RESOLUTION NO. 221 21

A RESOLUTION ACCEPTING THE DEDICATION OF THOSE CERTAIN ROADWAY LOTS IDENTIFIED AS: LOT 22 (KALULU STREET), IDENTIFIED AS TMK NO. (3) 2-4-082:155; LOTS 23 AND 24 (KUPULAU ROAD), IDENTIFIED AS TMK NO. (3) 2-4-082:156; AND LOT 25 (KINI NANI PLACE), IDENTIFIED AS TMK NO. (3) 2-4-082:157, SITUATED AT HILO HILLSIDE ESTATES PHASE 3, KŪKŪAU 1ST, SOUTH HILO, ISLAND AND COUNTY OF HAWAI'I, STATE OF HAWAI'I FROM MOANIALA HOLDINGS, LLC.

WHEREAS, MOANIALA HOLDINGS, LLC, a Hawai'i limited liability company (hereinafter, "Owner"), is the owner of Roadway *Lot 22* (Kalulu Street), identified as TMK No. (3) 2-4-082:155; *Lots 23 and 24* (Kupulau Road), identified as TMK No. (3) 2-4-082:156; and *Lot 25* (Kini Nani Place), identified as TMK No. (3) 2-4-082:157, Situated at Hilo Hillside Estates Phase 3, Kūkūau, South Hilo, Island and County of Hawai'i, State of Hawai'i, as described in **Exhibit A**, and delineated in **Exhibit B**, which are attached hereto and made part hereof, and said lots being subject to encumbrances described in **Exhibit C**; and

WHEREAS, Owner is desirous of dedicating the Roadways and all improvements thereon to the County of Hawai'i, a municipal corporation of the State of Hawai'i (hereinafter, the "County of Hawaii"), and the Roadways and improvements have been inspected and approved by the Department of Public Works, and received dedication approval from the Department of Water Supply, and the Planning Department; and

WHEREAS, Section 23-10 of the Hawai'i County Code prohibits the Council from receiving by dedication any streets in any subdivision platted after December 2, 1966 except upon full compliance with provisions of Chapter 23; and

WHEREAS, Article XIII, Section 13-12 of the Hawai'i County Charter provides that the Council may accept gifts, including real estate or any interest in real estate, on behalf of the County of Hawai'i; now, therefore,

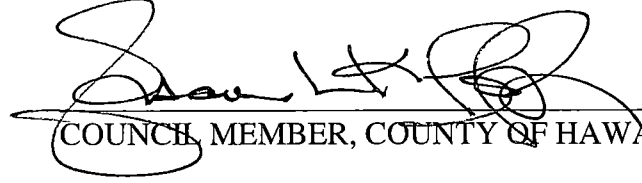
BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that it finds the subject roadways and improvements thereon are in full compliance with provisions of Chapter 23 of the Hawai'i County Code as certified and approved by all applicable agencies, and that it is in the public interest to accept such a dedication.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I, in accordance with Article XIII, Section 13-12 of the Hawai'i County Charter and Chapter 23 of the Hawai'i County Code, that the County of Hawai'i accepts the dedication of the Roadway for public road purposes.

BE IT FINALLY RESOLVED that the County Clerk shall transmit a copy of this resolution to (1) The Honorable Mitchell D. Roth, Mayor of Hawai'i County; (2) the Department of Public Works; (3) Deputy Corporation Counsel Dalilah Schlueter; (4) Law Offices of Yeh & Kim, LLLC, 505 Kilauea Avenue, Ste. B, Hilo, Hawai'i 96720.

Dated at Hilo, Hawai'i, this 6th day of October, 2021.

INTRODUCED BY:

 **B/R**
 COUNCIL MEMBER, COUNTY OF HAWAI'I

COUNTY COUNCIL
 County of Hawai'i
 Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on October 6, 2021.

