RESOLUTION NO. 656 20

A RESOLUTION ACCEPTING THE DEDICATION OF LOT 9-2, AFFECTING TMK: (3) 1-5-007:069 (POR.), SITUATED AT KEONEPOKO-IKI, DISTRICT OF PUNA, ISLAND AND COUNTY OF HAWAI‘I, STATE OF HAWAI‘I, FROM WILLOW PLAZA, L.L.C., A MISSOURI LIMITED LIABILITY COMPANY.

WHEREAS, Willow Plaza, L.L.C., a Missouri limited liability company (hereinafter “Owner”), is the owner of Lot 9-2, affecting TMK: (3) 1-5-007:069 (por.) (hereinafter “Roadway”), situated at Keonepoko-Iki, District of Puna, Island and County of Hawai‘i, State of Hawai‘i, as described in Exhibit “A” and delineated on Exhibit “B”, which are attached hereto and made a part hereof; and

WHEREAS, Owner is desirous of dedicating the Roadway and all improvements thereon to the County of Hawai‘i for roadway purposes, and the Roadway and improvements thereon have been inspected and approved by the Department of Public Works, and received dedication approval from the Department of Water Supply, the Planning Department and the Department of Environmental Management; 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 21, 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 Roadway and improvements thereon are in full compliance with the provisions of Chapter 23 of the Hawai‘i County Code as certified and approved by all applicable departments, and that it is in the public interest to accept such 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, the County of Hawai‘i accepts the dedication of the Roadway and improvements thereon for public roadway purposes.

EXHIBIT A

DESCRIPTION

LOT 9-2

Being a Portion of Grant 4953 to Henry J. Lyman of Keonepoko Homestead Lots

Situated at Keonepoko-Iki, Puna, Island of Hawaii, Hawaii

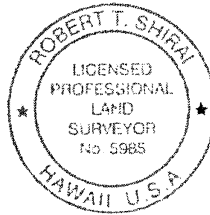
Beginning at the southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PAHOA" being 1.70 feet South and 630.10 feet East and running by azimuths measured clockwise from True South:

1. 70° 34' 5.00 feet along Lot 7, being Grant 4916 to Kaheakeola Kane (W);
2. 158° 34' 574.72 feet along Lot 9-1;
3. Thence along Lot 9-1, along curve to the left having a radius of 21.00 feet, the chord azimuth and distance being:
 124° 05' 29.5" 23.77 feet;
4. 158° 34' 6.15 feet along Lot 9-1;
5. 250° 34' 18.47 feet along a Government Road Reserve;
6. 338° 34' 600.00 feet along Pahoa Village Road (Puna Road) to the point of beginning and containing an area of 0.072 acre.

SUBJECT. However to an existing 10-foot wide Grant of Easement along the Pahoa Village Road in favor of Hawaii Electric Light Company, Ltd. and of Hawaiian Telcom as recorded in Document number A-53520863 dated May 23, 2014.

June 25, 2018
Hilo, Hawaii

TMK:1-5-007:069 portion



ISLAND SURVEY, INC.

