SUBJECT, HOWEVER, to the following easements:

- 1. Easement D-1 for drainage purposes covered by Grant of Drainage Easement: Alexander & Baldwin, LLC to Alexander & Baldwin, LLC dated December 5, 2016, and recorded as Document No. A-61830640, and
- 2. Easement D-2 for drainage purposes covered by Grant of Drainage Easement: Alexander & Baldwin, LLC to Maui Business Park Phase II Association dated December 5, 2016, and recorded as Document No. A-61830641, and

"Parcel 2," containing an area of 3.707 acres, vehicle access into and from Hana Highway shall not be permitted over and across Course 5 of the above-described Parcel 2, SUJBECT, HOWEVER, to the following easements:

- 1. Portion of Easement UL-1 for landscaping purposes covered by Grant of Landscaping Easement: Alexander & Baldwin, LLC to Maui Business Park Phase II Association dated November 28, 2016, and recorded as Document No. A-61760621,
- 2. Portion of Easement UL-1 for waterline purposes covered by Grant of Waterline Easement: Alexander & Baldwin, LLC to Maui Business Park Phase II Association dated November 28, 2016, and recorded as Document No. A-61760622,
- 3. Easement SN-1 for signage purposes covered by Grant of Signage Easement: Alexander & Baldwin, LLC to Alexander & Baldwin, LLC dated November 28, 2016, and recorded as Document No. A-61760623, and
- 4. Portion of Utility Easement covered by Grant of Easement: Alexander & Baldwin, LLC to Maui Electric Company, Limited and Hawaiian Telcom, Inc. dated October 26, 2012, and recorded as Document NO. A-49040892; and

"Easement 2: Perpetual Easement for Runway Protection Zone," containing an area of 0.023 acre,

all more particularly described in Exhibit "A" and delineated on Exhibit "B," both of which are attached hereto and made parts hereof, said exhibits being respectively, a survey description and survey map prepared by the Survey Division, Department of Accounting and General Services, State of Hawaii, both being designated C.S.F. No. 25,678 and dated June 29, 2018, and subject to encumbrances as described in the Final Judgment as to all

Claims and all Parties and Final Order of Condemnation, recorded in the State of Hawaii, Bureau of Conveyances as Document Nos. A-61860707A thru A-61860707B.

SUBJECT, HOWEVER, to the condition that upon cancellation of this executive order or in the event of non-use or abandonment of the premises or any portion thereof for a continuous period of one (1) year, or for any reason whatsoever, the State of Hawaii, Department of Transportation shall, within a reasonable time, restore the premises to a condition satisfactory and acceptable to the Department of Land and Natural Resources, State of Hawaii.

SUBJECT, FURTHER, to disapproval by the Legislature by two-thirds vote of either the Senate or the House of Representatives or by majority vote of both, in any regular or special session next following the date of this Executive Order.

This executive order does not authorize the recipient of the set aside to sell or exchange or otherwise relinquish the State of Hawaii's title to the subject public land.

DAVID Y IGE

Governor of the State of Hawaii

12

APPROVED AS TO FORM:

CINDY Y. YOUNG

Deputy Attorney General

Dated:

Aug. 20, 2018

PRELIM. APPR'D. Department of the Attorney General

#### STATE OF HAWAII

## Office of the Lieutenant Governor

THIS IS TO CERTIFY 2hat the within is a true copy of Setting aside land for public purposes, the original of which is on file in this office.

IN TESTIMONY WHEREOF, the Lieutenant Governor of the State of Hawaii, has hereunto subscribed his name and caused the Great Seal of the State to be affixed.

DOUGLAS S. CHIN Lieutenant Governor of the State of Hawaii

DONE in Honolulu, this 2nd day of



\_\_\_\_, A.D. 2018



# STATE OF HAWAI'I SURVEY DIVISION DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES HONOLULU

C.S.F. No. 25,678

June 29, 2018

#### KAHULUI AIRPORT Project No. AM1021-11, A&B Land Acquisition

PARCELS 1 AND 2, AND EASEMENT 2

Kahului, Wailuku, Maui, Hawaii

Being portions of Grant 3343 to Claus Spreckels acquired by the State of Hawaii by FINAL ORDER OF CONDEMNATION: Civil No. 16-1-0600(1) dated December 7, 2016 and recorded as Document No. A-61860707A thru A-61860707B.

#### PARCEL 1:

Being also a portion of Lot 4-A of First Assembly of God Subdivision – Phase II (Subdivision File No. 3.2346).

Beginning at the northwest corner of this parcel of land, at the northeast corner of Parcel 2 of Kahului Airport, Project No. AM1021-11, A&B Land Acquisition and on the south side of Hana Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 39.80 feet North and 18,161.46 feet East, thence running by azimuths measured clockwise from True South:-

PRELIM, APPR'D, Department of the Attorney General

1. A	long th	e sout	h side of Hana	Highway	y on a curve to the left with a radius of 11,509.16 feet, the chord azimuth and distance being: 286° 58' 04" 903.70 feet;
2.	26°	24'	57"	609.13	feet along the remainder of Lot 4-A of First Assembly of God Subdivision – Phase II (Subdivision File No. 3.2346);
3.	124°	56'	48"	949.94	feet along the remainder of Lot 4-A of First Assembly of God Subdivision – Phase II (Subdivision File No. 3.2346);
4.	214°	56'	48"	323.45	feet along Parcel 2 of Kahului Airport, Project No. AM1021-11, A&B Land Acquisition to the point of beginning and containing an AREA OF 9.637 ACRES.