ATTEST:


 COUNTY CLERK CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
CHUNG	X			
DAVID	X			
INABA	X			
KANEALI'I-KLEINFELDER	X			
KIERKIEWICZ	X			
KIMBALL	X			
LEE LOY	X			
RICHARDS			X	
VILLEGAS	X			
	8	0	1	0

Reference: C-416/Waived PWMIC

RESOLUTION NO. 221 21

HILO HILLSIDE ESTATES, PHASE 3

**KALULU STREET
(Lot 22)**

Being a Portion of Lot 467
Of Land Court Application 1205, As Shown on Map 109
Being Also a Portion of Royal Patent 1666, Land Patent 8172
Land Commission Award 8515, Part 2 to Keoni Ana
Situated at Kukuau 1st, South Hilo, Island of Hawaii, Hawaii


Beginning at the southeast corner of this road lot, being the northeast corner of Lot 10 and being also a point on the westerly boundary of Government Land of Waiakea, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 9,083.60 feet South and 3,281.70 feet West, thence running by azimuths measured clockwise from True South:

1. 85° 40' 1,032.08 feet along Lot 10, Lot 11, Kupulau Road (Lot 24), Lot 12, Kini Nani Place (Lot 25) and Lot 21;
2. 175° 40' 50.00 feet across Kalulu Street;
3. 265° 40' 1,066.32 feet along Lots 1 to 5, Inclusive, Kupulau Road (Lot 23), and Lots 6 to 9, Inclusive;
4. 29° 54' 40" 57.62 feet along Government Land of Waiakea;
5. 33° 07' 40" 2.99 feet along Government Land of Waiakea to the point of beginning and containing an area of 1.205 Acre, more or less.

273 Waiuanuenue Ave.
Hilo, Hawaii 96720
January 22, 2021
Revised: April 22, 2021



INABA ENGINEERING, INC.


Alan Z. Inaba
Licensed Professional Land Surveyor
Certificate No. 5626
License Expires: April 30, 2022

Tax Map Key: 3rd DIV. 2-4-082:155

HILO HILLSIDE ESTATES, PHASE 3

**KUPULAU ROAD
(Lot 23)**

Being a Portion of Lot 467
Of Land Court Application 1205, As Shown on Map 109
Being Also a Portion of Royal Patent 1666, Land Patent 8172
Land Commission Award 8515, Part 2 to Keoni Ana
Situated at Kukuau 1st, South Hilo, Island of Hawaii, Hawaii

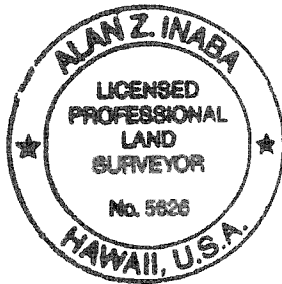
Beginning at the northeast corner of this road lot, being the northwest corner of Lot 6 and on the south side of Puainako Street Extension, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 8,696.72 feet South and 3,670.90 feet West, thence running by azimuths measured clockwise from True South:

1. Following along Lot 6, along a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
40° 40' 42.43 feet;
2. 355° 40' 305.19 feet along Lot 6;
3. Thence along Lot 6, along a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
310° 40' 42.43 feet;
4. 85° 40' 140.00 feet along Kalulu Street (Lot 22);
5. Thence along Lot 5, along a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
220° 40' 42.43 feet;
6. 175° 40' 305.19 feet along Lot 5;
7. Thence along Lot 5, along a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
130° 40' 42.43 feet;

8. 265° 40'

140.00 feet along the south side of Puainako Street Extension to the point of beginning and containing an area of 0.688 Acre, more or less.

273 Waiianuenu Ave.
Hilo, Hawaii 96720
January 22, 2021
Revised: April 22, 2021



INABA ENGINEERING, INC.

A handwritten signature in black ink, appearing to read "Alan Z. Inaba".

Alan Z. Inaba
Licensed Professional Land Surveyor
Certificate No. 5626
License Expires: April 30, 2022

Tax Map Key: 3rd DIV. 2-4-082:156

KUPULAU ROAD (Lot 23)
Page 2 of 2 Pages

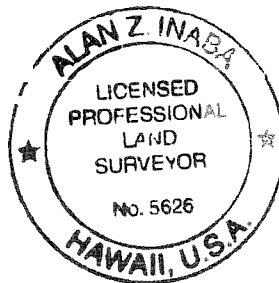
HILO HILLSIDE ESTATES, PHASE 3

**KUPULAU ROAD
(Lot 24)**

Being a Portion of Lot 467
Of Land Court Application 1205, As Shown on Map 109
Being Also a Portion of Royal Patent 1666, Land Patent 8172
Land Commission Award 8515, Part 2 to Keoni Ana
Situated at Kukuau 1st, South Hilo, Island of Hawaii, Hawaii

