RESOLUTION NO. 608 22

**A RESOLUTION APPROVING THE DEDICATION OF ROAD LOT 1, INCLUDING ITS SEWER EXTENSION, IDENTIFIED AS TMK NO. (3) 7-4-008:076, (KANALANI STREET EXTENSION, KAULA‘ILI STREET AND KIMO DRIVE), SITUATED AT HONOKOHAU, NORTH KONA, ISLAND AND COUNTY OF HAWAI‘I, STATE OF HAWAI‘I AND UTILITY EASEMENT E-1 FROM WEST HAWAI‘I BUSINESS PARK LLC, A HAWAI‘I LIMITED LIABILITY COMPANY**

**WHEREAS**, WEST HAWAII BUSINESS PARK LLC (hereinafter, “Owner”), is the owner of that certain roadway parcel identified as **ROAD LOT 1** (Kanalani Street Extension, Kaula‘ili Street, and Kimo Drive, also referenced herein as “the Roadway”) situated at Honokohau, North Kona, Island and County of Hawai‘i, State of Hawai‘i, as more particularly described in **Exhibit “A”** and depicted in **Exhibit “B”** attached hereto and made a part hereof; and

**WHEREAS**, Owner desires to dedicate the Roadway and all improvements thereon, including sewer extension improvements, to the County of Hawai‘i, a municipal corporation of the State of Hawai‘i (hereinafter, the “County of Hawai‘i”), and the sewer extension has been inspected and approved by the Department of Environmental Management, and the Roadway and improvements have been inspected and approved by the Department of Public Works, and the Roadway received dedication approval from the Department of Water Supply, the Planning Department, and the Department of Environmental Management; and

**WHEREAS**, Owner is the owner of Lot 1-L, designated for real property tax purposes by the County of Hawai‘i as Tax Map Key No. (3) 7-4-008:094. The County of Hawai‘i has requested that Owner grant to the County of Hawai‘i a utility easement over Lot 1-L, described

in **Exhibit “C”** as Easement E-1, and depicted on **Exhibit “D”**. The Department of Public Works has reviewed and approved the acceptance of Easement E-1 for utility purposes; and

**WHEREAS**, in accordance with Section 21-26.1(b) of the Hawai‘i County Code, the Department of Environmental Management approved the sewer extension that exists in **ROAD LOT 1** as shown in **Exhibit “E”**; and

**WHEREAS**, Section 21-26.1(a) of the Hawai‘i County Code requires Council to approve, by resolution, any extension of the public sewer system; and

**WHEREAS**, Owner constructed and paid for the sewer extension and wishes to dedicate the sewer extension along with **ROAD LOT 1**; 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 approves the acceptance of Easement E-1, the acceptance of **ROAD LOT 1** and its sewer extension, and finds that the subject Roadway and improvements, including the sewer extension, are in full compliance with provisions of Chapters 21 and 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.

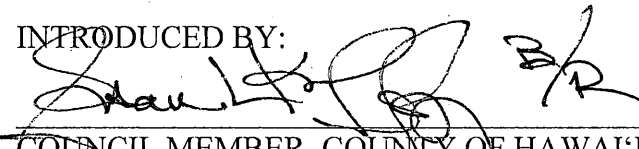
**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI‘I** that in accordance with Article XIII, Section 13-12 of the Hawai‘i County Charter

and Chapters 21 and 23 of the Hawai'i County Code, that the County of Hawai'i hereby accepts Easement E-1, **ROAD LOT 1**, and the included sewer extension for public road and wastewater 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) the Department of Environmental Management; (4) Deputy Corporation Counsel Sinclair Salas-Ferguson; and (5) West Hawaii Business Park LLC, P.O. Box 9032, Kailua-Kona, Hawai'i 96745.

Dated at     Kona    , Hawai'i, this   16th   day of   November  , 20  22  .

