



## STATE OF HAWAII SCOPE OF SERVICES

r. Other Necessary Items:

1. Resolve all complaints, inquires, etc., handled by e-mail through GMR developed form to HWY-R.
2. All insurance binders to be compiled and reported by GMR.
3. Follow-up with any related issues that can be mitigated or resolved, as required within a reasonable time period.
4. DOT, HWY-SF to handle all collections & set-up collection accounts. GMR to handle late fees, delinquencies, and any problem areas, up to and including, termination, eviction of tenants in coordination with HWY-R.
5. GMR to review and confirm determination of the fair market rent as required by audit findings in coordination with DOT. GMR to contact DOT auditors to insure compliance.
6. GMR to handle new tenants, renewals, and new rent renegotiations.

1.6 Data to be Furnished by the State. The STATE will furnish at no cost to the CONTRACTOR any plans or records owned by the STATE, that the STATE determines will aid in accomplishing the work for this Project.

a. The State will hire design and engineering consultants, including environmental engineering and other specialty consultants that the State determines will aid in accomplishing the work.

1.7 Employment of STATE Workers. The CONTRACTOR covenants that the CONTRACTOR shall not engage any professional or technical personnel who are or have been in the employ of the State of Hawaii at any time during the negotiation or term of this Contract on a full-time, part-time or any other basis (except regularly retired employees) for the performance of the work. Failure to comply with the provisions



## STATE OF HAWAII SCOPE OF SERVICES

of this section may result in termination of this Contract. Additionally, the CONTRACTOR may be declared ineligible by the State for further State of Hawaii contracts in accordance with applicable State Law.

1.8 Non-liability of STATE Employees. State employees in carrying out their duties in the administration of the property management services contract for the Project shall not be held personally liable in any way. It being understood, that in such matters, they act as agents and representatives of the STATE.

**EXHIBIT A**

The Contractor will conform to the sample Property Inspection Form, subject to change, as the Contractor develops a master form to use in conducting visual inspections on-site on Highways Division revocable permits properties rentals. The Contractor shall conduct and coordinate property inspections for the STATE under the Contract Agreement. The property inspection is defined as the process of the Contractor collecting information through visual observation during a walk-through survey and inspection of the subject properties, conducting research about the Permittees, conditions and activities of the property then generating a meaningful report about its findings based on the observations made and research conducted by the Contractor. The property inspections require the Contractor to make observations, conduct research, manage the properties, recommend reasonable solutions, and report findings.

Highways Division, Property Inspection (\*Subject to Change)

**R I G H T - O F - W A Y B R A N C H**  
**P R O P E R T Y M A N A G E M E N T S E C T I O N**  
**PROPERTY INSPECTION FORM**

Facility Name/Address Location:	
Inspector's Name & Title:	
Date & Time of Inspection:	
Permittee Name/Contact: RP No. _____	

**Report of Findings:** General Description of the building, premises, and area(s). Was building, premises or area(s) obstructed, enclosed, or otherwise concealed from inspection?

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**EXHIBIT A**

Observation of hazardous materials, unusual activity, if any.

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Additional Comments:

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\_\_\_\_\_  
Signature of Authorized Inspector

\_\_\_\_\_  
Date

HWY-R      Date Rec'd: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_ Chk'd By: \_\_\_\_\_

HWY-RM      Date Rec'd: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_ Chk'd By: \_\_\_\_\_

**EXHIBIT B**  
**APPRAISALS – FAIR MARKET VALUE**

The Contractor will review and confirm determination of the fair market rent as required by audit findings in coordination with the Department of Transportation, Highways Division, Right-of-Way Branch. The Contractor will contact Department of Transportation auditors to insure compliance. A sample of a completed Rental Analysis Report is attached for Contractor's information and reference of the types of review and confirmation mutually agreed between the STATE and Contractor to determine the estimated fair market rental for Highways Division rental properties for the contract agreement period in regards to compliance laws and acceptable documentation to auditors.

**EXHIBIT C**

Storm Water Awareness Program

**A P P E N D I X C**

**THIRD-PARTY SITE-SPECIFIC SWPCP FACILITY INSPECTION FORM**

Facility Name:	
Inspector's Name & Title:	
Date & Time of Inspection:	
Weather:	<input type="checkbox"/> Raining <input type="checkbox"/> Sunny <input type="checkbox"/> Cloudy <input type="checkbox"/> High Wind <input type="checkbox"/> Moderate Wind <input type="checkbox"/> Calm
	Precipitation in last 24 hours? <input type="checkbox"/> Yes <input type="checkbox"/> No

**SITE OBSERVATIONS / MANAGEMENT CONTROLS / BMPs**

<b>Issue Being Evaluated</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments and Corrective Actions</b>
<b>Are preventive maintenance and housekeeping activities being implemented and documented?</b>				
Are all work areas and storage areas neat and clean?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are the loading and unloading areas clean?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Is the drainage area clean of debris (paper, leaves)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Catch basins cleaned	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Regular removal/disposal of trash and waste products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are dumpsters and recycle bins kept closed when not in use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are potential pollutants stored under covered areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are drums stored within secondary structures / containment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**EXHIBIT C**

Storm Water Awareness Program

**APPENDIX C**

**THIRD-PARTY SITE-SPECIFIC SWPCP FACILITY INSPECTION FORM  
(Continued)**

<b>Issue Being Evaluated</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments and Corrective Actions</b>
Are any material storage containers, equipment, etc. leaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are oily parts and/or chemical containers exposed to storm water contact?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are materials properly labeled?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Identification of all chemicals (MSDSs)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Prevention of chemical accumulation on ground in building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Vehicles are serviced in covered Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Is any equipment maintenance being performed outdoors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Is equipment or vehicles being washed in designated areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are drip pans placed under equipment and vehicles?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are drip pans clean and in good condition (not leaking)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Petroleum products recycled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Is there dirt and grease buildup in the parking lot?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**EXHIBIT C**

Storm Water Awareness Program

**APPENDIX C**

**THIRD-PARTY SITE-SPECIFIC SWPCP FACILITY INSPECTION FORM  
(Continued)**

<b>Issue Being Evaluated</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments and Corrective Actions</b>
Are there stains on the paved Areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Any water flowing into outfall/off-site? (if yes, identify source)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Visual inspection of facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Maintenance of inspection log (documented and current)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Proper training of employees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Restrict access to area and equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Have spill prevention and response procedures been implemented and is spill prevention equipment operational and ready?</b>				
Visual inspection of paved areas for spills and leaks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Prompt removal of any spills or leaks using spill kits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Spill response equipment stocked and inspected	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**EXHIBIT C**

