

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Office of
The County Clerk
County of Kauai

Notice is hereby given that the Kaua'i County Council will hold a public hearing on Thursday, November 12, 2026, at 8:30 a.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Suite 201, Historic County Building, Līhu'e, on the following:

Resolution No. 2026-27

RESOLUTION AUTHORIZING THE ACQUISITION OF A ROADWAY LOT KNOWN AS KOLO ROAD REQUIRED FOR PUBLIC USE AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN

This Resolution proposes to authorize the County Attorney to institute eminent domain proceedings to condemn Kolo Road, situated in Kilauea, District of Hanalei, Kaua'i, Hawai'i, for public use, ongoing operation and maintenance, and future improvements, including the Kilauea Point Access Improvements project.

Any person may testify at the public hearing, and at any Council and Committee Meeting (at which time any Bill may be amended). Meeting notices and full-text Bills are available at least six (6) days in advance at the Office of the County Clerk, Council Services Division and kauai.gov/Government/Council/Webcast-Meetings. Written testimony may be submitted via counciltestimony@kauai.gov, mail, or fax. For further information, please call (808) 241-4188.

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Resolution No. 2026-27 was ordered to print by the Council of the County of Kaua'i during the October 14, 2026 Council Meeting, by the following vote:

AYES:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualī'i, Rapozo	TOTAL – 7,
NOES:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Līhu'e, Hawai'i
October 14, 2026

/s/ Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

(One publication – The Garden Island – October 21, 2026)

COUNTY COUNCIL

COUNTY OF KAUA'I

Resolution No. 2026-27

(FOR CONDEMNATION)

**RESOLUTION AUTHORIZING THE ACQUISITION OF A ROADWAY LOT
KNOWN AS KOLO ROAD REQUIRED FOR PUBLIC USE AND
DETERMINING AND DECLARING THE NECESSITY OF THE
ACQUISITION THEREOF BY EMINENT DOMAIN**

WHEREAS, Hawai'i Revised Statutes (HRS) Section 101-2 provides express authority for taking private property for public use; and

WHEREAS, HRS Section 46-1.5(6) grants the counties the power of condemnation by eminent domain when it is in the public interest; and

WHEREAS, Kolo Road in Kilauea, District of Hanalei, Kaua'i, Hawai'i, has long served the public and has been maintained and improved by the County of Kaua'i as a key component of its road system; and

WHEREAS, Kolo Road formerly served as Kūhiō Highway and was previously conveyed from the State of Hawai'i to the County of Kaua'i after construction of the current alignment of Kūhiō Highway; however, property research determined that the former Kūhiō Highway (Kolo Road) in this vicinity was never conveyed from Kilauea Sugar to the State of Hawai'i; therefore, the State of Hawai'i could not convey it to the County; and

WHEREAS, the County's acquisition of Kolo Road is necessary to protect the public interest and to ensure that the County can continue to maintain and operate Kolo Road as a public roadway; and

WHEREAS, in 2024, the State of Hawai'i acquired an adjacent portion of Kolo Road through a condemnation process involving the successor in interest to Kilauea Sugar, said portion also being necessary to maintain and operate the public roadway; and

WHEREAS, the County's acquisition of Kolo Road is necessary to satisfy federal requirements related to the Kilauea Point Access Improvements project, which will resurface Kilauea Road and improve safety and access for pedestrians, motorists, bicyclists, and other users of Kilauea Road;

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Kaua'i as follows:

1. The acquisition of Kolo Road in Kilauea, District of Hanalei, Kaua'i, Hawai'i, as described in Exhibit A, is necessary for public use, ongoing operation and maintenance, and future improvements, including the Kilauea Point Access Improvements project.
2. The County Attorney of the County of Kaua'i is hereby authorized and empowered to institute proceedings in eminent domain as provided by law for the acquisition of Kolo Road.
3. In the process of said proceedings in eminent domain, the County Attorney is hereby authorized and empowered to negotiate terms of settlement, subject to approval of the Council and/or of the Court before which such proceedings are commenced.
4. The County Clerk is hereby authorized and directed to transmit copies of this Resolution to the County Engineer, the Director of Finance, and to the Office of the County Attorney.

This Resolution shall take effect upon its approval.