INTRODUCED BY:

  
 \_\_\_\_\_  
 COUNCIL MEMBER, COUNTY OF HAWAI'I

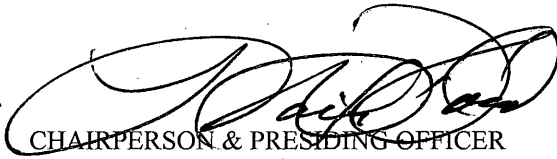
COUNTY COUNCIL  
 County of Hawai'i  
 Hilo, Hawai'i

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				
VILLEGAS			X	
	6	0	2	0

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   November 16, 2022  .

ATTEST:

 COUNTY CLERK  
 CHAIRPERSON & PRESIDING OFFICER

Reference:   C-1098/waived PWMTC    
 RESOLUTION NO.   608 22



8. Thence along Lot 1-R, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
- 32° 59' 45" 42.42 feet;
9. 348° 00' 18.50 feet along Lot 1-R, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
10. Thence along Lot 1-R, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 970.00 feet, the chord azimuth and distance being:
- 341° 23' 30" 223.26 feet;
11. 334° 47' 857.21 feet along Lot 1-R, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
12. Thence along Lot 1-R, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 1030.00 feet, the chord azimuth and distance being:
- 338° 37' 30" 138.02 feet;
13. 342° 28' 25.80 feet along Lot 1-R, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
14. Thence along Lot 1-R, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
- 297° 28' 42.43 feet;
15. 342° 28' 60.00 feet along Lot 1-S, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
16. Thence along Lot 1-S, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
- 27° 28' 42.43 feet;
17. 342° 28' 607.43 feet along Lot 1-S, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);

18. 72° 51' 60.00 feet along Lot 1-G, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et al.;
19. 162° 28' 595.02 feet along Lot 1-Q, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et al., and Lot 1-N, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
20. Thence along Lot 1-N, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:
- 117° 28' 42.43 feet;
21. 72° 28' 539.60 feet along Lot 1-N, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), and Lot 1-P, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138) and Grant S-15096 to Lanihau Corporation, et al.;
22. Thence along the East side of Queen Kaahumanu Highway (Kailua-Kawaihae Road, Section II, Proj. No. BD-65-352), on a curve to the right with a radius of 5904.00 feet, the chord azimuth and distance being:
- 162° 23' 19.5" 105.02 feet;
23. 252° 28' 265.23 feet along Lots 1-M and 1-L, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
24. 342° 28' 12.00 feet along Lot 1-L, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
25. Thence along Lot 1-L, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the left with a radius of 9.00 feet, the chord azimuth and distance being:
- 297° 28' 12.73 feet;
26. 252° 28' 265.52 feet along Lot 1-L, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
27. Thence along Lot 1-L, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138),

- on a curve to the left with a radius of 30.00 feet, the  
chord azimuth and distance being:
- 207° 28' 42.43 feet;
28. 162° 28' 13.80 feet along Lot 1-L, being a portion of R.P. 7587,  
L.C.Aw. 11216, Ap. 36 to M. Kekauonohi  
(Certificate of Boundaries No. 138);
29. Thence along Lot 1-L, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to  
M. Kekauonohi (Certificate of Boundaries No. 138),  
on a curve to the left with a radius of 970.00 feet, the  
chord azimuth and distance being:
- 158° 37' 30" 129.98 feet;
30. 154° 47' 857.21 feet along Lots 1-L and 1-K, being portions of R.P.  
7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi  
(Certificate of Boundaries No. 138);
31. Thence along Lots 1-K and 1-J, being portions of R.P. 7587, L.C.Aw. 11216, Ap. 36 to  
M. Kekauonohi (Certificate of Boundaries No. 138),  
on a curve to the right with a radius of 1030.00 feet,  
the chord azimuth and distance being:
- 161° 23' 30" 237.07 feet;
32. 168° 00' 18.48 feet along Lot 1-J, being a portion of R.P. 7587,  
L.C.Aw. 11216, Ap. 36 to M. Kekauonohi  
(Certificate of Boundaries No. 138);
33. Thence along Lot 1-J, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to  
M. Kekauonohi (Certificate of Boundaries No. 138),  
on a curve to the left with a radius of 30.00 feet, the  
chord azimuth and distance being:
- 122° 59' 45" 42.43 feet;
34. 77° 59' 30" 313.95 feet along Lot 1-J, being a portion of R.P. 7587,  
L.C.Aw. 11216, Ap. 36 to M. Kekauonohi  
(Certificate of Boundaries No. 138);
35. 167° 59' 30" 60.00 feet along the East side of Queen Kaahumanu  
Highway (Kailua-Kawaihae Road, Section II, Proj.  
No. BD-65-352) to the point of beginning and  
containing an area of **5.113 Acres**.