Storm Water Awareness Program

**APPENDIX C**

**THIRD-PARTY SITE-SPECIFIC SWPCP FACILITY INSPECTION FORM  
(Continued)**

**REVIEW OF STROM WATER POLLUTION CONTROL PLAN (SWPCP)**

<b>Issue Being Evaluated</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
Are there changes to the site description?	<input type="checkbox"/>	<input type="checkbox"/>	
Are there changes to storm Water control features?	<input type="checkbox"/>	<input type="checkbox"/>	
Are there changes to potential pollutant sources or activities?	<input type="checkbox"/>	<input type="checkbox"/>	
Are there changes to storm Water program personnel?	<input type="checkbox"/>	<input type="checkbox"/>	
Have there been any spills or releases?	<input type="checkbox"/>	<input type="checkbox"/>	
Are corrective actions necessary?	<input type="checkbox"/>	<input type="checkbox"/>	
Are there changes in employee responsibilities regarding storm water protection?	<input type="checkbox"/>	<input type="checkbox"/>	

<b>Question</b>	<b>Yes</b>	<b>No</b>
If yes to any of the above, have revisions to the SWPCP Plan been made?	<input type="checkbox"/>	<input type="checkbox"/>
Are additional revisions recommended?	<input type="checkbox"/>	<input type="checkbox"/>
If revisions have not been made or are not recommended, indicate reason:		
Do the existing management controls/best management practices appear to be effective in reducing the potential for storm water pollution? If no, indicate reason:	<input type="checkbox"/>	<input type="checkbox"/>
Are there any additional management controls/best management practices recommended as a result of the site inspection? If yes, describe new storm water management/best management control needed to address sources of pollutants and a time schedule for implementation:	<input type="checkbox"/>	<input type="checkbox"/>

**EXHIBIT C**

Storm Water Awareness Program

**APPENDIX C**

**THIRD-PARTY SITE-SPECIFIC SWPCP FACILITY INSPECTION FORM  
(Continued)**

**REVIEW OF TRAINING**

<b>Issue Being Evaluated</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
Have employees been informed and trained of revisions?	<input type="checkbox"/>	<input type="checkbox"/>	
Is annual employee training current?	<input type="checkbox"/>	<input type="checkbox"/>	
Are employee training records documented?	<input type="checkbox"/>	<input type="checkbox"/>	
If no to any of the above, indicate reason for discrepancy and what corrective actions will be Taken:			

**REVISIONS OF STORM WATER POLLUTION CONTROL PLAN**

<b>Question:</b>	<b>Yes</b>	<b>No</b>
Have all revisions been made to the SWPCP, re-signed, and submitted to the Hawaii State Department of Health within 30 days of the revision (if applicable)?	<input type="checkbox"/>	<input type="checkbox"/>
If no, indicate reason:		

**STORM WATER POLLUTION CONTROL PLAN COMPLIANCE**

Based on site observations and review of facility records conducted as part of this inspection report, this facility is determined to be in compliance with the facility's SWPCP.

Facility: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT D**  
**INSURANCE COMPLIANCE & COMPLIANT REPORTS**

The Contractor is responsible for all insurance binders to be complied and reported to the Department of Transportation, Highways Division, Right-of-Way Branch. The Contract shall review all revocable permits for insurance compliance and compliant reports.

All Permittees are required to maintain and submit an insurance policy or certificate in lieu thereof, as evidence of their required insurance coverage. A copy of the insurance policy or certificate in lieu thereof obtained for the Premises. The policy shall cover, at a minimum of one million dollars (\$1,000,000.00) for bodily injury and damage to the property per occurrence and two million dollars (\$2,000,000.00) in the aggregate.

The insurance required shall:

- a. be issued by an insurance company authorized to do business in the State of Hawaii or approved in writing by the Director of Transportation;
- b. name the State of Hawaii as an additional insured;
- c. provide that the Department of Transportation shall be notified at least thirty (30) days prior to any termination, cancellation or material change in its insurance coverage;
- d. cover all injuries, losses or damages arising from, growing out of, or caused by any acts or omissions of (Permittee's Name), its officers, agents, employees, invitees or licensees, in connection with (Permittee's Name) operations or use or occupancy of the Premises; and
- e. be maintained and kept in effect at (Permittee's Name) own expense throughout the life of this Permit, as evidenced by furnishing the STATE without notice or demand a certificate of insurance upon each renewal thereof.

In addition, insurance description block on the certificate of insurance shall adhere to the following:

RE: (PERMITTEE LEGAL NAME/BUSINESS ENTITY, LOCATION,  
TAX MAP KEY, ASSIGNED REVOCABLE PERMIT NUMBER.  
HY-\_\_\_\_. IN ADDITION SHOWING THE FOLLOWING TITLE:

ADDITIONAL INSURED: STATE OF HAWAII, DOT

If Permittee's certificate of insurance is found deficient, please notify Permittee to include the following:

Under "Cancellation", of your Certificate of Insurance, the preprinted clause must read: "Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will ~~endeavor to mail 30 days written notice to the certificate holder named below. but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.~~ (Refer to the attached.)

**EXHIBIT D**  
**INSURANCE COMPLIANCE & COMPLIANT REPORTS**

A 30-day written notice is required prior to any cancellation, termination or material change in policy. Please have Permittee's deficiency corrected and submit evidence of correction within two weeks from notification.

# Auction Procedures

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Property Management  
Revised May 2007

# Introduction

- This is help train for properties confirmed excess to Hwy needs and ready for disposition by Auction according to HRS 171-12, 171-13, 14, 16, 17, CFR 620.201, 710.403, 710.409, DSM Vol. 8, Ch. 5, etc.
- The following establishes the procedures and steps needed to accomplish that task.

# Topics of Discussion

- Where there is a need to auction off a DOT owned parcel, determination that it is excess to hwy needs and economically feasible to stand alone must be established.
- 
- HWY-RM to submit request for approval from Board of Land and Natural Resources to sell property
- If Title 23 funds used to obtain properties, then HWY-RM to submit request to State Historic Preservation Division and United States Department of Interior Fish and Wildlife Service to obtain clearance to sell property

# Topics of Discussion

- (Title 23) After clearance from agencies, HWY-RM to submit request for Categorical Exclusion to FHWA and approval to sell property.
- The improvements must first be offered to Federal, State and local agencies via posting notice of proposed disposition of real property right's on State's Disposal Notification listing at an established upset price or property will be disposed by public auction.
- If Federal funds used to acquire property, and if the property is sold at fair market value then no reversion clause. Should the property be sold at less than fair market value then the deed shall provide for reversion of the property for failure to continue public ownership and use. FHWA will require a public interest determination and FHWA approval, consistent with 23 CFR 710.403 (d) (1)

# Disposal by Public Auction

- HWY-RM submits request to Selection Committee for ranking of appraisers for assignment, Selection Committee members rank appraisal Attachment and submit to Jamie HO and Glenn Yasui for approval to begin negotiations.