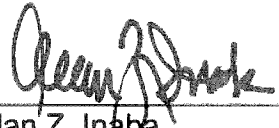
Beginning at the southeast corner of this road lot, being the south corner of Lot 11 and being also a point on the westerly boundary of Government Land of Waiakea, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 9,619.01 feet South and 3,631.10 feet West, thence running by azimuths measured clockwise from True South:

1. 33° 07' 40" 110.80 feet along Government Land of Waiakea;
2. 50° 30' 58" 15.42 feet along Government Land of Waiakea;
3. 175° 40' 574.30 feet along Lot 15, Lot 14, Lot 13 and Lot 12;
4. Thence along Lot 12, along a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
130° 40' 42.43 feet;
5. 265° 40' 140.00 feet along Kalulu Street (Lot 22);
6. Thence along Lot 11, along a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
40° 40' 42.43 feet;
7. 355° 40' 477.47 feet along Lot 11 to the point of beginning and containing an area of 1.036 Acre, more or less.



273 Waiuanuenu Ave.
Hilo, Hawaii 96720
January 22, 2021
Revised: April 22, 2021
Tax Map Key: 3rd DIV. 2-4-082:156

INABA ENGINEERING, INC.


Alan Z. Inaba
Licensed Professional Land Surveyor
Certificate No. 5626
License Expires: April 30, 2022

HILO HILLSIDE ESTATES, PHASE 3

**KINI NANI PLACE
(Lot 25)**

Being a Portion of Lot 467
Of Land Court Application 1205, As Shown on Map 109
Being Also a Portion of Royal Patent 1666, Land Patent 8172
Land Commission Award 8515, Part 2 to Keoni Ana
Situated at Kukuau 1st, South Hilo, Island of Hawaii, Hawaii

Beginning at the northwest corner of this road lot, being the northeast corner of Lot 21 and on the south side of Kalulu Street (Lot 22), the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 9,146.10 feet South and 4,106.42 feet West, thence running by azimuths measured clockwise from True South:

1. 265° 40' 110.00 feet along Kalulu Street (Lot 22);
2. Thence along Lot 12, along a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being: 40° 40' 42.43 feet;
3. 355° 40' 307.00 feet along Lot 12 and Lot 13;
3. Thence along Lot 14 and Lot 15, along a curve to the right with a radius of 355.00 feet, the chord azimuth and distance being: 8° 20' 155.69 feet;
4. Thence along Lot 15, along a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being: 1° 31' 43.5" 30.00 feet;
5. Thence along Lot 15 and Lot 16, along a curve to the right with a radius of 45.00 feet, the chord azimuth and distance being: 40° 06' 32.5" 76.37 feet;
6. Thence along Lot 17, Lot 18 and Lot 19, along a curve to the right with a radius of 45.00 feet, the chord azimuth and distance being: 169° 03' 05.5" 85.04 feet;

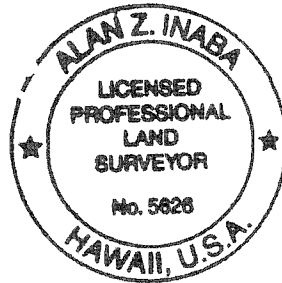
KINI NANI PLACE (Lot 25)
Page 1 of 2 Pages

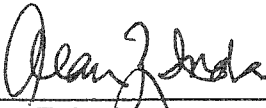
EXHIBIT "A"

7. Thence along Lot 19, along a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being: 220° 28' 16.5" 30.00 feet;
8. Thence along Lot 19 and Lot 20, along a curve to the left with a radius of 305.00 feet, the chord azimuth and distance being: 188° 20' 133.76 feet;
9. 175° 40' 307.00 feet along Lot 20 and Lot 21;
10. Thence along Lot 21, along a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being: 130° 40' 42.43 feet to the point of beginning and containing an area of 0.727 Acre, more or less.

INABA ENGINEERING, INC.