Being a portion of the premises acquired by Grantor by the following:

Instrument: LIMITED WARRANTY DEED  
Grantor: Lanihau Properties, LLC, a Hawaii limited liability company  
Grantee: West Hawaii Business Park LLC, a Hawaii limited liability company  
Dated: May 7, 2004  
Recorded: Document No. 2004-092700

Said premises being SUBJECT, HOWEVER, to the following:

1. Mineral and water rights of any nature.
2. Abutter's right of vehicle access into and from Kailua-Kawaihae Road, Section II, Project No. BD-65-352, as condemned by the State of Hawaii, by Final Order of Condemnation dated and filed on February 17, 1976 with Civil No. 1798 in the Circuit Court of the Third Circuit, State of Hawaii, and recorded March 17, 1976 in the State of Hawaii Bureau of Conveyances in Liber 11299, Page 132.
3. Restriction of Vehicle Access Rights along Kailua-Kawaihae Road, Section II, Project No. BD-65-352, recorded in Liber 11998, Page 375.

4. GRANT

To: GTE HAWAIIAN TELEPHONE COMPANY INCORPORATED, now known as HAWAIIAN TELCOM, INC.  
Dated: March 20, 2000  
Recorded: Document No. 2000-036652  
Granting: easement over Easement "T-1"

5. GRANT

To: HAWAII ELECTRIC LIGHT COMPANY, INC. and VERIZON HAWAII INC., now known as HAWAIIAN TELCOM, INC.  
Dated: January 25, 2001  
Recorded: Document No. 2001-032098  
Granting: right and easement for utility purposes, as shown on the map attached thereto

6. The terms and provisions contained in the following:

Instrument: CERTIFICATE OF CONDITIONS  
Dated: January 26, 2004  
Recorded: Document No. 2004-032728

Said Certificate of Conditions was amended by instrument dated --- (acknowledged January 22, 2010), recorded as Document No. 2010-012585.

7. The terms and provisions contained in the following:

Instrument: DECLARATION REGARDING POLLUTION PREVENTION PLAN  
FOR WEST HAWAII BUSINESS PARK

Dated: June 18, 2008

Recorded: Document No. 2008-102908

8. The terms and provisions contained in the following:

Instrument: DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR STORM WATER AND SURFACE WATER  
RUN-OFF