Introduced by:



BERNARD P. CARVALHO, JR.
(By Request)

[https://kauaicounty.sharepoint.com/sites/Taskseffective9152026Temporary/Shared Documents/General/RESOLUTIONS/Resolution Eminent Domain Condemnation - KOLO ROAD \(BC\) RM_sf.docx](https://kauaicounty.sharepoint.com/sites/Taskseffective9152026Temporary/Shared Documents/General/RESOLUTIONS/Resolution Eminent Domain Condemnation - KOLO ROAD (BC) RM_sf.docx)

	Aye	May	Excused	Recused
Bulosan				
Carvalho				
Cowden				
Holland				
Kaneshiro				
Kuali'i				
Rapoza				
Total				

Certificate Of Adoption

We hereby certify that Resolution No. _____
was adopted by the Council of the County of Kaua'i, State of
Hawai'i, Lihu'e, Kaua'i, Hawai'i, on _____.

County Clerk
Dated

Chairman & Presiding Officer

Exhibit A

KOLO ROAD

LAND SITUATED AT KILAUEA, HANALEI, KAUAI, HAWAII

Being Portions of Grant 2896 to Charles Titcomb and Grant 630 to Jules Dudoit

Beginning at the northeast corner of this parcel of land, on the North side of Kuhio Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILAUEA" being 7,755.54 feet South and 1,482.45 feet West, thence running by azimuths measured clockwise from true South:

- | | | | | | |
|----|------|-----|-----|----------|---|
| 1. | 77° | 20' | 37" | 33.66 | feet along the North side of Kuhio Highway;

thence along Lots 42 and 43 (remainder of Kolo Road) on a curve to the right with a radius of 2,425.00 feet, the chord azimuth and distance being: |
| 2. | 97° | 15' | 36" | 188.39 | feet; |
| 3. | 99° | 29' | 10" | 1,445.14 | feet along Lot 43 (remainder of Kolo Road);

thence along Lot 43 (remainder of Kolo Road) on a curve to the left with a radius of 1,475.00 feet, the chord azimuth and distance being: |
| 4. | 96° | 22' | 10" | 160.39 | feet; |
| 5. | 93° | 15' | 10" | 266.37 | feet along Lot 43 (remainder of Kolo Road);

thence along Lot 43 (remainder of Kolo Road) on a curve to the right with a radius of 775.00 feet, the chord azimuth and distance being: |
| 6. | 103° | 07' | 10" | 265.60 | feet; |
| 7. | 112° | 59' | 10" | 727.79 | feet along Lot 43 (remainder of Kolo Road), North end of Hookui Road, Lot 22 and Lot A (remainder of Kolo Road); |

Exhibit A

					thence along Lot A (remainder of Kolo Road) on a curve to the right with a radius of 415.70 feet, the chord azimuth and distance being:
8.	116°	06'	29"	45.28	feet;
9.	209°	13'	48"	5.00	feet along Lot A (remainder of Kolo Road);
					thence along Lot A (remainder of Kolo Road) on a curve to the right with a radius of 410.70 feet, the chord azimuth and distance being:
10.	131°	30'	59"	174.79	feet;
11.	143°	48'	10"	820.71	feet along Lot A (remainder of Kolo Road);
12.	143°	52'	30"	262.57	feet along Lot A (remainder of Kolo Road);
13.	142°	57'		203.12	feet along Lot A (remainder of Kolo Road);
					thence along Lot A (remainder of Kolo Road) and Parcel 2 on a curve to the left with a radius of 1,629.26 feet, the chord azimuth and distance being:
14.	140°	14'	19"	154.14	feet;
15.	137°	31'	38"	243.49	feet along Parcel 2, Parcel 1 and Kolo Road Parcel 3 (Kuhio Highway Project No. 56CD-01-21);
16.	199°	39'	37"	10.23	feet along Kolo Road Parcel 1 (Kuhio Highway Project No. 56CD-01-21);
17.	104°	57'	37"	7.30	feet along Kolo Road Parcel 1 (Kuhio Highway Project No. 56CD-01-21);
18.	190°	14'	37"	30.28	feet along Kolo Road Parcel 1 (Kuhio Highway Project No. 56CD-01-21);
19.	200°	55'	37"	12.06	feet along Kolo Road Parcel 1 (Kuhio Highway Project No. 56CD-01-21);
20.	317°	31'	38"	278.18	feet along Lot D and Lot 23;

