



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII  
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU  
AIRPORTS  
400 RODGERS BOULEVARD, SUITE 700  
HONOLULU, HAWAII 96819-1880

IN REPLY REFER TO:  
AIR-PM 24.0541

August 22, 2024

DOT Land Matters  
State of Hawaii  
Honolulu, Hawaii

APPROVAL FOR ACQUISITION OF AN AVIGATION EASEMENT OVER PRIVATE LANDS OF GENTRY KALAELOA, LLC AND HCHP1 LLC BY THE STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION, SITUATED AT HONOULIULI, EWA, OAHU, STATE OF HAWAII, TAX MAP KEY: (1) 9-1-013:197, 198 AND 199

OAHU

PRIVATE LANDOWNERS:

Gentry Kalaeloa, LLC, a Hawaii limited liability company, whose mailing address is c/o Gentry Homes, Ltd., P.O. Box 295, Honolulu, Hawaii 96809, and HCHP1 LLC, a Delaware limited liability company, whose mailing address is 737 Bishop Street, Suite 2750, Honolulu, Hawaii 96813 (collectively referred to as "Grantors").

LEGAL REFERENCE:

Hawaii Revised Statutes (HRS), Sections 26-19, 171-2, 171-30, 261-4 and 262-11, as amended.

LOCATION:

Avigation easement over privately-owned lands situated at Honouliuli, Ewa, Oahu, State of Hawaii, identified as Tax Map Keys: (1) 9-1-013:197, (1) 9-1-013:198 and (1) 9-1-013:199, as shown on the attached map labeled Exhibit A.

AREA:

(1) 9-1-013:197	10.395 acres, more or less. (Gentry Kalaeloa, LLC)
(1) 9-1-013:198	8.556 acres, more or less. (HCHP1 LLC)
(1) 9-1-013:199	10.857 acres, more or less. (HCHP1 LLC)
<u>TOTAL:</u>	<u>29.808 acres, more or less.</u>

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ZONING:

State Land Use:	Urban
County:	F-1 Military and Federal Preservation
Kalaeloa Community Development District:	General Urban Zone

LAND TITLE STATUS:

Section 5(a), Hawaii Admission Act: Non-Ceded  
DHHL, 30% entitlement lands Yes \_\_\_\_\_ No X

CURRENT USE STATUS:

The properties are currently unimproved vacant lands. Grantors are in the process of obtaining necessary approvals to begin construction of a proposed residential community on private lands in the vicinity of Kalaeloa Airport.

CHARACTER OF USE:

A perpetual, non-exclusive avigation easement, appurtenant to Kalaeloa Airport, for the free and unobstructed aircraft flight and passage, and operations and effects of all types of aircraft.

CONSIDERATION:

Gratis, easement to be conveyed to the State of Hawaii pursuant to the Hawaii Community Development Authority's Findings of Fact, Conclusions of Law, Decision and Order in Application No. KAL 21-005, dated February 2, 2022.

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

The State of Hawaii, Department of Transportation, has determined that the impacts of this action are de minimis and exempt pursuant to the Department of Transportation, Comprehensive Exemption List, Type 8, Part 1, 8(e.), concurred to by the Environmental Advisory Council on February 1, 2022.

Accordingly, Type 8, Part 1, exempts "DOT administrative activities and operations that would not result in direct, indirect or cumulative adverse impacts to the environment. These types of actions include but are not limited to:

8.e. Acquisition and/or exchange of property for public use, including but not limited to: easements, minor subdivision and consolidation of parcels for public use such as rounding corners or minor street widening."

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO <u>___</u>
Registered business name confirmed:	YES <u>X</u>	NO <u>___</u>
Grantors in good standing confirmed:	YES <u>X</u>	NO <u>___</u>

GRANTOR REQUIREMENTS:

1. Provide survey maps and descriptions for the privately-owned properties according to State Department of Accounting and General Services Survey Division standards and at its own cost; and
2. Obtain title reports for the privately-owned properties at its own cost and subject to review and approval by HDOT.

REMARKS:

This request for approval for the acquisition of an avigation easement over private lands was previously approved under HRS 171, by the Board of Land and Natural Resources on January 12, 2024. Effective July 1, 2024, Act 109 became law, excluding lands set aside by the Governor to the Department of Transportation from the definition of public lands. Act 109 gave the Director of Transportation authorization to exercise all the powers vested in the Board of Land and Natural Resources for functions subject to HRS 171.

The subject lands are within the Kalaeloa Community Development District under the responsibility of the Hawaii Community Development Authority (HCDA).

In October 2021, Gentry Kalaeloa, LLC (Gentry) submitted to HCDA a Development Permit Application to build a project consisting of approximately 390 multi-family and single-family residential units on approximately 29.8 acres located at the southeast corner of Kamokila Boulevard Extension and Franklin Delano Roosevelt Avenue.

Gentry's proposed development is located approximately a half-mile from the property boundary of Kalaeloa Airport. Due to the potential impacts of aircraft operations to the proposed development, HDOT required Gentry to enter into an avigation easement that covers the entire development.

HCHP1 LLC, a subsidiary of Hunt Communities Hawaii, LLC, also owns lands within Gentry's proposed residential development.

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Acquisition of the avigation easement will secure Kalaeloa Airport's airspace for airport protection and for noise compatibility with the surrounding uses. The avigation easement will run with the land and will apply to any future owners of Grantor's lands.