Dated: August 26, 2008

Recorded: Document No. 2008-136287

9. Rights of others who may have easement or access rights in the land(s) described herein.

10. The terms and provisions contained in the following:

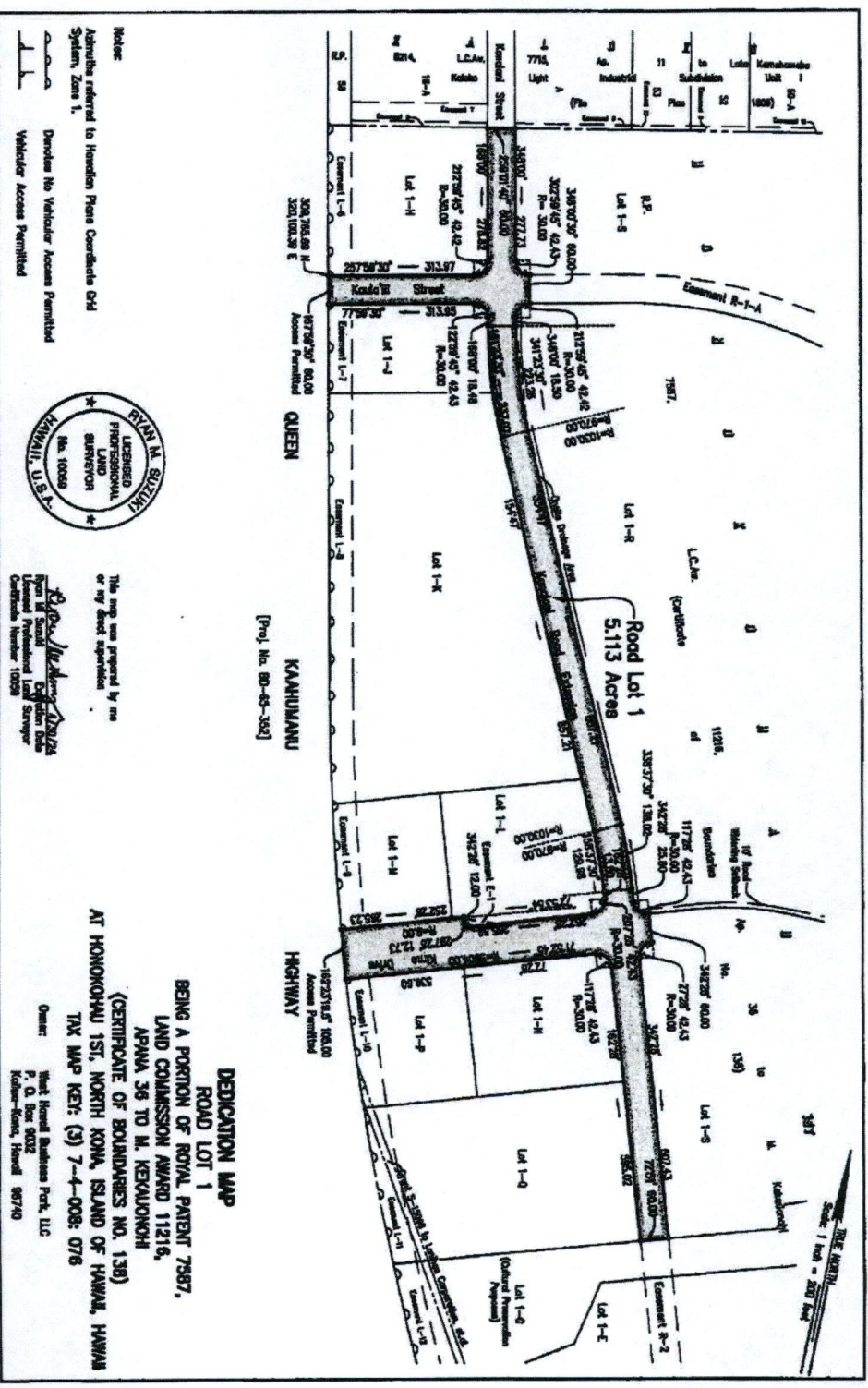
Instrument: GRANT OF EASEMENT AND BILL OF SALE

Dated: \_\_\_\_\_, 2022

Recorded: Document No. \_\_\_\_\_

Parties: WEST HAWAII BUSINESS PARK, LLC, a Hawaii limited liability  
company ("Grantor"), and the WATER BOARD OF THE COUNTY OF  
HAWAII ("Grantee ")

**END OF EXHIBIT A**



Note:  
 Admitts referred to Hawaiian Pines Coordinate Grid System, Zone 1.  
 Denotes No Vehicular Access Permitted  
 Vehicular Access Permitted