# Disposal by Public Auction

- HWY-RM assigned to project to create professional service contract with add Attachment 1-scope of work, Attachment 2-Compensation and payment schedule, and Attachment 3-Special provisions special conditions
- 
- After approval is granted, HWY-RM Property Management Section Head negotiates price with vendor selected.
-

# Disposal by Public Auction

- When negotiations are completed, HWY-RM completes by adding vendor information for Professional Services Contract and Attachments 1, 2, and 3 and after internal routing through department. HWY-RM routes to legal for approval.
- Upon approval of contract by Legal, HWY-RM to prepare letter of award of contract to vendor, appraisal is ordered and HWY-RM prepares recommendation for upset price and date of public auction and submits for HWY-R approval.
- After approval of contract HWY-RM contacts CON for processing of advertisement
- Requisition for public auction is submitted to HWY-SF and purchase order is obtained.

# Auction – Cont.

- Upon submittal of 2 copies of legal notice and PO to CON, CON will assume all work in arranging publication, checking for correctness of public notice, checking frequency, filing copies of notice, receiving and checking bills and affidavit of publication of the advertisement. Notice of any proposed disposition by auction shall be published at least once in each of three successive weeks in a newspaper of general circulation in the State and, in addition, in a newspaper of general circulation in the appropriate county, if the land is situated in the first, second and fourth districts, the last publication to be not less than ten days before the date of the auction. Notice of auction shall contain the following:

1.

# Auction – Cont.

1. 1) Time and place of the auction;
2. 2) General description of the land, including the address and tax map key;
3. 3) Specific use for which the disposition is intended; and
4. 4) Upset price or rental to be charged. The maps showing the metes and bounds description and the classification of the land and shall be kept in the office of the Board of Land and Natural Resources and of its land agent in the county in which the land is situated, and shall be open for inspection at all reasonable hours.

# Auction Cont.

- Requisition for publication is submitted to Hwy-SF and PO is obtained.
- Hwy-Rm to coordinate with land agent assigned to public auction to confirm auction date and time, location, and room #. Hwy-Rm to forward maps showing the metes and bounds description and the classification of the land and is to be kept in the Office of the Board of Land and Natural Resources and of its land agent in the county in which the land is situated, and shall be open for inspection at all reasonable hours.
- Copy of public auction with terms and conditions attached thereto is mailed to Hwy-RM to each person listed on auction list.

# Auction Cont

- Copies of public auction transmitted to FHWA by letter notifying them of auction.
- Auction shall be conducted on date, place, time and at the upset price publicized in newspaper.
- No less than 2 staff members shall be present.
- Member of Hwy-SF shall be present to receive payment and issue a pre-numbered official receipt.

# Auction Cont.

- Successful Bidder receives original receipt.
- Results of auction sale transmitted to FHWA.
- Agent prepares Bill of Sale and obtains AG approval as to form.
- Bill of Sale sent to Hwy-SF for approval by Fiscal Officer with information regarding where to direct funds. (General fund, highways fund (Title 23 projects - FAP), ceded lands, etc...

# Procedures for Auction

- Inspect buildings.
- Assessment of need for rodent control or termite inspections – DOH.
- Prepare Legal Documents, ie. Quit Claim, Notice of Sale, Fact Sheet, Purchase Agreement, Use and Occupancy Agreements, Easements, Party Wall Agreements, etc.

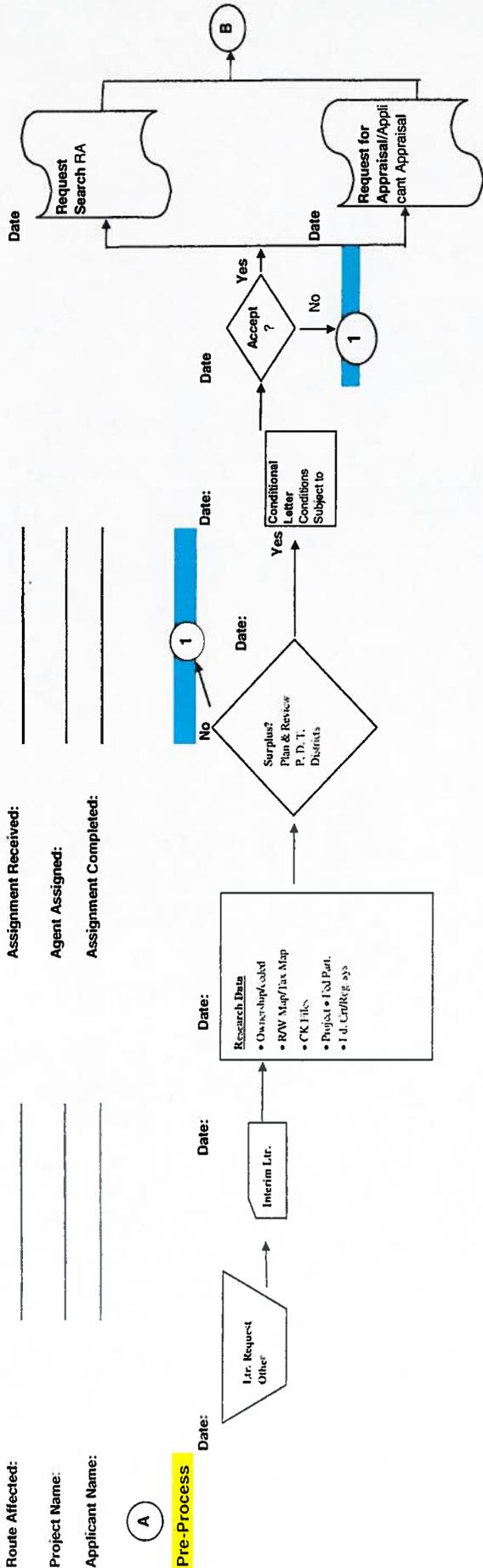
# Auction Packet

- Title Page
- Table of Contents
- Notice of Sale
- Notice of Intent to Bid
- Conduct of Sale Document
- Memorandum of Sale Form
- Purchase Agreement Document
- Quitclaim Deed Document
- Use and Occupancy Agreement Document, ie. Encroachments, etc.

