

WHEREAS, the Civil Aeronautics Administration is succeeded by the Federal Aviation Administration pertaining to the Haleakala Peripheral Hi Site; and

WHEREAS, access to Executive Order No. 1808 is via the access road encumbering Executive Order No. 1987 which is under the control and management of the Board of Regents of the University of Hawaii, and has been determined to not completely be located within the boundaries of Easements A, B, and C; and

WHEREAS, the Federal Aviation Administration and the University of Hawaii have agreed to seek correction of the legal description of Easements A, B, and C to match the actual location of the access road that was constructed and exists on the ground; and

WHEREAS, the legal description of Utility Easement D affecting Executive Order No. 1808 to the Federal Aviation Administration has been updated and corrected to match the actual location of the utility easement that was installed.

NOW, THEREFORE, BY THIS EXECUTIVE ORDER, I, the undersigned, Governor of the State of Hawaii, by virtue of the authority in me vested by Section 171-11, Hawaii Revised Statutes, as amended, and every other authority me hereunto enabling, do hereby order that the public land and improvements hereinafter described be, and the same is, hereby set aside, as amended, for the following public purposes:

FOR HALEAKALA HIGH ALTITUDE OBSERVATORY SITE, to be under the control and management of the University of Hawaii, being that parcel of land situate at Waiakoa and Papaanui, Makawao, Maui, Hawaii, and identified as "(Revised-September 2012) University of Hawaii Haleakala High Altitude Observatory Site," containing a gross area of 18.166 acres and a net area of 18.052 acres, after excluding therefrom the sites for Government Survey Triangulation Station "KOLEKOLE" (0.057 acre) and Reference Mark 1 (0.057 acre), together with rights of ingress and egress to and from said sites, and subject to certain sight clearance conditions from said Station "KOLEKOLE", SUBJECT, ALSO, to Access Road Easement A-1 containing an area of 0.430 acre, more particularly described in Exhibit "A" and delineated on Exhibit "B," both of which are attached hereto and made parts hereof, said exhibits being respectively, a survey description and survey map prepared by the Survey Division, Department of Accounting and General Services, State of Hawaii, both being designated C.S.F. No. 25,226 and dated September 17, 2012.



SUBJECT, HOWEVER, to the condition that upon cancellation of this executive order or in the event of non-use or abandonment of the premises or any portion thereof for a continuous period of one (1) year, or for any reason whatsoever, the University of Hawaii shall, within a reasonable time, restore the premises to a condition satisfactory and acceptable to the Department of Land and Natural Resources, State of Hawaii.

SUBJECT, FURTHER, to disapproval by the Legislature by two-thirds vote of either the Senate or the House of Representatives or by majority vote of both, in any regular or special session next following the date of this Executive Order.

This executive order does not authorize the recipient of the set aside to sell or exchange or otherwise relinquish the State of Hawaii's title to the subject public land.

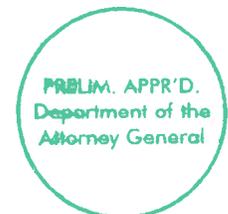
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Hawaii to be affixed. Done at the Capitol at Honolulu this 10th day of March 2014.


NEIL ABERCROMBIE
Governor of the State of Hawaii

APPROVED AS TO FORM:


CINDY Y. YOUNG
Deputy Attorney General

Dated: January 7, 2014



STATE OF HAWAII

Office of the Lieutenant Governor

THIS IS TO CERTIFY That the within is a true copy of Executive Order No. 4452 amending Executive Order No. 1987 which set aside land for public purposes, the original of which is on file in this office.

IN TESTIMONY WHEREOF, the Lieutenant Governor of the State of Hawaii, has hereunto subscribed his name and caused the Great Seal of the State to be affixed.



SHAN S. TSUTSUI
Lieutenant Governor of the State of Hawaii

DONE in Honolulu, this 11th day of March, A.D. 2014





STATE OF HAWAII
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 25,226

September 17, 2012

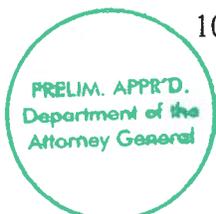
(REVISED-SEPTEMBER 2012)
UNIVERSITY OF HAWAII
HALEAKALA HIGH ALTITUDE OBSERVATORY SITE

Waiakoa and Papaanui, Makawao, Maui, Hawaii

Being a portion of the Government Lands of Waiakoa and Papaanui.