This map was prepared by me or my direct supervisor.  
 Ryan M. Sullivan  
 Licensed Professional Land Surveyor  
 Certificate Number 10069

R. M. TOMPSON CORPORATION  
 1999

BEING A PORTION OF ROTAL PATENT 7587,  
 LAND COMMISSION AWARD 11216,  
 APANA 36 TO M. KEKAIKOHAKA  
 (CERTIFICATE OF BOUNDARIES NO. 136)  
 AT HONOKOHU 1ST, NORTH KONA, ISLAND OF HAWAII, HAWAII  
 TAX MAP KEY: (3) 7-4-008: 076

Owner:  
 West Hawaii Builders Park, LLC  
 P. O. Box 8032  
 Kohala-Kona, Hawaii 96740

73-5774 Kaula Street, Suite 11  
 Kohala-Kona, Hawaii 96740  
 September 12, 2022

EXHIBIT B

*That certain portion of the parcel of real property bearing TMK No. (3) 7-4-008:094 and more particularly described as follows pursuant to description dated October 24, 2022, prepared by Ryan M. Suzuki, Licensed Professional Land Surveyor, Certificate No. 10059, with R. M. Towill Corporation, to-wit:*

**EASEMENT E-1  
For Electric Purposes**

Affecting Lot 1-L, Being a Portion of Royal Patent 7587, Land Commission Award 11216, Apana 36 to M. Kekauonohi (Certificate of Boundaries No. 138)  
At Honokohau 1st, North Kona, Island of Hawaii, Hawaii

Beginning at the South corner of this easement, along Road Lot 1, the coordinates of said point of beginning referred to Hawaiian Plane Coordinate Grid System, Zone 1, being 308,492.30 feet North and 320,665.41 feet East, and thence running by azimuths measured clockwise from true South:

1.      265°      14'                      75.47 feet;
2.      72°      28'                      64.61 feet along Road Lot 1, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138);
3.      Thence along Road Lot 1, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), on a curve to the right with a radius of 9.00 feet, the chord azimuth and distance being:  
  
            117°      28'                      12.73 feet;
4.      162°      28'                      7.68 feet along Road Lot 1, being a portion of R.P. 7587, L.C.Aw. 11216, Ap. 36 to M. Kekauonohi (Certificate of Boundaries No. 138), to the point of beginning and containing an area of **596 Sq. Ft.**

**EXHIBIT C**



Department of Environmental Management  
Wastewater Division, County of Hawai'i  
Application For Sewer Extension

**Part A. (must be completed)**

Project Address: Kanalani Street Date: 10/14/2022

TMK No.: (3) 7-4-08:076

**Applicant Information:**

Name: Riley Smith

Address: PO Box 9032, Kona, HI 96745

Company: West Hawaii Business Park LLC

Phone No.: (808) 936-7129

**Contractor Information:**

Name: Scott Yoshimura

Address: 648 Piilani St, Hilo, HI 96720

Company: Isemoto Contracting Co., Ltd.

Phone No.: (808) 329-8051

Check applicable box:  Sewer Main Installation (Indicate reason for work and complete Parts B & C.)  
 Sewer Lateral Installation Only (Indicate reason for work and complete Part C)

Reason For Work: Applicant is constructing an extension of Kanalani St. and underlying infrastructure for a new industrial development, including laterals to TMKs 7-4-008:07:91 to :99.

**Part B.**

Sewer extensions are subject to Hawai'i County Code, Chapter 21, Division 4, Extensions and the APPLICANT shall be responsible for submitting a final resolution to the Wastewater Division for review. The Department of Environmental Management will submit the final resolution and supporting documents to the County Council for approval of the sewer main extension. Select one of the following methods of payment for cost and construction:

(Note: reimbursement refers to payments collected by the County from properties connecting to the extension)

Section 21-28(a): Applicant constructs and pays.   
Section 21-28(b)(1): County constructs, applicant pays.   
Section 21-28(b)(2): County constructs, applicant and County share cost.