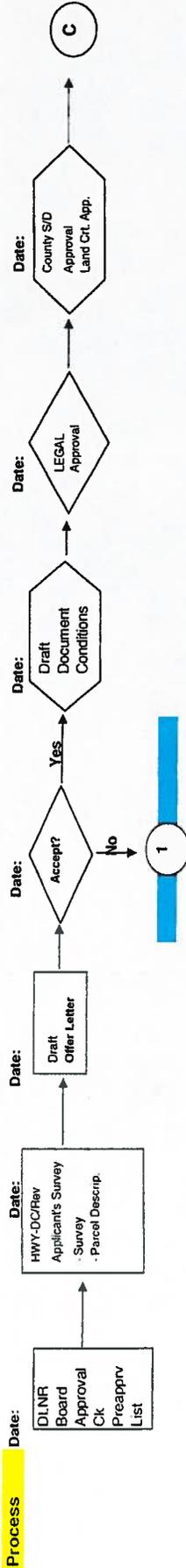
**Property Management Flow Chart- HRS 171**

Route Affected: \_\_\_\_\_  
 Project Name: \_\_\_\_\_  
 Applicant Name: \_\_\_\_\_

Assignment Received: \_\_\_\_\_  
 Agent Assigned: \_\_\_\_\_  
 Assignment Completed: \_\_\_\_\_

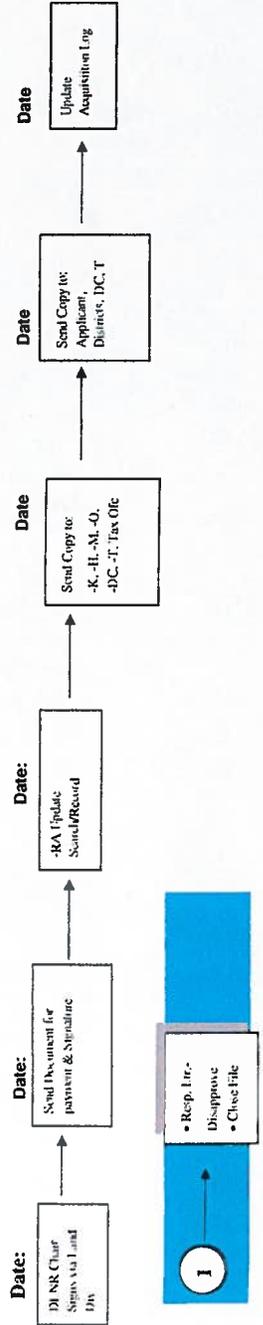


**B**



**C**

**Post Acceptance**



# Remnant Disposition Procedures

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May 2007

# Remnant Disposition

- Authority 171-52 HRS
- DSM
- DLNR Board Approval
- Must be abutting owner
- Uneconomic
- Appraised Before and After Method

# Remnant Disposition Steps

- Receive Request Letter.
- DOT sends interim letter to requesting party.
- Research data, ownership, ceded or non-  
ceded lands, ROW maps, tax maps, Ld.Ct.  
maps, check files, acquisition charts, etc.
- Route for comments whether surplus to Hwy  
needs, D, T, Districts, P,

# Remnant Disposition Steps

- Determine whether economic or not.
- If yes.. See Auction Procedures.
- If no... notify abutting owner(s) to see if interested to purchase portion(s).
- Interested party DOT request deposit of \$1,000 to start appraisal process.
- Request owner to update their title.

# Remnant Disposition Steps

- If Interstate need FHWA approval.
- If not Interstate ...approval not needed.
- Request for appraisal.
- After appraisal, offer in writing to requesting party.
- Write letter to owner and ask owner to do survey to subdivide and consolidate to abutting parcel.
- If accepted, ask for balance of payment due, deposit check, update remnant search by RA, submit to Land Board for approval of sale.

# Remnant Disposition

- If Land Board Approves, draft Quitclaim Deed.
- Send draft to Attorney General's Ofc. For approval as to form.
- Send Approved Quitclaim Deed for signature.
- Record Quitclaim Deed.

# Remnant Disposition Steps

- Update Acquisition Charts.
- Send copy of Deed to DLNR, District Office and County Assessment Office.
- If owner wishes, they can record on own and send a copy to DOT.

**RELINQUISHMENT**

**PURPOSE:** To describe the procedures for relinquishment to another governmental agency of a portion of a highway right-of-way or facility for highway use where Federal-Aid funds have participated in either right-of-way or physical construction costs of said facility.

**POLICY:** A portion of a highway right-of-way or facility may be relinquished, under certain circumstances and conditions, to another governmental agency for highway use.

**RESPONSIBILITY:** The Property Management Section (HWY-RM) is responsible for relinquishment of portions of a highway right-of-way or facility to another governmental agency for highway use through the Department of Land and Natural Resources (DLNR).

- A. Upon request by HWY-RM, the Acquisition Section (HWY-RL) is responsible for coordinating with and assisting HWY-RM in securing pertinent data regarding the portion of the highway right-of-way or facility to be relinquished.
- B. The Design Section (HWY-D) is responsible for determining whether or not a portion of the highway right-of-way or facility can be relinquished and the justification supporting such determination.
- C. DLNR upon receipt of a request from the Department of Transportation (DOT) to relinquish a portion of the highway right-of-way to another governmental agency is responsible for the relinquishment, but authorizes DOT to carry it out.
- D. HWY-SF is responsible for the collection of proceeds, if any, and for the crediting thereof to Federal funds where necessary or for the accounting of these funds in the Highway Fund.

**SCOPE:** The provisions of this section apply to the Property Management and Acquisition Sections under the Right-of-Way Branch (HWY-R), the Design Branch (HWY-D), the Fiscal Staff (HWY-SF) and the Department of Land and Natural Resources (DLNR).

**PROCEDURES:**

- A. Where sections of a State highway superseded by construction of a new location are removed from the Federal-Aid system and the replaced section is approved by FHWA, the procedures to be used shall be as follows:
1. HWY-RM shall ascertain whether or not there has been final acceptance of a project on the Federal-Aid Primary or Secondary system or approval of the PS&E for the physical construction on the right-of-way for a Federal-Aid Interstate Project, as the case may be, by FHWA.
  2. After it is ascertained that such acceptance or approval has been granted by the FHWA, HWY-RM with assistance provided by HWY-RL, shall obtain data pertinent for the relinquishment of such section of the highway right-of-way or facility.
  3. HWY-RM routes a memorandum together with suitable maps showing the section of a highway right-of-way or facility to be relinquished to engineering branches, requesting determination as to whether or not the section can be relinquished to another governmental agency for highway use and justification in support of such determination.
  4. After the determination is made, HWY-RM shall submit a written statement of the Highways Division's intent to relinquish a section of the highway right-of-way or facility with a copy of suitable map or maps identified by the Federal-Aid project number to FHWA.