RECOMMENDATION:

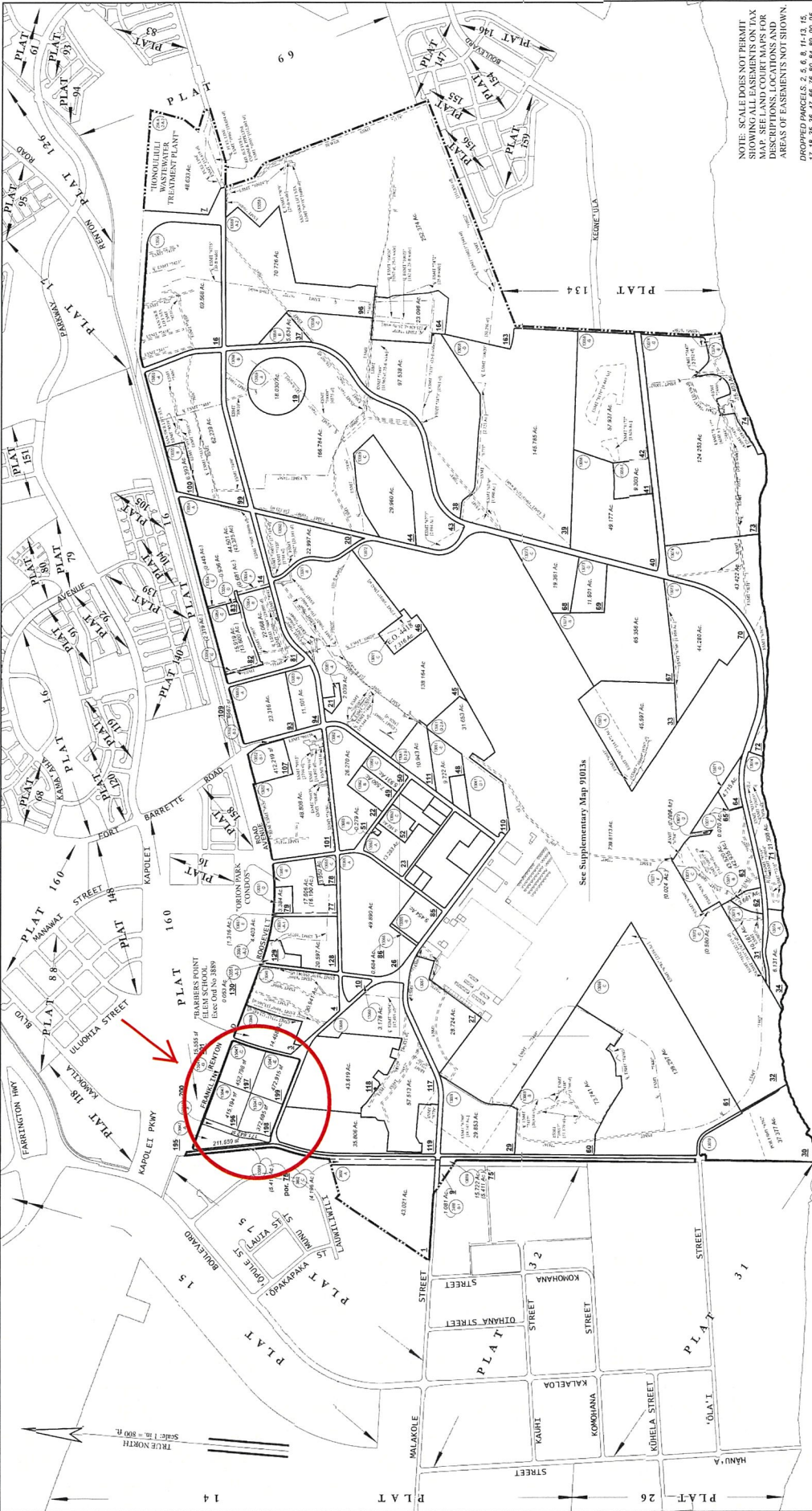
1. Approve of the acquisition of the subject perpetual avigation easement under the terms and conditions cited above which are by this reference incorporated herein and further subject to the following:
  - a. The terms and conditions of the most current avigation easement document, as may be amended;
  - b. Review and approval by the Department of the Attorney General; and
  - c. Such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,



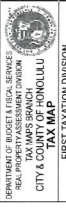
CURT T. OTAGURO  
Deputy Director of Transportation for Airports

Attachment



NOTE: SCALE DOES NOT PERMIT SHOWING ALL EASEMENTS ON TAX MAPS. THIS MAP IS FOR GENERAL DESCRIPTIONS, LOCATIONS AND AREAS OF EASEMENTS NOT SHOWN.

DROPPED PARCELS: 2, 5, 6, 8, 14, 15, 16, 96, 98, 102, 108, 109, 112, 113, 118-122, 124, 126, 131, 135-137, 140, 144-151, 153, 155, 157, 162, 165, 166, 168, 169



DEPARTMENT OF BUDGET & FISCAL SERVICES	
CITY & COUNTY OF HONOLULU	
TAX MAPS BRANCH	
TAX MAP	
FIRST LOCATION DIVISION	PLAT
ZONE	SECTION
<b>9</b>	<b>1</b>
	<b>013</b>

COPYRIGHT CITY & COUNTY OF HONOLULU - ALL RIGHTS RESERVED 2022  
 FOR PROPERTY ASSESSMENT PURPOSES: PARCELS MAY NOT BE LEGALLY SUBDIVIDED LOTS - SUBJECT TO CHANGE  
 SCALE: 1 INCH = 800 FEET

**EXHIBIT A**