Estimated Start Date June 2021 Estimated Completion Date December 2022


**Part C.**

I hereby certify that all work requested above will conform to appropriate sections of the Hawai'i County Code.

Owner Signature:  Date: 10-14-22

**Department of Environmental Management, Wastewater Division**

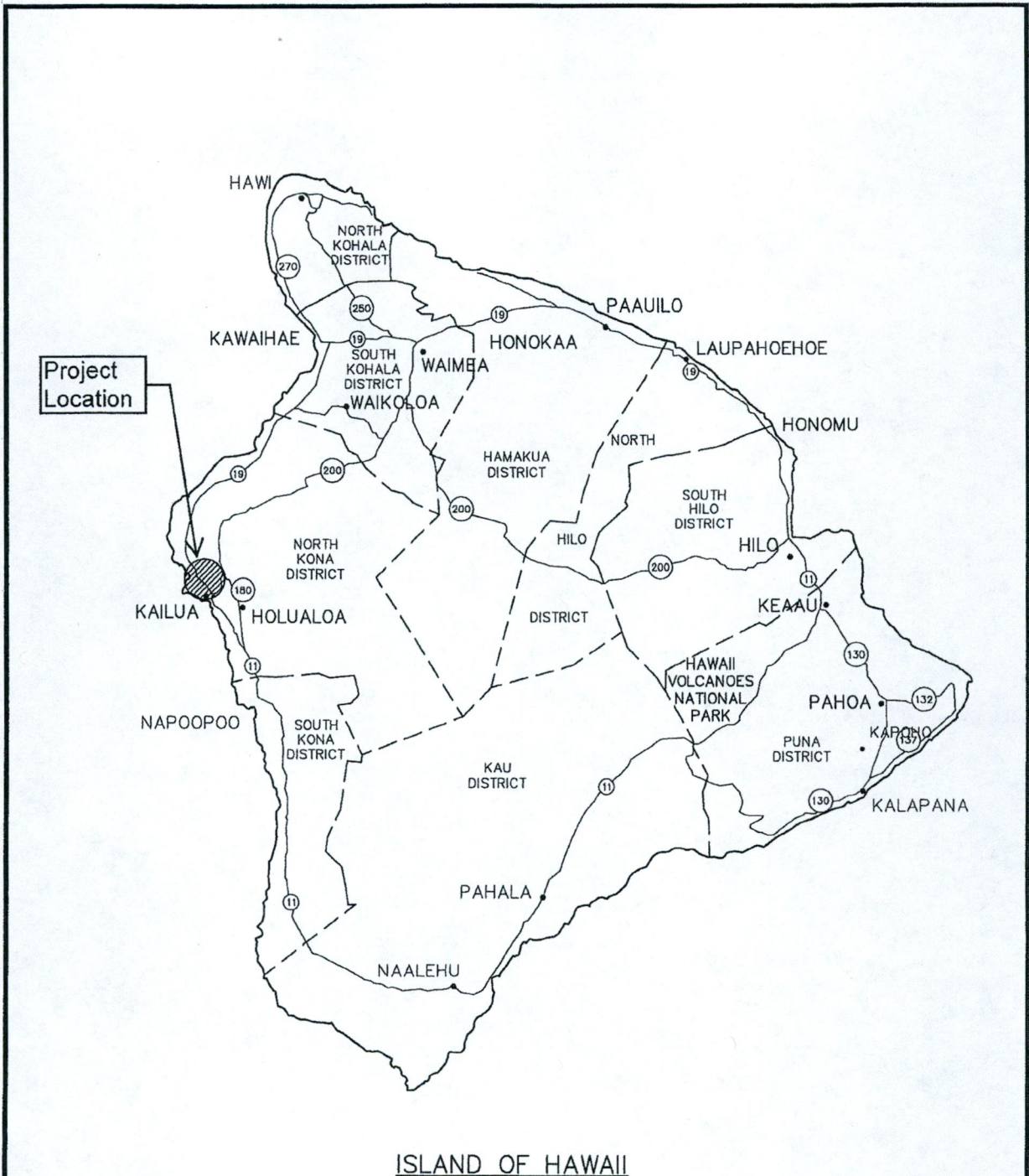
Approved by:  Date: 10/17/22  
Wastewater Division Chief