5. Upon approval by FHWA of the relinquishment in writing or by the signed endorsement of the Highways Division's maps delineating the relinquishment, HWY-RM shall request, through HWY-D, Cadastral Engineering Section (HWY-DC) that the affected parcel or parcels be subdivided. Fifteen revised right-of-way maps or prints and a revised description are also requested and sent to the appropriate department of the County in which the relinquishment is to take place, with a completed subdivision application form for subdivision approval. At the same time, six copies of a Draft Environmental Assessment (EA) with the revised maps are submitted to the Office of Environmental Quality Control (OEQC) who shall publish the Draft EA obtain the necessary concurrences from the Director. After comments and concerns are received and addressed, a Final EA & Finding of No Significant Impact (FONSI) is submitted to OEQC for publication.
  6. Upon subdivision approval by the appropriate County department, HWY-RM shall prepare a written request to DLNR to accomplish the relinquishment. Said request shall include the revised map or maps, together with the revised metes and bounds description.
- B. Relinquishment as described in paragraph A above, may be made on an individual basis or on a project or route basis subject to the following:
1. If at anytime after the relinquishment it is determined that a relinquished facility is in fact required for the safe and proper operation of the Federal-Aid highway, the Highways Division shall take immediate action to restore such facility to its jurisdiction without cost to Federal-Aid highway funds.
  2. If it is found at any time that a relinquished frontage road or portion thereof or any part of the right-of-way therefore has been abandoned by local governmental authority and a showing cannot be made that such abandoned facility is no longer required as a public road, the FHWA may cause to be held from Federal-Aid highway funds due the Highways Division an amount equal to the Federal-Aid participation in the abandoned facility.

3. In no case shall any relinquishment include any portion of the right-of-way within the access control lines as shown on the plans for a Federal-Aid project approved by the FHWA without their prior approval.
  4. There cannot be additional Federal-Aid participation in future construction or reconstruction on any relinquished "off the Federal-Aid system" facility unless the underlying reason for such future work is caused by future improvement of the associated Federal-Aid highway.
- C. Section of reconstructed local facilities that are located outside the control of access lines, such as turn-around of severed local roads or streets adjacent to the Federal-Aid project's right-of-way, and local roads and streets crossing over or under said project that have been adjusted in grade and/or alignment, including any new right-of-way required for adjustments do not in fact become a part of the associated Federal-Aid project and, as such, may be relinquished to local custody. The procedures for such relinquishment shall be the same as specified in paragraph A, 1, 2, 3, 4 and 5 above.
1. The relinquishment of the type described in paragraph C may be made on an individual basis or on a project or route basis subject to the conditions as specified in paragraphs A, 1, 2, 3, 4 and 5 above.
  2. Eligibility for Federal-Aid participation in the costs of the adjustments described in paragraph C is as determined at the time of PS&E approval under policies of the FHWA.

- D. On frontage roads or portions thereof that are constructed parallel to and outside the control of access lines of a Federal-Aid project for the purpose of permitting access to private properties rather than to serve as extensions of ramps to connect said Federal-Aid project with the nearest crossroad or street are obviously not as necessary part of the Federal-Aid project but are useful as a means of either restoring local traffic circulation, which has been disrupted by the severing or adjustment of local streets and roads, or reducing or eliminating claims for severance damages by those whose access rights were affected by the construction of the Federal-Aid project. Relinquishment of said facilities shall be the same as stated paragraphs A, 1, 2, 3, 4 and 5 above.

Relinquishment of the type described in paragraph C, above, may be made on an individual basis or on a project or route basis.

- E. Frontage roads or portions thereof located outside the access control lines of a Federal-Aid project that are constructed to serve as connections between ramps to or from the Federal-Aid project and exiting public roads or streets (in lieu of or in addition to the purposes outlined under the paragraph D above), thus, in effect becoming a pad of the ramps and obviously necessary for the intended functioning of the Federal-Aid project. The relinquishment procedure shall be the same as specified in paragraphs A, 1,2,3,4 and 5 above.
- F. Ramps that are constructed to serve as connections for interchange or traffic between the Federal-Aid project and local roads or streets are necessary for the intended function of said Federal-Aid project and as such may not be relinquished from Highways Division's justification without FHWA approval.
- G. Where a frontage road is not on an approved Federal-Aid system, title to the right-of-way may be acquired initially in the

name of the political subdivision, which is to assume control, thus eliminating the necessity of a formal transfer later. Prior approval by FHWA is necessary. Appropriate written agreements regarding maintenance of the facility shall be secured prior to requesting approval of the proposal from FHWA.

- H. Relinquishment or disposal of right-of-way may not be made without the joint determination and approval of the Highways Division, DOT and FHWA. This would not prevent the relinquishment of title, without prior approval of FHWA, of a segment of the right-of-way provided there is an abandonment of a section of highway inclusive of such segment.
- I. Relinquishments must be justified by the Highways Division's finding, and concurred to by the FHWA that:
  - 1. The subject land will not be needed for Federal-Aid highway purposes in the foreseeable future;
  - 2. The right-of-way being retained is adequate under present day standards for the facility involved;
  - 3. The release will not adversely affect the Federal-Aid highway facility or the traffic thereon;
  - 4. The lands to be relinquished are not suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway consonant with the intent of 23 U.S.C. 319 and PL 89-285, Title III, Section 302-305 (Highway Beautification Act of 1965).
- J. If a relinquishment is to a Federal, State or local government agency for highway purposes, there need not be a charge to the said agency, nor in such event any credit to Federal funds. If for any reason there is a payment to the Highways Division for the land transferred and Federal funds participated in the cost of the right-of-way, there shall be a credit to Federal funds on the same basis Federal funds participated in the cost of acquisition of the right-of-way.

**AIRSPACE**

**PURPOSE:** To describe the procedures for handling applications for the use of airspace.

**POLICY:** Any individual, company, organization or public agency desiring to lease or rent airspace who submits a proposal or application shall be given consideration.

**RESPONSIBILITY:** The Property Management Section (HWY-RM) or its consultant shall be responsible for processing applications for use of airspace.

**SCOPE:** This procedure extends to the Right-of-Way Branch (HWY-R), Design Branch (HWY-D) and the Fiscal Staff (HWY-SF) of the Highways Division and the Department of Land and Natural Resources (DLNR).

**PROCEDURES:** All applications for use of airspace shall be referred to the Director, Department of Transportation (DOT), for a policy decision before they are processed. The Director may delegate this authority to a representative.