273 Waiianuenue Ave.
Hilo, Hawaii 96720
January 22, 2021





Alan Z. Inaba
Licensed Professional Land Surveyor
Certificate No. 5626
License Expires: April 30, 2022

Tax Map Key: 3^d DIV. 2-4-082:157

KINI NANI PLACE (Lot 25)
Page 2 of 2 Pages

HILO HILLSIDE ESTATES PHASE 3

Portion of Royal Patent 1666, Land Patent 8172
Land Commission Award 8515, Part 2 to Keoni Ana
Kukuau 1st, South Hilo, Island of Hawaii, Hawaii
Subdivision Application No.: SPH-16-000026
DPW Folder No. 24437-D

ROADS AND IMPROVEMENTS TO BE DEDICATED						
ROAD LOT	STREET NAME	AREA OF ROAD	CATCH-BASIN	DRYWELLS	LENGTH OF ROAD	MILES OF ROAD
22 (50' R/W)	KALULU	1.205 Acres	1	2	1,049.30 Lin. Ft.	0.199
23 (80' R/W)	KUPULAU	0.688 Acre		1	365.19 Lin. Ft.	0.069
24 (80' R/W)	KUPULAU	1.036 Acre	3	1	413.73 Lin. Ft.	0.078
25 (50' R/W)	KINI NANI PL.	0.727 Acre	2	1	584.48 Lin. Ft.	0.111
TOTALS		3.656 Acres	6	5	2,412.70 Lin. Ft.	0.457 MILES

TYPE OF ROAD: Lots 22 and 25 (50-ft. R/W) with 20-ft. wide 3" AC pavement with AC paved swales swales and shoulders.

Lots 23 and 24 (80-ft. R/W) with 24-ft. wide 2" AC Pavement with AC paved swales and shoulders.

NO. OF LOTS: 21 (RA-1a)

TAX MAP KEY: 3rd DIV. 2-4-082:155, 156 & 157

OWNER:

MOANIALA HOLDINGS, LLC
616 Moaniala Street
Honolulu, Hawaii 96821

INABA ENGINEERING, INC.
273 Wai'anuenue Ave. * Hilo, Hawaii 96720
January 2021 * IEI #02031
HHE-P3/PlatMap/Rd-DedicationMap.dwg

EXHIBIT "B"

Revised: April 22, 2021 (DPW comments)

SHEET NO. 1 OF 2 SHEETS



LEGEND:

- 3 Easement Number
- Area to be dedicated

DEDICATION LOCATION MAP

HILO HILLSIDE ESTATES PHASE 3

Portion of Royal Patent 1666, Land Patent 8172
Land Commission Award 8515, Part 2 to Keoni Ana
Kukuau 1st, South Hilo, Island of Hawaii, Hawaii

Subdivision Application No.: SPH-16-000026
DPW Folder No. 24437-D

OWNER:

MOANIALA HOLDINGS, LLC
616 Moaniala Street
Honolulu, Hawaii 96821

INABA ENGINEERING, INC.
273 Wai'anuenue Ave. * Hilo, Hawaii 96720
January 2021 * I# 02031
HHE-P2PlatMapRd-DedicationMap.dwg

EXHIBIT "B"

Revised: April 22, 2021 (DPW comments)

SHEET NO. 2 OF 2 SHEETS

EXHIBIT "C"

Hilo Hillside Estates Subdivision Phase 3:

SUBJECT, HOWEVER, to the following encumbrances:

1. Mineral and water rights of any nature.
2. As to Lot 23 (Kupulau Road), that certain Order of Subdivision designating Easement "208" for drainage purposes, as shown on Map 73 of Land Court Subdivision Application 1205, recorded on October 8, 1991 as Land Court Document No. 104144
3. As to Lot 23 (Kupulau Road), that certain Order of Subdivision designating Easement "303" for drainage purposes, as shown on Map 109 of Land Court Subdivision Application 1205, recorded on October 4, 2011 as Land Court Document No. 188684.
4. As to Lot 23 (Kupulau Road), that certain Grant of Easements and Bill of Sale granting Easement "303" for drainage purposes to the COUNTY OF HAWAI'I dated February 13, 2013 and recorded on February 21, 2013 as Regular System Document No. A48000573.
5. As to Lot 25 (Kini Nani Place), that certain Grant of Easement for utility purposes to HAWAIIAN ELECTRIC LIGHT COMPANY, INC., a Hawai'i corporation, and HAWAII TELCOM, INC., a Hawai'i corporation, dated August 28, 2017 and recorded on December 29, 2017 as Land Court Document No. 10224341.
6. As to Lot 22 (Kalulu Street), Lots 23 and 24 (Kupulau Road), and Lot 25 (Kini Nani Place), that certain Grant of Easements and Bill of Sale for waterline purposes to the WATER BOARD OF THE COUNTY OF HAWAI'I, dated _____ and recorded on _____ as Regular System Document No. _____.

End of Exhibit "C"