



**STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
M E M O R A N D U M**

**TO:** ROBIN K. SHISHIDO, DEP-HWY HWY-RM 3.98920  
**DATE:** August 30, 2024

**THROUGH:** LAWRENCE DILL, HWY 

**FROM:** FAWN Y. YAMADA, HWY-R 

**SUBJECT:** LUNALILO FREEWAY, FEDERAL AID INTERSTATE PROJECT NO. I-H1-1(23), PELE STREET TO KEEAUMOKU STREET SECTION PARCELS A, B-1 (Revision 3), AND B-2, HONOLULU, OAHU, HAWAII, FIFTH AMENDMENT FOR GENERAL LEASE S-4384

OAHU:

Authorizing the State of Hawaii, Department of Transportation (HDOT) to sign the attached Fifth Amendment for the rental reopening of General Lease S-4384 to the United States Postal Service (USPS) for Lunalilo Freeway, Pele Street to Keeaumoku Street Section, Parcels A, B-1 (Revision 3), and B-2, Honolulu, Oahu.

REQUEST:

To approve the Fifth Amendment for the rental reopening of General Lease S-4384 to USPS, Makiki Post Office site and parking.

LEGAL REFERENCE:

Hawaii Revised Statutes (HRS), Section 171-17 and other applicable sections of Chapter 171, as amended.

LOCATION:

The parcel is located on the island of Oahu.

AREA:

Parcels A, B-1 (Revision 3), and B-2 with an area of approximately 106,963 square feet along Lunalilo Street.

ZONING:

A-2 Medium Density Apartments.

LAND TITLE STATUS:

Non-Ceded.

YES \_\_\_\_\_ NO X

CURRENT USE STATUS:

The area is currently being used as USPS, Makiki Post Office site and parking.

COMMENCEMENT DATE:

Reopening for period from July 1, 2019, to June 28, 2029, for General Lease S-4384.

COMPENSATION:

\$400,000.00 annually as determined by Mediator, Shelly Tanaka, of John Child and Company.

LIENS AND/OR ENCUMBRANCES:

None.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Pursuant to Hawaii Administrative Rules, Section 11-200. 1-15, the use by USPS is exempt from the preparation of an Environmental Assessment based on the Comprehensive Exemption List for HDOT amended on February 1, 2022. More specifically, Exemption Class Type 8, Part 1, 8-G for “Creation or extension of leases, revocable permits or easements involving negligible or minor expansion or change of use beyond that previously existing.”

REMARKS:

In accordance with Hawaii Revised Statutes, Chapter 171-17(d), by the Mediation process, a single mediator mutually agreed by the LESSOR and LESSEE, the matter of the annual fair market rental rate of said premises for the rental reopening period of July 1, 2019, to June 28, 2029, to be \$400,000.00 annually.

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RECOMMENDATION:

Authorize and sign the Fifth Amendment for the rental reopening of General Lease S-4384 for the period from July 1, 2019, to June 28, 2029.

APPROVED FOR SUBMITTAL:



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ROBIN K. SHISHIDO, DEP-HWY

Attachment



IN CONSIDERATION THEREOF, the LESSOR and the LESSEE further agree that this Amendment is subject to all the covenants and conditions in the Lease, except as herein provided and that nothing herein contained shall serve to release or discharge said LESSEE from the observance and performance of such terms, covenants, and conditions.

This Amendment, read in conjunction with the Lease sets forth the entire agreement between the LESSOR and the LESSEE; and the Lease as amended and modified hereby shall not be altered or modified in any particular except by a memorandum in writing signed by the LESSOR and the LESSEE.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed as of \_\_\_\_\_, 2024.

STATE OF HAWAII

UNITED STATES POSTAL SERVICE

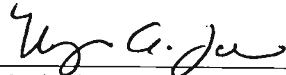
By \_\_\_\_\_  
Edwin H. Sniffen ...  
Its Director of Transportation

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

LESSOR .....

LESSEE

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Marjorie A. Lau  
Deputy Attorney General  
State of Hawaii