- A. Applications. All proposals that are submitted to the DOT must include a general statement of the use, a preliminary construction plan and general design for use of the space. The proposal, together with the attachments thereto is routed to the engineering branches of the Highways Division for their review and comments. HWY-RM coordinates this review.
- B. Submittal to the Federal Highways Administration (FHWA):
  1. If a proposal is approved by all affected sections of the Highways Division, it is submitted to FHWA for approval.
  2. The submittal shall include, but is not limited to, the following:
    - a. The proposed use of the airspace and the names of the user;
    - b. An adequate description of the space proposed for lease;

- c. Right-of-Way maps and as-built construction plans of the highway facility at the location where the use of airspace is proposed;
  - d. Preliminary maps, plans, sketches, or artist's renderings which set out pertinent features of the improvements proposed to the construction;
  - e. A copy of the proposed lease agreement which should be available at this preliminary stage;
  - f. Affirmative statements that the final submission will incorporate all the appropriate requirements, controls and safety provisions set forth in FHPM and assurance that:
    - i. no person on the grounds of race, color, national origin or gender shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of the facilities thereon and
    - ii. in the construction of any improvements, over or under the premises and the furnishing of facilities or services thereon, no person on the grounds of race, color, national origin or gender shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination and
    - iii. the use of the premises and the facilities thereon and the providing of services thereon shall be in compliance with all other requirements imposed by or pursuant to Title VI of the Civil Rights Act of 1964, 49 CFR part 21 as amended from time to time.
- C. Prior to submittal, the applicant shall clear with the appropriate County department a zoning variance or conditional use permit. If an environmental assessment or negative declaration is required by the County, the applicant shall prepare and submit it through HWY-RM.
- D. After approval of the proposal by FHWA, a lease document is prepared by HWY-RM and approved as to form by the Land Transportation Division of the Department of the Attorney General (AG).

- E. An appraisal of the area is requested through the Appraisal Section (HWY-RP) of the Right-of-Way Branch. The analysis may be prepared by a staff appraiser or an independent fee appraiser to establish the upset rental for the airspace.
- F. Once the rental is determined, the lease is sold by public auction subject to:
1. Submittal of final construction plans for approval by the Highways Division and FHWA;
  2. Approval of the final proposal by FHWA;
  3. Approval of the sale by the State Board of Land and Natural Resources is delegated to the Director of DOT.
- G. Use of Airspace under Revocable Permit (RP). Use of airspace on a one year basis (renewable annually) with a 30 day written notice of termination is covered by a RP. The applications are processed in the same manner as the applications for long-term use of airspace except that it is not granted through a public auction. Rental is negotiated and determined by an appraisal or a written rental analysis for the area. The Fiscal Staff (HWY-SF) is responsible for the collection of the rent and billing.
- H. Inventory. HWY-RM shall maintain an inventory of all potential airspace parcels and authorized uses of airspace. Such inventory shall include, but is not limited to, the following data:
- Location by project;
  - Identification of the lessee of the airspace;
  - Description, three dimensional or metes and bound description where appropriate;
  - As-built construction plans of the highway facility at the location authorized;
  - Construction plans of the facility authorized to occupy the airspace;
  - Copy of the executed RP.
- I. All correspondence relative to the specific area where the airspace is authorized to be used shall be kept in the project files under airspace.



## ORGANIZATION AND FUNCTIONS

### PURPOSE:

To describe the organization and functions of the Abstract Section (HWY-RA) of the Right-of-Way Branch, Highways Division. HWY-RA is directed and guided by, but not limited to, the following; United States Code (USC), Hawaii Revised Statutes (HRS) and other State and Federal acquisition policies listed below:

23 USC 324 (Title VI of the Civil Rights Act of 1964),  
42 USC Chapter 21 (Civil Rights), Sec. 2000d,

HRS 247 (Conveyance Tax),  
HRS 264 Parts I-IV (Highways),  
HRS 501-558 (Title 28 - Property),  
HRS 531-538 (Title 29 - Decedent's Estates),  
HRS 551-558 (Title 30 - Guardians and Trustees),  
HRS 560 (Title 30A – Uniform Probate Code),

Hawaii Conveyance Manual III (Hawaii Institute for Continuing Legal Education, 1992),

Federal-Aid Highway Act of 1987, and other related laws, statutes, directives, opinions, rules and governing agencies.

### OBJECTIVE:

The organization plan is set to provide:

- Abstract services for the Division's projects (49 CFR 24.101).
- Right-of-Way Abstract services in general for all of the division's branches and sections.

### ADMINISTRATION:

HWY-RA is headed by the Title Abstractor X (Section Head) The Abstractor Section Head is responsible for the functions and activities of the section and operates under the general supervision of the ROW Manager.

### ORGANIZATION:

The Abstract section is comprised of one unit. The organizational chart of HWY-RA is shown on page 6.1-A.

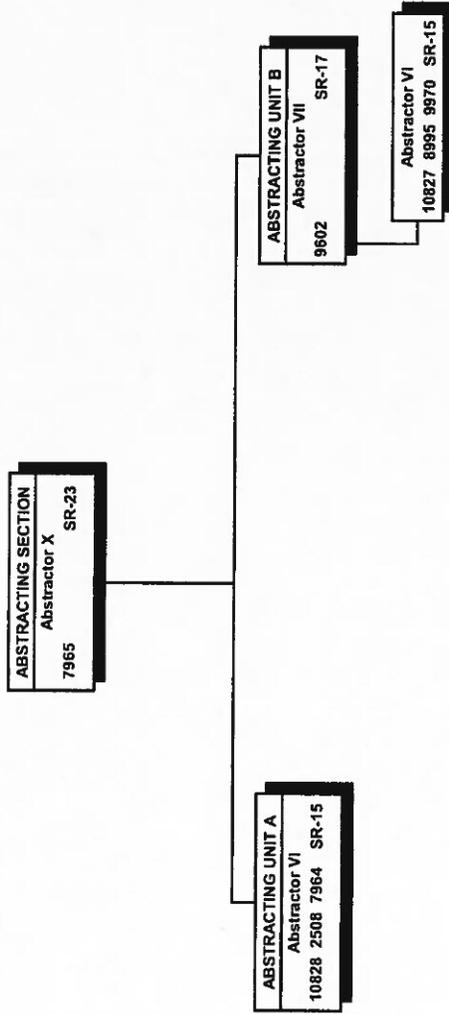
**Qualifications of Title Abstractor**

The Title Abstractor has knowledge of sources of information and material pertaining to land title as follows:

- Land laws relating to land conveyances;
- Legal documents and terms relating to land titles and transactions;
- Hawaii land systems, words and phrases in the Hawaiian language used in land transactions;
- Encumbrances, tenancies and laws of descent and inheritance as applicable to land title searches;
- Office practices and procedures;
- Principles and practices of supervision;
- Principles and practices of management administration;
- Principles of real estate;
- Hawaii land laws (ancient, custom, common/statute, any and all amendments thereof/thereto);
- Recording laws and procedures of Land Court Application.

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
RIGHT-OF-WAY BRANCH  
ABSTRACTING SECTION

POSITION ORGANIZATION CHART



All project funded positions.