Approved by:  Date: 10-20-22  
Director of Environmental Management

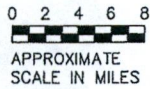
- Note: 1) Approval of the Application for Sewer Extension does **NOT** constitute approval for construction. Approval for construction is provided by an approved Permit to Perform Work on the Public Sewer System pending final approval by the Hawai'i County Council in accordance with Section 21-26.1 of the Hawai'i County Code.  
2) Filing of Sewer Extension Resolution is not required for sewer lateral installations.

*Hawai'i County is an Equal Opportunity Provider and Employer*


M:\Wastewater\Plan Review\Sewer Extension Application.doc



ISLAND OF HAWAII



PATH: G:\LP\1701 Kandiani Street Exd\750 PERMITS\04 Grubbing Permit\Exhibits  
 FILE: Exhibit A - I Location Map.dwg  
 CURRENT OPER: KJM Tuesday, January 5, 2021 3:51:48 PM  
 LAST SAVED: LRS Thursday, December 5, 2019 12:41:23 PM

	WEST HAWAII BUSINESS PARK	EXHIBIT
	LOCATION MAP	A



**Mitchell D. Roth**  
Mayor

**Lee Lord**  
Managing Director



**Ramzi I. Mansour**  
Director

**Brenda Iokepa-Moses**  
Deputy Director

# County of Hawai'i

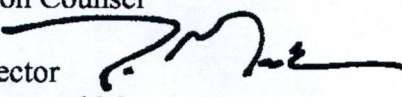
## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720 · cohdem@hawaiiicounty.gov

Ph: (808) 961-8083 · Fax: (808) 961-8086

### MEMORANDUM

TO: Sinclair Salas-Ferguson, Deputy Corporation Counsel  
Office of the Corporation Counsel

FROM: <sup>RM</sup> Ramzi I. Mansour, Director   
Department of Environmental Management

DATE: October 20, 2022

SUBJECT: (Revised) WEST HAWAII BUSINESS PARK LLC,  
TMK: (3) 7-4-008:076 (Road Lot 1, 5.113 acres)

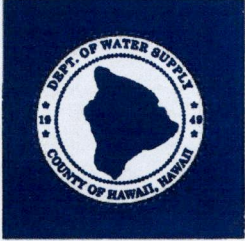
Pursuant to your revised transmittal received October 18, 2022, the Department of Environmental Management Wastewater Division has reviewed the above-referenced dedication deed and requests an amendment to the sewer system paragraph to read as follows, with amendments illustrated in Ramseyer format:

"TOGETHER WITH the sewer system now installed and in existence, including [~~all pipelines, valves, valve boxes,~~] sewer pipes, sewer manholes, sewer cleanouts, sewer service laterals, and other appurtenances attached thereto or connected therewith, found on the above-described premises"

The purpose of this requested amendment is to reflect accurately the features that have been constructed. With the aforementioned amendment, the Department of Environmental Management has no objections to the acceptance of the dedication deed.

DEM appreciates the opportunity to provide comment.

RM:pls



**DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII**

345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAII 96720  
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

October 21, 2022

**TO:** Ms. Elizabeth A. Strance, Corporation Counsel  
Attention: Mr. Sinclair Salas-Ferguson, Deputy Corporation Counsel

**FROM:** Keith K. Okamoto, Manager-Chief Engineer

**SUBJECT:** Dedication Deed and Grant of Easement – E-1  
Grantor: West Hawaii Business Park LLC  
Tax Map Key (3) 7-4-008:094 (Road Lot 1, 5.113 acres)  
Honokohau 1<sup>st</sup>, North Kona, Island of Hawai'i, Hawai'i

We have reviewed the subject Dedication Deed and Grant of Easement documents and have no objection to them being accepted by the Hawai'i County Council.