The above-described Parcel 1 is SUBJECT, HOWEVER, to the following easements as shown on plan attached hereto and made a part hereof:

- Easement D-1 for drainage purposes covered by Grant of Drainage Easement: Alexander & Baldwin, LLC to Alexander & Baldwin, LLC dated December 5, 2016 and recorded as Document No. A-61830640.
- 2. Easement D-2 for drainage purposes covered by Grant of Drainage Easement: Alexander & Baldwin, LLC to Maui Business Park Phase II Association dated December 5, 2016 and recorded as Document No. A-61830641.

#### PARCEL 2:

Being also a portion of Lot 3-A of First Assembly of God Subdivision – Phase II (Subdivision File No. 3.2348).

Beginning at the northeast corner of this parcel of land, at the northwest corner of the above-described Parcel 1 of Kahului Airport, Project No. AM1021-11, A&B Land Acquisition and on the south side of Hana Highway, the



C.S.F. No. <u>25,678</u>

June 29, 2018

coordinates of said point of beginning referred to Government Survey Triangulation

Station "LUKE" being 39.80 feet North and 18,161.46 feet East, thence running by azimuths measured clockwise from True South:-

1.	34°	56'	48"	323.45	feet along Parcel 1 of Kahului Airport, Project No. AM1021-11, A&B Land Acquisition;
2.	124°	56'	48"	687.99	feet along the remainder of Lot 3-A of First Assembly of God Subdivision – Phase II (Subdivision File No. 3.2348);
3.	208°	54'	35"	85.30	feet along the Lot 3-B of First Assembly of God Subdivision – Phase II (Subdivision File No. 3.2348);

- 4. Thence along Lot 2 of First Assembly of God Subdivision Phase II (Subdivision File No. 3.2207) on a curve to the right with a radius of 98.00 feet, the chord azimuth and distance being:

  238° 30' 16.5" 79.04 feet;
- 5. Thence along the south side of Hana Highway on a curve to the left with a radius of 11,509.16 feet, the chord azimuth and distance being: 290° 55' 30.4" 685.81 feet to the point of beginning and containing an AREA OF 3.707 ACRES.

Vehicle access into and from Hana Highway shall not be permitted over and across Course 5 of the above-described Parcel 2.

The above-described Parcel 2 is SUBJECT, HOWEVER, to the following easements as shown on plan attached hereto and made a part hereof:

1. Portion of Easement UL-1 for landscaping purposes covered by Grant of Landscaping Easement: Alexander & Baldwin, LLC to Maui Business Park Phase II Association dated November 28, 2016 and recorded as Document No. A-61760621.

C.S.F. No. <u>25,678</u>

June 29, 2018

- 2. Portion of Easement UL-1 for waterline purposes covered by Grant of Waterline Easement: Alexander & Baldwin, LLC to Maui Business Park Phase II Association dated November 28, 2016 and recorded as Document No. A-61760622.
- 3. Easement SN-1 for signage purposes covered by Grant of Signage Easement: Alexander & Baldwin, LLC to Alexander & Baldwin, LLC dated November 28, 2016 and recorded as Document No. A-61760623.
- Portion of Utility Easement covered by Grant of Easement: Alexander & Baldwin, LLC to Maui Electric Company, Limited and Hawaiian Telcom, Inc. dated October 26, 2012 and recorded as Document No. A-49040892.

**EASEMENT 2:** Perpetual Easement for Runway Protection Zone.

Being also a portion of Lot 1 of First Assembly of God Subdivision – Phase II (Subdivision File No. 3.2207).

Beginning at the south corner of this easement and on the northwest boundary of Lot 2 of First Assembly of God Subdivision – Phase II (Subdivision File No. 3.2207), the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 217.57 feet North and 17,342.42 feet East, thence running by azimuths measured clockwise from True South:-

- 1. 124° 56' 48" 26.88 feet;
- 2. 223° 28' 39" 74.46 feet;
- 3. Thence along Lot 2 of First Assembly of God Subdivision Phase II (Subdivision File No. 3.2207) on a curve to the right, the chord azimuth and distance being:

  19° 34' 03.5" 6.57 feet;



C.S.F. No. 25,678

June 29, 2018

4. 23° 07' 09"

68.76 feet along Lot 2 of First Assembly of God Subdivision – Phase II (Subdivision File No. 3.2207) to the point of beginning and containing an AREA OF 0.023 ACRE.

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

By: See 3. 42

Gerald Z. Yonashiro Land Surveyor

rk

Compiled from map and desc. furn. by R.T. Tanaka Engineers, Inc. Said map and desc. have been examined and checked as to form and mathematical correctness but not on the ground by the Survey Division.



