

NEIL ABERCROMBIE  
GOVERNOR



Dean H. Seki  
Comptroller  
Marie E. Ziellink  
Deputy Comptroller

**STATE OF HAWAII**  
**DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES**

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

(P)1251.4

JUL 30 2014

Mr. Daniel A. Grabauskas  
Honolulu Authority for Rapid Transportation  
1099 Alakea Street, Suite 1700  
Honolulu, Hawaii 96813

Dear Mr. Grabauskas:

Subject: Request for Extension of the Letter of Consent  
Regarding Access and Use of State Property at  
Aloha Stadium for Honolulu Rail Transit Project  
Tax Map Key (TMK) Nos. (1) 9-9-003:055, 061, 069, 070, and 071

We have reviewed your letter dated July 29, 2014, requesting to extend the March 4, 2014, Letter of Consent (Letter) end date from July 31, 2014, to October 31, 2014, for the Honolulu Rail Transit Project's lay-down phase and soil remediation work in the Kamehameha Parking Lot. While the concerns raised in the letter continue to remain the same, in the interest of public benefit, I am granting your request for an extension through October 31, 2014. This extension is subject to all of the terms, conditions, and document-references noted in the letter. During the extension period, it is my expectation that HART will put forth considerable effort towards addressing the concerns raised in the letter.

If you acknowledge and accept the foregoing terms and conditions, please return a signed copy of this letter to me.

Upon acceptance, you may continue to coordinate access to our property through Mr. Scott Chan, Stadium Manager, who may be contacted at 483-2750.

If you have any questions, please call me at 586-0400 or your staff may call Mr. James Kurata of the Public Works Division at 586-0526.

Sincerely,

A handwritten signature in black ink, appearing to be "D. Seki", written over a large, faint watermark that reads "CarrollCox.com".

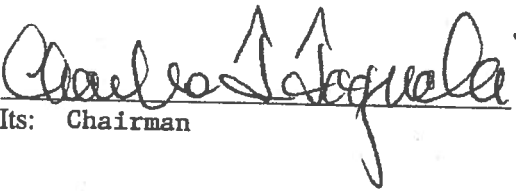
DEAN H. SEKI  
Comptroller

c: The Honorable William J. Aila, Jr., BLNR Chairperson  
Mr. Russell Tsuji, DLNR-Land  
Mr. Scott Chan, Aloha Stadium Manager

Mr. Daniel A. Grabauskas  
(P)1251.4  
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CONCUR:


ALOHA STADIUM

By:   
Its: Chairman

Date: 7/31/14

ACKNOWLEDGE AND ACCEPT:

HONOLULU AUTHORITY FOR RAPID TRANSPORTATION

By:   
fw Its: EXECUTIVE DIRECTOR AND CEO

Date: 8/4/14

carrollcox.com



IN REPLY REFER TO:  
CMS-APO0-00698

HONOLULU AUTHORITY for RAPID TRANSPORTATION

Daniel A. Grabauskas  
EXECUTIVE DIRECTOR AND CEO

2014 JUL 31 A 6:54

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July 29, 2014

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Dear Mr. Seki:

Subject: Letter of Consent to Enter  
Aloha Stadium Tax Map Key Nos. (1) 9-9-003: 055; 061; 069; 070; 071  
Request for Extension of Time

Pursuant to Section 1 of paragraph 2 of the Letter of Consent approved March 4, 2014, the Honolulu Authority for Rapid Transportation respectfully requests an extension of time from July 31, 2014, to October 31, 2014. All other terms in the Letter of Consent to Enter shall remain the same.

If you have any questions, please contact Ms. Elizabeth Scanlon, Director of Planning and Right-of-Way, at 768-6236 or [escanlon@honolulu.gov](mailto:escanlon@honolulu.gov). Thank you for your continued support of this important project.

Sincerely,

Daniel A. Grabauskas  
Executive Director and CEO

cc: Ms. Elizabeth Scanlon, HART  
Mr. Brennon Morioka, HART  
Mr. Matt Scanlon, HART

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GOVERNOR



Dean H. Seki  
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Deputy Comptroller

STATE OF HAWAII  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
P O BOX 119, HONOLULU, HAWAII 96810-0119

(P)1079.4

MAR 4 2014

Mr. Daniel A. Grabauskas  
Honolulu Authority for Rapid Transportation  
1099 Alakea Street, Suite 1700  
Honolulu, Hawaii 96813

Dear Mr. Grabauskas:

Subject: Letter of Consent  
Regarding Access and Use of State Property  
At Aloha Stadium for Honolulu Rail Transit Project  
Tax Map Key (TMK) Nos. (1) 9-9-003:055, 061, 069, 070, and 071

This is in response to your February 28, 2014 request for access to and use of a portion of Aloha Stadium property for the Honolulu Rail Transit Project (HRTTP). Despite our reservations with the actions taken thus far to address considerations for compensation, in the interest of the public benefit, we are willing to accommodate your short term needs as we continue discussions on the various concerns we have regarding your project's impact on our facility and compensation for use of State land, including the concerns that are indicated in our February 19, 2014 letter.