Beginning at the north corner of this parcel of land and on the boundary between the Government Land of Waiakoa and the land of Kealahou 3 and 4 (Royal Patent 7453, Land Commission Award 8452, Apana 21 to A. Keohokalole), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KOLEKOLE" being 800.45 feet North and 570.12 feet West, thence running by azimuths measured clockwise from True South:-

1. 307° 41' 92.21 feet along the land of Kealahou 3 and 4 (R.P. 7453, L.C. Aw. 8452, Ap. 21 to A. Keohokalole);
2. 311° 22' 1142.98 feet along the remainder of the Government Land of Papaanui;
3. 41° 22' 467.14 feet along the remainder of the Government Land of Papaanui;
4. 89° 14' 283.18 feet along the remainder of the Government Land of Papaanui;
5. 131° 22' 1025.00 feet along the remainder of the Government Land of Papaanui and along Haleakala Peripheral Hi Site;



6. 221° 22' 651.19 feet along the remainder of the Government Lands of Papaanui and Waiakoa to the point of beginning and containing a GROSS AREA of 18.166 ACRES and a NET AREA of 18.052 ACRES, after excluding therefrom the sites for Government Survey Triangulation Station "KOLEKOLE" (0.057 Acre) and Reference Mark 1 (0.057 Acre), together with rights of ingress and egress to and from said sites, and subject to certain sight clearance conditions from said Station "KOLEKOLE"; said sites and sight clearance conditions being described as follows:

Government Survey Triangulation Station "KOLEKOLE" Site

Beginning at the northeast corner of this site, the true azimuth and distance from Government Survey Triangulation Station "KOLEKOLE" being 225° 00' 35.36 feet, thence running by azimuths measured clockwise from True South:-

- 1. 360° 00' 50.00 feet;
- 2. 90° 00' 50.00 feet;
- 3. 180° 00' 50.00 feet;
- 4. 270° 00' 50.00 feet to the point of beginning and containing an AREA OF 0.057 ACRE.

Sight Clearance Conditions

So long as Government Survey Triangulation Station "KOLEKOLE" remains in use for a Triangulation Station, there shall not be erected, maintained or allowed to grow on the land of the above-described University of Hawaii Haleakala High Altitude



Observatory Site, any structure or object of natural growth exceeding in height to obstruct or to block the lines of sight observed with an engineer’s instrument from said Station “KOLEKOLE” to Government Survey Triangulation Stations “PUU PANE”, “PUU NANIAU”, “HALEAKALA 2”, “KA LAE O KA ILIO”, “SHORE D”, “KANAHAU”, “KAHOOLAWE” and also to REFERENCE MARKS 1, 2 and 3, the directions of these lines of sight are shown on the plan attached hereto and made a part hereof.

Reference Mark 1 Site

Beginning at the northeast corner of this site, the true azimuth and distance from Government Survey Reference Mark 1, marked by a standard disk set in rock outcrop, being 212° 00’ 47.17 feet, and the true azimuth and distance from Government Survey Triangulation Station “KOLEKOLE” to said Reference Mark 1 being 17° 19’ 24.2” 353.64 feet, thence running by azimuths measured clockwise from True South:-

- 1. 360° 00’ 50.00 feet;
- 2. 90° 00’ 50.00 feet;
- 3. 180° 00’ 50.00 feet;
- 4. 270° 00’ 50.00 feet to the point of beginning and containing an AREA OF 0.057 ACRE.

The above-described University of Hawaii Haleakala High Altitude Observatory Site is SUBJECT, ALSO, to Access Road Easement A-1 as shown on plan attached hereto and made a part hereof and more particularly described as follows:



Access Road Easement A-1

Beginning at the east corner of this easement, the true azimuth and distance from the end of Course 2 of the above-described University of Hawaii Haleakala High Altitude Observatory Site being $131^{\circ} 22'$ 168.81 feet, thence running by azimuths measured clockwise from True South:-