## TITLE EXAMINATIONS

- PURPOSE:** To describe the procedures required in conducting title examinations.
- POLICY:** Title examinations shall be conducted for:
- A. Surveying and mapping;
  - B. Negotiation, acquisition and disposition of real property, appurtenant rights or interests therein.
- RESPONSIBILITY:** The Abstract Section (Hwy-RA) is responsible for all title examinations and is accountable for the conclusions of the examinations as delineated in the title evidence.
- SCOPE:** The provisions of this procedure apply to employees of the Abstract, Land Acquisition, Property Management and Appraisal Sections of the Right-of-Way Branch and the Cadastral Engineering Section of the Design Branch.
- PROCEDURES:** Four types of title examinations: preliminary, final, continuations and cursory are described in this procedure. The required evidence is obtained by examining indices and records found in City, County, State and Federal offices. Records filed in private offices, e.g., Bishop Estate, etc., are also examined when necessary.
- Titles to lands in the State of Hawaii are either registered or unregistered. Registered titles are in the Land Court System and unregistered titles are in the regular system (Bureau of Conveyances).

### **Type 1 Preliminary Title Examinations**

A preliminary title examination is a search made of the records in the Land Management and Conveyances Divisions, Department of Land and Natural Resources, and the Office of the Tax Maps Section of the Real Property Assessment Division of the City Department of Finance for the original and current descriptions of all lands involved. A search of the records is also made in the Survey Division, Department of Accounting and General Services, for any maps that delineate the boundaries of the lands affected.

The Cadastral Engineering Section uses this information for surveying and mapping.

- A. The Cadastral Engineering Section will request, by memorandum and/or as designated on an attached tax map, the following:

1. Descriptions of original land titles;
  2. Current descriptions of pertinent tax key parcels;
  3. All other metes and bounds descriptions that are available for final location surveys and mapping.
- B. Dependent on the requested information an examination of the following is made:
1. The indices of awards and grants for the pertinent volumes and pages of the original land titles.
  2. Records of the Office of the Tax Maps Section of the Real Property Assessment Division of the City Department of Finance for the libers and pages and/or documents in which current descriptions are recorded.
  3. Records in the Land Management and Conveyances Divisions, Department of Land and Natural Resources, and the Survey Division, Department of Accounting and General Services, for descriptions of government lands, registered maps, etc.
  4. Department of Health, for documents regarding births and deaths, etc.
  5. Circuit and Supreme Court records and decisions, etc.
- C. If the preliminary examination does not reveal the information needed, the Cadastral Engineering Section shall be notified. If the matter is urgent, further examination will be requested.
- D. Work shall be scheduled to meet all suspense dates as noted on the requests.
- E. One copy of all completed work shall be forwarded to the Cadastral Engineering Section by memorandum. One copy shall remain in the files of the section. This copy shall be used in conducting final title examinations.

### **Type 2 Final Title Examinations**

A final title examination involves making an investigation in the offices where the public records are kept to ascertain the history and present condition of the title to land or appurtenant rights and its status with reference to liens, encumbrances, clouds, etc. This includes the technical process of searching the records, examining all conveyances of whatever kind or nature which in any manner affect said land or any estate or interest therein, summarizing (abstracting) the operative portions of the conveyances to record the history of the title, determining ownership and all existing liens and encumbrances, and noting all defects. The results of the title examinations are used as a basis for preparing title evidence.

- A. Requests for final examinations are received from the Acquisition and Property Management Sections and occasionally from the Cadastral Engineering Section. Requests received from other government agencies are routed through the Right-of-Way Manager.
- B. The titles to be examined and the system in which the examination shall be made are determined by maps attached to the requests. If no maps are attached, tax key parcels are determined from tax maps obtained from the Office of the Tax Maps Section of the real Property Assessment Division of the City's Department of Finance. Maps from the Department of Accounting and General Services are also used to help determine clear title.
- C. The method used for each title examination is dependent upon the title since the chain of ownership does not follow any defined pattern.
- D. The title examiners shall conduct the title examinations to ascertain the history and present condition of the title to the property needed.
- E. The history of the title will be kept on worksheets and the conclusion of the findings as to record ownership and status with reference to liens, encumbrances, defects, etc., will be shown on a title sheet as described in Paragraph 5.4.
- F. Notice of differences between the right-of-way map, the tax map and title examination shall be given to the Cadastral Engineering Section, the Acquisition Section and the Office of the Tax Maps Section of the Real Property Assessment

Division of the City's Department of Finance as necessary for proper action.

- G. All title examinations shall be typed in a draft form by either a Certificate of Search, Continuation of Search, Lien Search, Memorandum of Title, Abstract of Title, and then reviewed by the Section Head or the Supervisor for propriety of conclusions. It is then typed in final, rechecked and signed by the Section Head or the Supervisor before it is sent out.

### **Type 3 Continuations**

A continuation is the updating of a title examination made for the Acquisition Section as acquisition of property or interests therein progresses and prior to drafting documents such as, deeds, petitions for Land Court Subdivisions, etc. A continuation is also made subsequent to filing notices of Pendency of Action by the Office of the Attorney General Land/Transportation Section and prior to recordation of the State's evidence of title. This insures current ownership and status.

- A. All pertinent title examinations shall be updated to insure current ownership and status.
- B. If condemnation proceedings have been filed, a continuation of the title examination shall be made to show the recorded notice of Pendency of Action.
- C. Prior to drafting documents and recordation of the State's evidence of title, a continuation of the pertinent title examination shall be made to insure free and clear title to the State.

In each of the above cases the following will be done:

1. Any and all changes from the prior conclusion shall be so noted on the worksheets and title sheet as described in Paragraph 5.4;
2. All continuations to final title examinations shall likewise be typed in a draft form and then reviewed by the Section Head or Supervisor and then typed in final;
3. If no changes have occurred from the date of the last examination, it shall be so noted.

**Type 4 Cursory Examinations**

A cursory examination involves making an investigation using the records to determine the ownership of a certain tax key or parcel of land under question. A cursory examination uses the records found in the Office of the Tax Maps Section of the Real Property Assessment Division of the City Department of Finance, Department of Land and Natural Resources at the Bureau of Conveyances and the Department of Accounting and General Services, Survey Division. Cursory examinations also can determine whether a parcel of land is ceded or non-ceded.

- A. Requests for cursory examinations are received from Acquisition or Property Management Sections. Requests from the Harbors and Airport Divisions and other governmental agencies are routed through the Right-of-Way Manager.
- B. Title is examined given the information provided on the requests. Information is gathered from the Office of the Tax Map Section of the Real Property Assessment Division of the City Department of Finance and Department of Land and Natural Resources, Bureau of Conveyances. Maps from the Department of Accounting and General Services are also used to help determine clear title.
- C. Work shall be scheduled to meet all suspense dates as noted on the requests.
- D. One copy of all completed work shall be forwarded to the requesting party by memorandum and one copy shall remain in the files of the section. This section copy shall be used for reference or related matters.