Should there be any questions, please call Mr. Ronaldo B. Aurelio at (808) 961-8070, extension 287.

Sincerely yours,

Keith K. Okamoto, P.E.  
Manager-Chief Engineer

RBA:dmj

*... Water, Our Most Precious Resource ... Ka Wai A Kāne ...*

The Department of Water Supply is an Equal Opportunity provider and employer.

Mitchell D. Roth  
Mayor

Lee E. Lord  
Managing Director

West Hawai'i Office  
74-5044 Ane Keohokalole Hwy  
Kailua-Kona, Hawai'i 96740  
Phone (808) 323-4770  
Fax (808) 327-3563



**County of Hawai'i**  
**PLANNING DEPARTMENT**

Zendo Kern  
Director

Jeffrey W. Darrow  
Deputy Director

East Hawai'i Office  
101 Pauahi Street, Suite 3  
Hilo, Hawai'i 96720  
Phone (808) 961-8288  
Fax (808) 961-8742

**MEMORANDUM**

**DATE:** October 21, 2022

**TO:** SINCLAIR SALAS-FERGUSON  
Deputy Corporation Council

**ATTN:** KAWEHILANI S. LACTAOEN  
Legal Technician I

**FROM:** ZENDO KERN <sup>ZK</sup><sub>ZK</sub>  
Planning Department, Director

**SUBJECT:** Dedication Deed  
Ref: PL-INT-2022-003624  
TMK: (3) 7-4-008:094

This is in response to your request (PL-INT-2022-003624) dated October 18, 2022. We note that there may be an unnecessary page (page 9 of the grant of easement document) acting as a placeholder for the legal descriptions that have been inserted into the document already. Besides that, we have reviewed the subject dedication deed and have no further comments to provide.

We recommend that the dedication be accepted by the County Council inasmuch as the project is in full compliance to the extent applicable with the provisions of Chapter 23 (Subdivisions) of the Hawai'i County Code.

Should you have any questions, please feel free to contact Hans Santiago of this department at (808) 961-8165.

HS:cn

\\COH01\planning\public\Admin Permits Division\Subdivision\2022\2022-4\74008076-Memo to Corp Counsel on dedication deed.docx

DEPARTMENT OF PUBLIC WORKS  
COUNTY OF HAWAII  
HILO, HAWAII

DATE: October 24, 2022

Memorandum

TO: Sinclair Salas-Ferguson, Deputy Corporation Counsel

*MD for*

FROM: Steven M. Pause, P.E., Director

**SUBJECT: ROADWAY DEDICATION DEED AND GRANT OF EASEMENT E-1**

Grantor: West Hawaii Business Park LLC

Subdivision: Kanalani Street Extension, Kaulaili Street & Kimo Drive

Subdivision TMK: 7-4-008:076 & 077

Roadway TMK: 7-4-008:076

Easement E-1 TMK: 7-4-008:094 (por.)

DPW Folder No.: 74166

We have reviewed the subject deed and grant of easement and recommend that it be accepted by the Council inasmuch as the subject road improvements and streetlights have been inspected and found to comply with Department of Public Works Standard Details, are in acceptable condition for dedication, and are in full compliance with the provisions of Chapter 23 of the Hawaii County Code.

Questions may be referred to Melanie DeMello at 961-8927.

MD

Enclosures – Four (4) documents emailed by Thomas Yeh on 10/24/2022 at 3:57 pm

cc: Owner/Developer (w/o enclosure)  
ENG-KON (w/o enclosure)  
Planning Department (Approvals ONLY)