1. Along a curve to the right with a radius of 240.00 feet, the chord azimuth and distance being:
 $20^{\circ} 11' 52''$ 52.27 feet;
2. $26^{\circ} 27'$ 103.29 feet;
3. Thence along a curve to the right with a radius of 140.00 feet, the chord azimuth and distance being:
 $54^{\circ} 41' 30''$ 132.49 feet;
4. $82^{\circ} 56'$ 362.94 feet;
5. Thence along a curve to the right with a radius of 45.00 feet, the chord azimuth and distance being:
 $118^{\circ} 51' 30''$ 52.81 feet;
6. $154^{\circ} 47'$ 25.08 feet;
7. Thence along a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being:
 $121^{\circ} 05'$ 55.48 feet;
8. $87^{\circ} 23'$ 113.61 feet;
9. $84^{\circ} 57'$ 24.61 feet;
10. $131^{\circ} 22'$ 27.61 feet along Haleakala Peripheral Hi Site;
11. $264^{\circ} 57'$ 44.06 feet;
12. $267^{\circ} 23'$ 114.03 feet;



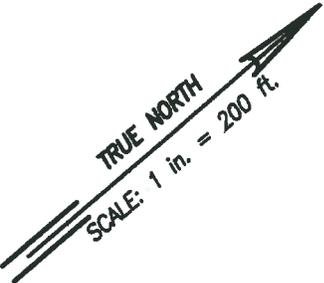
REDUCED NOT TO SCALE

WAIKOA
Government Land
(C.S.F. 11,116)

KEAHOLOA
Government Land
R.P. 7453, L.C. Aw. 8452,
Ap. 21 to A. Keohokalole

800.45 N
570.12 W
"KOLEKOLE" Δ

307°41' 92.21



GROSS AREA = 18.166 AC.
LESS EXCLUSIONS:
"KOLEKOLE" Trig.
Sta. Site - 0.057 AC.
Ref. Mark 1 Site - 0.057 AC.
TOTAL EXCLUSION AREA = 0.114 AC.
NET AREA = 18.052 AC.

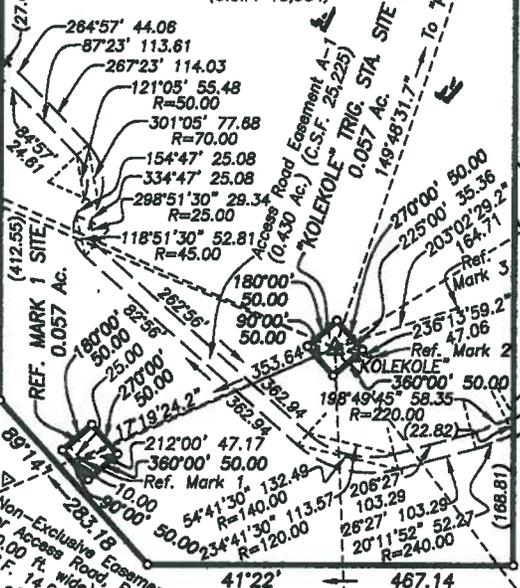
RADIO TRANSMISSION SITE
(C.S.F. 16,324) Parcel 2-B

Perpetual Non-Exclusive Easements for Electric Transmission Lines (C.S.F. 18,182)
Grant of Easement: State of Hawaii to Maui Electric Co., Ltd. dated April 6, 1978 and recorded in Liber 12868, Page 293 (L.O.D. S-26914)

Utility Easement D (3.00 ft. wide) (C.S.F. 25,225)
Underground Cable Easement (10.00 ft. wide) (C.S.F. 14,917)

(Revised-September 2012)
HALEAKALA PERIPHERAL HI SITE
Governor's Executive Order 1808 (C.S.F. 25,225)
Governor's Executive Order 1808 (C.S.F. 12,678)

Governor's Executive Order 1987 (C.S.F. 13,584)



Land (C.S.F. 11,117)
Access Road on Mount Haleakala (40.00 ft. wide) (C.S.F. 14,129)
Access Road Easement A-2 (40.00 ft. wide) (C.S.F. 25,225)

TELEVISION TRANSMITTING AND RECEIVING STATION SITE
(C.S.F. 12,207)

PRELIM. APPR'D.
Department of the Attorney General

(REVISED-SEPTEMBER 2012)

**UNIVERSITY OF HAWAII
HALEAKALA HIGH ALTITUDE OBSERVATORY SITE**

Waiakoa and Papaanui, Makawao, Maui, Hawaii

Scale: 1 inch = 200 feet

EXHIBIT "B"

Job Ma-177(12)
C. BK.

TMK: 2-2-07: 08

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

C.S.F. NO. 25,226

RDM September 17, 2012