Exhibit A

					thence along Lot 23 on a curve to the right with a radius of 1,669.26 feet, the chord azimuth and distance being:
21.	318°	33'	12"	59.79	feet;
					thence along Lot 23 on a curve to the left with a radius of 23.00 feet, the chord azimuth and distance being:
22.	271°	03'	23"	34.46	feet;
23.	222°	32'		3.36	feet along Lot 23;
24.	317°	27'		42.84	feet along Kilauea Road;
					thence along Lot 1 on a curve to the left with a radius of 35.00 feet, the chord azimuth and distance being:
25.	5°	12'		47.07	feet;
26.	322°	57'		203.44	feet along Lots 1 and 2-A;
27.	323°	52'	30"	262.86	feet along Lot 8-Z (remainder of Kolo Road);
28.	323°	48'	10"	820.68	feet along Lot A and Parcel 7;
					thence along Lot 8-AA (remainder of Kolo Road) on a curve to the left with a radius of 370.70 feet, the chord azimuth and distance being:
29.	311°	30'	59"	157.77	feet;
30.	209°	13'	48"	5.00	feet along Lot 8-AA (remainder of Kolo Road);
					thence along Lot 8-AA (remainder of Kolo Road) on a curve to the left with a radius of 365.70 feet, the chord azimuth and distance being:
31.	296°	06'	29"	39.83	feet;

Exhibit A

32.	292°	59'	10"	727.79	feet along Lots 8-AA (remainder of Kolo Road) and 8-A-11 (remainder of Kolo Road); thence along Lots 8-A-11 (remainder of Kolo Road) and 8-X on a curve to the left with a radius of 725.00 feet, the chord azimuth and distance being:
33.	283°	07'	10"	248.47	feet;
34.	273°	15'	10"	266.37	feet along Lot 8-W-8 (remainder of Kolo Road); thence along Lot 8-W-8 (remainder of Kolo Road) on a curve to the right with a radius of 1525.00 feet, the chord azimuth and distance being:
35.	276°	22'	10"	165.83	feet;
36.	279°	29'	10"	1445.14	feet along Lot 8-W-8 (remainder of Kolo Road); thence along Lot 8-W-8 (remainder of Kolo Road) on a curve to the left with a radius of 2,375.00 feet, the chord azimuth and distance being:
37.	275°	37'	03"	320.48	feet;
38.	77°	20'	37"	112.37	feet along the North side of Kuhio Highway;

Exhibit A

39. 347° 20' 37"

10.00 feet along the North side of Kuhio Highway to the point of beginning and containing an area of 5.371 Acres.



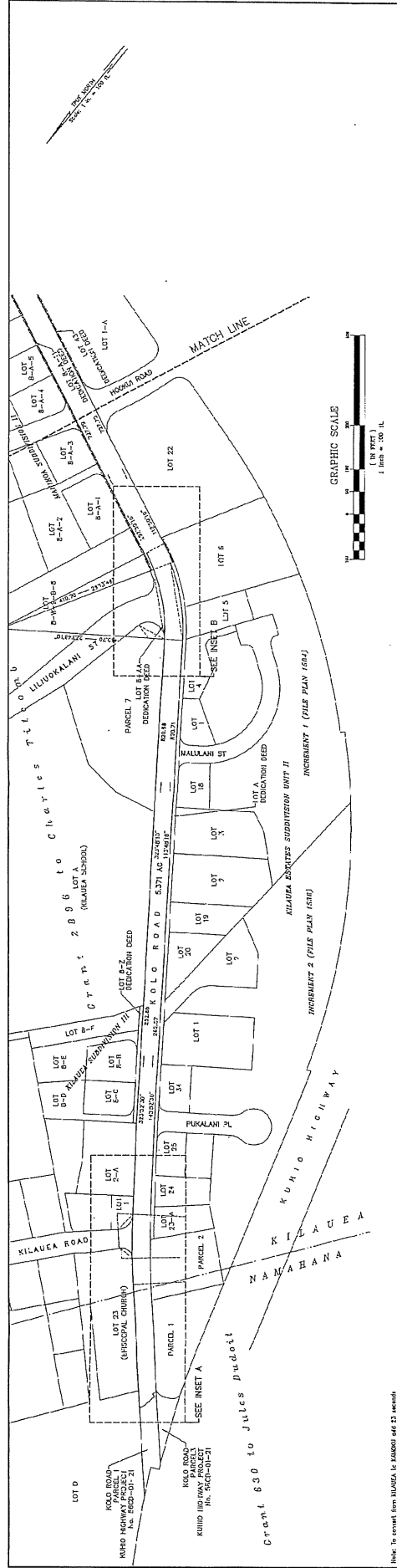
Lihue, Hawaii
August 2026

DESCRIPTION PREPARED BY:
ESAKI SURVEYING AND MAPPING, INC.

