HOUSE RESOLUTION

APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII.

WHEREAS, private, non-ceded lands in Kapolei were donated by the Campbell Estate to the University of Hawaii (UH) to build the UH-West Oahu campus; and

WHEREAS, the private, non-ceded lands were donated on the specific conditions that a campus would be built that accommodates at least 2,750 students and that construction would begin by December 31, 2011, otherwise the lands would revert to the Campbell Estate; and

WHEREAS, one method of quickly raising funds to finance the construction would be to sell in fee simple portions of the outlying areas of the donated lands that are situated around the proposed site of the new Kapolei campus, and to use the proceeds from the sale of those adjoining lands to finance construction costs; and

WHEREAS, a current impediment to selling any state-owned lands in fee simple, whether the lands are ceded or not ceded, is Act 176, Session Laws of Hawaii (SLH) 2009, which requires the prior approval of the Legislature by Resolution to sell certain state land in fee simple and applies to land which the University of Hawaii holds title; and

WHEREAS, Act 176, SLH 2009, establishes procedural requirements that might delay the sale of those lands adjoining the new Kapolei campus, which in turn might hopelessly delay construction of the new campus until after the end of 2011; and

WHEREAS, Act 176, SLH 2009, appears to have created unintended operational difficulties for state agencies that need to sell or gift state-owned lands in a timely and efficient manner; and
WHEREAS, UH desires to sell in fee simple certain non-ceded lands adjoining the site of the campus to raise the funds to construct the campus, pursuant to the requirements of Act 176, SLH 2009, and to comply with the conditions running with the donated lands; and

WHEREAS, the appraisal has been conducted listing:

(1) The appraisal value;
(2) The names of all appraisers performing the appraisals; and
(3) The date of the appraisal valuation,

all in accordance with Act 176, however, as UH is currently in negotiations with bidders, UH cannot disclose the appraisal amount but will provide such information at the conclusion of negotiations which is expected shortly; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, that UH is hereby authorized to sell the fee simple interest in non-ceded lands situated around the Kapolei campus, identified as Tax Map Key No. (1) 9-1-16-181, pursuant to the requirements of Act 176, SLH 2009; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Chairperson of the Board of Regents of the University of Hawaii and President of the University of Hawaii.