### Worksheets and Title Sheets

A worksheet (Form DOT 4-403, HWY-RA 7/71) Exhibit "A", (see page 6.2-A) is used by the Abstract Section to record the history of the title while conducting a title examination. This history is necessary so that a conclusion can be reached as to who holds title to the property, how it is held and by what evidence. It shall also record the status as to liens and encumbrances. The conclusion is shown on a title sheet (Form HWY-RA Rev. 8/80). These worksheets and title sheets are used as a basis for the preparation of title evidence as described in Procedure No. 6.2.

- A. Worksheets and title sheets shall be used in a title examination to record the history of the title and a conclusion as to the status.
- B. The title examiners shall be responsible for recording the history of the title on worksheets and the conclusion on a title sheet.
- C. The worksheets and title sheets with a draft of the Certificate of Search, Continuation of Search, Lien Search, Memorandum of Title or Abstract of Title, shall be reviewed by the Section Head or Supervisor for a summary knowledge of the history of the title and for the propriety of conclusions.
- D. The worksheets and title sheets shall be used as a basis for the preparation of title evidence.
- E. Upon completion of the acquisition and "close-out" of a project, all worksheets shall be filed in a permanent file of land titles in the office of the Abstract Section.



**TITLE EVIDENCE**

- PURPOSE:** To describe the procedures required in preparing and furnishing title evidence.
- POLICY:** All title evidence shall reflect the results of the title examinations as described in Procedure No.6.1.
- RESPONSIBILITY:** The Abstract Section (HWY-RA) is responsible for all title evidence and is accountable for the contents as delineated.
- SCOPE:** The provisions of this procedure apply to employees of the Abstract Section.
- PROCEDURES:** In order to negotiate for and to acquire real property, it is necessary to furnish the Acquisition Section (HWY-RL) with the evidence of title to the land, and appurtenant rights or interests therein to be acquired. The same will apply to the disposition of State owned real property interests. The conclusions of the title examinations will dictate the type of title evidence to be furnished. This procedure includes the following types: certificates of search, continuations of search, lien searches, memorandums of title, and abstract of title. Each type has its own form and arrangement, but the basic objective is to show ownership and status of the title with reference to liens, encumbrances, etc.

**Preparation of Title Evidence**

Upon completion of the review of the worksheets and title sheet showing the conclusions of the title examination, one of the following shall be prepared and furnished as title evidence:

**A. Certificate of Search:**

A Certificate of Search shall show land title, description of property, record ownership, status and condition of title in present owner, liens and/or encumbrances and other pertinent data as a matter for attention. It shall be certified by the Section Head or the Supervisor. This type of title evidence is the most frequently used.

**B. Continuation of Title:**

When a continuation of a final title examination reveals changes in title and status, the title evidence furnished shall be updated to reflect the changes.

**C. Lien Search:**

When a Lien Search is requested, it shows all liens against a particular Tax Key parcel in a very brief uncertified format.

**D. Memorandum of Title:**

When a title examination reveals a defective title, a memorandum explaining the defect or defects shall be made or shall be incorporated in a Certificate of Title with proper notice of such.

**E. Abstract of Title:**

An abstract of title shall show a condensed history of the title to land. It consists of a synopsis of the material portion of all conveyances which in any manner affects said land and a statement of all liens, charges, or liabilities. The Abstract of Title shall be certified by the Head of the Abstracting Section.

**Review of Title Evidence**

All title evidences shall be reviewed for completeness and accuracy prior to signature.

**Distribution**

The original copy of the completed title evidence is kept in the files of the Abstract Section; two copies are transmitted to the Acquisition Section and one copy is transmitted to the Cadastral Engineering Section.

**RECORDATION – STATE’S TITLE**

- PURPOSE:** To describe the procedures preceding, during and following recordation of the State's evidence of title.
- POLICY:** To insure prompt recordation of State's evidence of title.
- RESPONSIBILITY:** The Abstract Section (HWY-RA) is responsible for all activities with respect to Recordation of the State's Title.
- SCOPE:** The provisions of this procedure apply to the Abstract and Acquisition Sections of the Right-of-Way Branch (HWY-R).
- PROCEDURES:** All acquisition and disposition of real property or interests therein is documented by some form of evidence of title. This may be a Deed, Final Order of Condemnation or a Grant. These documents shall be filed or recorded in either the Office of the Assistant Registrar of the Land Court or the Bureau of Conveyances, depending upon whether the land is registered or unregistered, to insure proper notice of acquisition.

Recordation of these documents in either system must conform with statutory requirements. However, in addition to these statutory requirements, all documents to be filed in the Land Court system must also comply with the "Rules of Procedure", adopted by the Land Court effective December 15, 1989 or as amended.

**Preceding Recordation**

**A. Unregistered Land:**

1. Upon receiving the original and one copy of the State's evidence of title for recordation from the Acquisition Section (HWY-RL), the title evidence furnished in Procedure No. 6.2, Title Evidence, and the State's title shall be correlated to determine that acquisition of all rights, titles and interests have been completed.
2. The State's evidence of title shall also be examined for conformance with statutory requirements regulating recordation, verification of contents as to description, derivation of title, current liens and encumbrances.

3. A continuation of the final title examination shall be made to insure that title to the State is free and clear of further transfers and/or encumbrances up to the time of recordation.
4. If a document does not meet recordation requirements, or if the document differs from the title evidence furnished in Procedure No. 6.2, Title Evidence, or if there appears of record a change in the status of the title, the Right-of-Way (ROW) Agent assigned to the project shall be notified by memorandum of the differences with comments and recommendations. Upon resolution of the differences, the State's evidence of title shall be returned for recordation.

B. Registered Land:

1. For entire taking, HWY-RA receives the original and one copy of State's evidence of title from HWY-RL for recordation, and follows the procedures under paragraph 5.1.A. (unregistered land).
2. For partial taking, HWY-RA receives original and one copy of State's evidence of title from HWY-RL, and follows, in addition to the procedures under paragraph 5.1.A. (unregistered land), the following which is compulsory for partial taking due to the stringent statutory requirements for subdivisions of registered lands:
  - a. Upon notification from the Receiving Clerk of the Land Court System Division, HWY-RL will be notified by the Section Head that the subdivision is recorded. Two weeks after being notified, HWY-RL can then send the document for recording.
  - b. The order of subdivision, surveyor's report and petition for subdivision shall then be checked to insure that all pertinent information, such as, map number, lot number, document number, area, easement number or encumbrances created by the subdivision are properly identified by the State's evidence of title to be recorded.