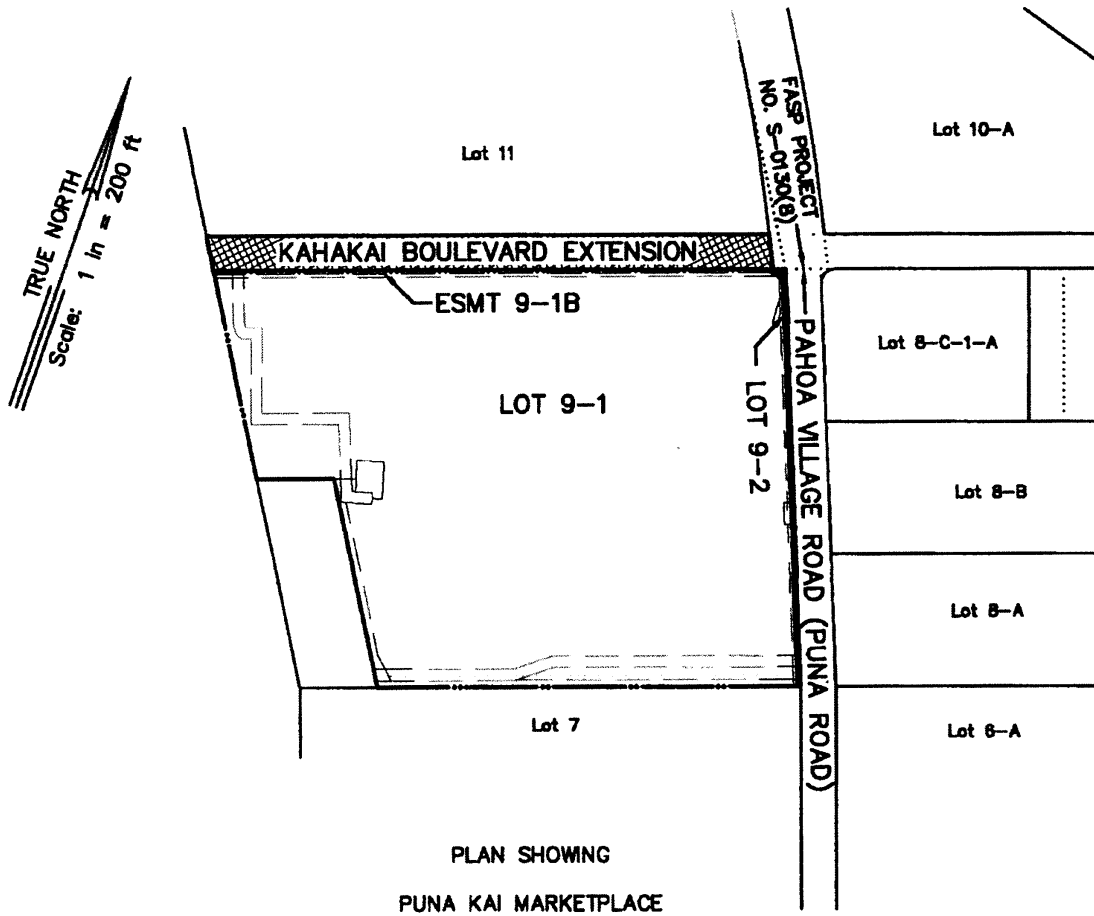
ROBERT T. SHIRAI
Licensed Professional
Land Surveyor 5985
License expires 04 30 20



ISLAND SURVEY, INC.
SURVEYORS

P.O. BOX 4215
HILO HAWAII 96720-0215

EXHIBIT B



TO BE DEDICATED: Kahakai Boulevard Extension, Lot 9-2 and Easement 9-1B

TYPE OF ROAD: 50-ft right-of-way with 38-ft to 45-ft pavement (3" A.C.) and curb/gutter/sidewalk on the south side and a graveled shoulder on the north side - Kahakai Boulevard Extension. Total of 45-ft right-of-way with only sidewalk additions and driveway aprons within the dedicated 5-ft width - along Pahoia Village Road and sidewalk additions and driveway aprons within the dedicated 5-ft width - Easement 9-1B.

LENGTH OF ROAD: 814 LF - Kahakai Boulevard Extension, 600 LF - Lot 9-2 and 814 LF - Easement 9-1B.

NUMBER OF DRYWELLS: 2 with catch basins (Kahakai Blvd Ext) and 1 with catch basin (Lot 9-2)

NUMBER OF LOTS: 2


TAX MAP KEY: (3)-1-5-007:055 (Kahakai Blvd Ext) and 1-5-007:069 portion

EXHIBIT B

BE IT FINALLY RESOLVED that the County Clerk shall transmit a copy of this resolution to: (1) the Honorable Harry Kim, Mayor of the County of Hawai'i; (2) the Department of Public Works; (3) Deputy Corporation Counsel Danny Patel; and (4) Carlsmith Ball LLP, Attn: Kathy Garson, 121 Waiānuenuē Avenue, Hilo, Hawai'i 96720.

Dated at Hilo, Hawai'i, this 3rd day of June, 2020.

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 June 3, 2020.

ATTEST:

 
 COUNTY CLERK CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
CHUNG	X			
DAVID	X			
EOFF	X			
KANEALI'I-KLEINFELDER	X			
KIERKIEWICZ	X			
LEE LOY	X			
POINDEXTER	X			
RICHARDS	X			
VILLEGAS	X			
	9	0	0	0

Reference: C-961/Waived PWMTIC

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