Pursuant to the authority granted to me by the Governor, by Executive Order No. 3427 for the subject parcels, and per the conditions of the Department of Land and Natural Resources' (DLNR's) right-of-entry letter (ROE) dated October 2, 2013 (13OD-137), I am granting the Honolulu Authority for Rapid Transportation (HART) and their respective agents, contractors, consultants and/or persons acting for or on their behalf, consent to limited access and use of the portion of Aloha Stadium property as identified on the attached map labeled as Exhibit A: Proposed Rail Project Easement "B" may be utilized for staging and storage of equipment and materials related to the construction of the HRTTP in areas outside of the Aloha Stadium property; and the areas under and adjacent to the proposed Rail Project Easements "A," "B," and "C" may be utilized for soil remediation purposes of the stadium site, subject to the following conditions:

1. This consent shall be effective upon concurrence from Aloha Stadium and from the acceptance date of this letter by HART through the completion of the lay-down phase of work and the soil remediation work, or July 31, 2014, whichever is sooner, or as may be extended by mutual agreement of the parties hereto, for the specific, limited purposes indicated above.
2. All terms and conditions of DLNR's ROE shall be applicable as part of this consent.
3. This consent may be revoked at any time by DAGS' or Aloha Stadium's written notification to HART at least fourteen (14) calendar days prior to the effective date of the revocation. Upon such revocation, HART shall immediately remove or cause the

Mr. Daniel A. Grabauskas  
(P)1079.4  
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removal of any equipment, materials or other personal property from the subject lands and restore the lands to a condition acceptable to DAGS and Aloha Stadium. In the event HART shall fail to remove such items or restore the land, then DAGS or Aloha Stadium may undertake the removal and restoration at HART's sole expense, and charge any transportation and storage costs to HART.

4. The Department of Accounting and General Services and Aloha Stadium each reserve the right to impose additional terms and conditions as may be necessary to protect the best interests of the State, the Aloha Stadium, and/or the Public at any time they deem necessary while this consent is in force.
5. This consent shall not be construed to allow HART access and use of Aloha Stadium for any purposes and/or defined property other than indicated above. All other purposes, including but not limited to non-remediation excavation, movement of dirt, construction, placement of structures (even temporary), etc., would be a violation of the terms of this Letter of Consent without the express prior written approval of the Comptroller of DAGS and the Executive Director of the Stadium Authority..
6. This Letter of Consent may be executed in counterparts, each of which shall be deemed to be an original, but all of which taken together, shall constitute one and the same agreement.

If you acknowledge and accept the above terms and conditions, please return a signed copy of this letter to me.

Upon acceptance, you may coordinate access to our property through Mr. Scott Chan, Stadium Manager, who may be contacted at (808) 483-2750.

If you have any questions, please call me at 586-0400, or your staff may call Mr. James Kurata of the Public Works Division at 586-0526.

Sincerely,



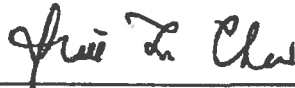
DEAN H. SEKI  
Comptroller

c: The Honorable William J. Aila, Jr., BLNR Chairperson  
Mr. Russell Tsuji, DLNR-Land

Mr. Daniel A. Grabauskas  
(P)1079.4  
Page 3

CONCUR:

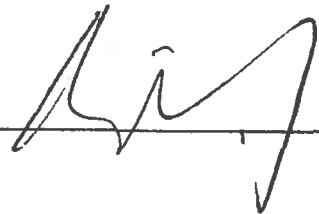
ALOHA STADIUM

By:   
Its: EXECUTIVE DIRECTOR

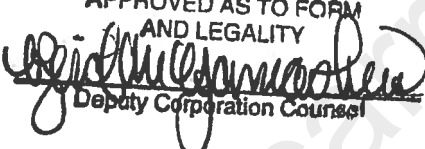
Date: 3/3/14

ACKNOWLEDGE AND ACCEPT:

HONOLULU AUTHORITY FOR RAPID TRANSPORTATION

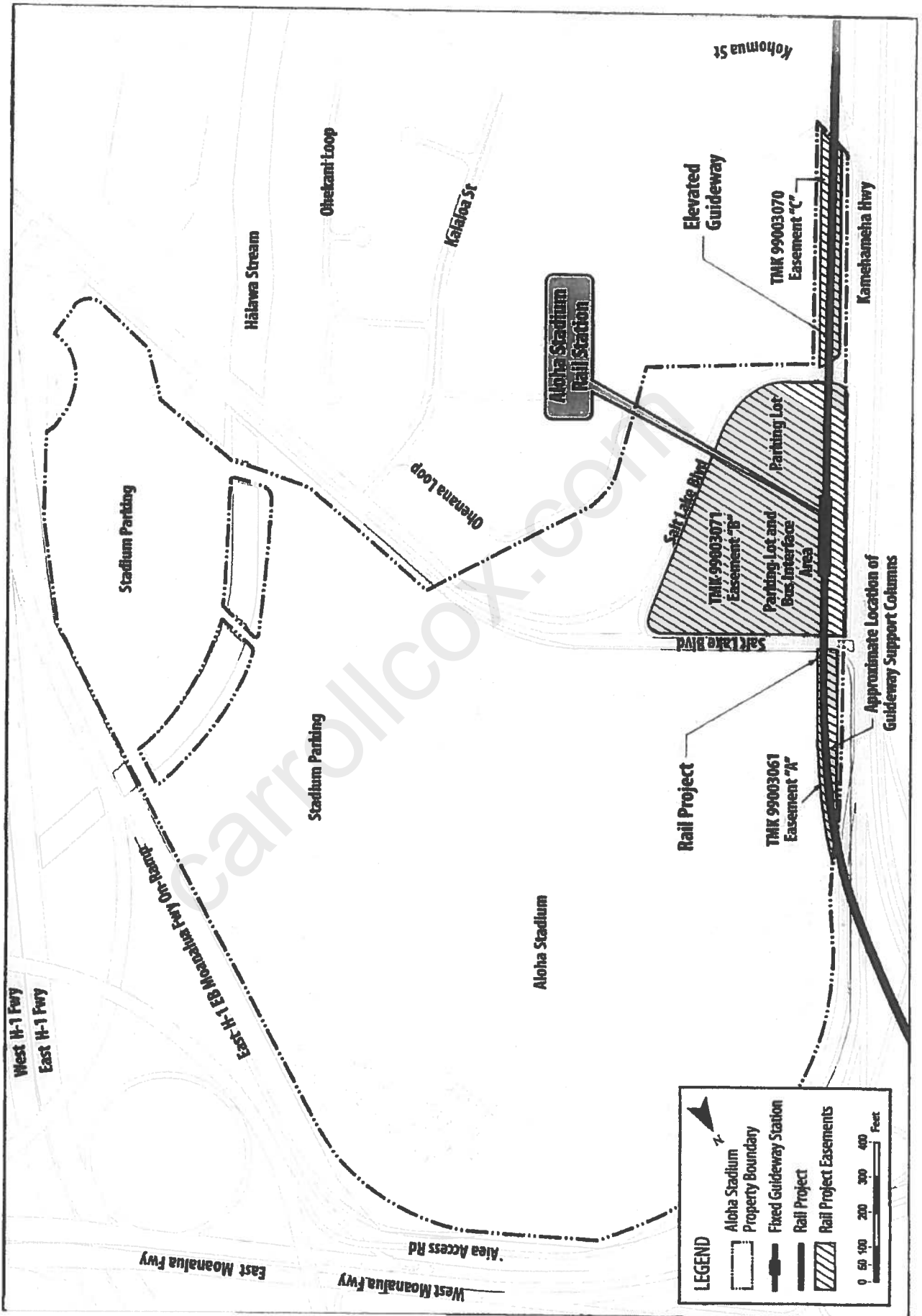
By:   
Its:

Date: 3/4/14

APPROVED AS TO FORM  
AND LEGALITY  
  
Deputy Corporation Counsel



# Exhibit A: Easement Areas



**LEGEND**

- Aloha Stadium Property Boundary
- Fixed Guideway Station
- Rail Project
- Rail Project Easements

0 50 100 200 300 400 Feet