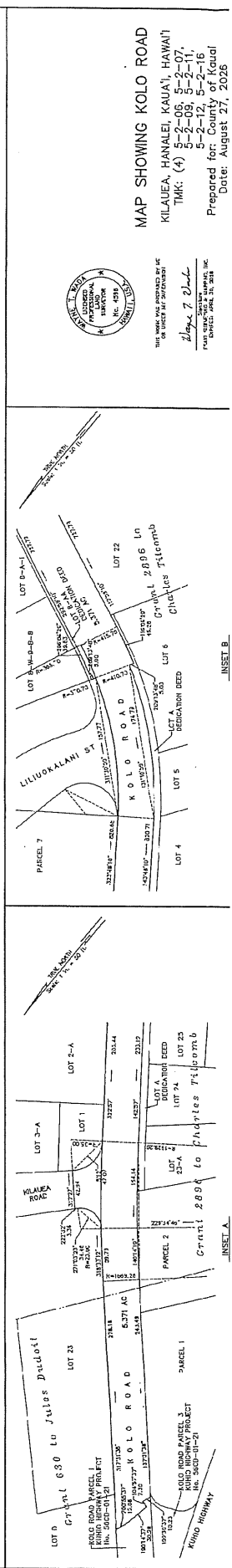
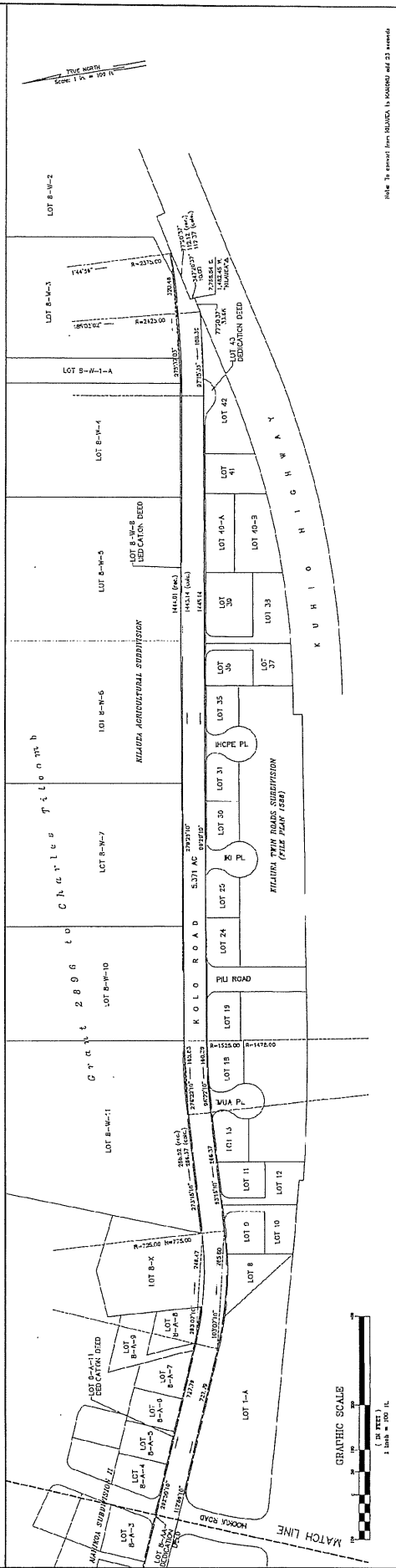
A handwritten signature in cursive script that reads "Wayne T. Wada".

Wayne T. Wada
Licensed Professional Land Surveyor
Certificate Number 4596

Exhibit A



Note: To convert from KILAUEA to HAWAIIAN and 21. meters



MAP SHOWING KOLO ROAD
KILAUEA, HANALEI, KAUAU, HAWAII
THK: (4) 5-2-06, 5-2-07,
5-2-08, 5-2-11,
5-2-12, 5-2-16
Prepared for: County of Kauai
Date: August 27, 2026



THIS MAP WAS PREPARED BY ME
IN ACCORDANCE WITH THE
HAWAIIAN SURVEYING ACT
AND THE RULES OF THE
SURVEYING BOARD OF THE
STATE OF HAWAII.
Surveyor
No. 4385
August 27, 2026