
HOUSE CONCURRENT
RESOLUTION

APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10th
AVENUE, HONOLULU, HAWAII.

1 WHEREAS, section 171-64.7, Hawaii Revised Statutes,
2 requires the prior approval of the Legislature by concurrent
3 resolution to sell certain state lands in fee simple; and
4

5 WHEREAS, section 171-64.7(c), Hawaii Revised Statutes,
6 states that "[t]he concurrent resolution shall contain the
7 following information:

8 (1) The specific location and size in square feet or in
9 other precise measure of the parcels of land to be
10 sold or given;

11 (2) The appraisal value of the land to be sold or given;

12 (3) The names of all appraisers performing appraisals of
13 the land to be sold or given;

14 (4) The date of the appraisal valuation;

15 (5) The purpose for which the land is being sold or given;

16 (6) A detailed summary of any development plans for the
17 land to be sold or given; and

18 (7) A statement of whether the land is, or is not, land
19 that was classed as government or crown lands previous
20 to August 15, 1895, or was acquired by the State in
21 exchange for such lands, and a detailed explanation of
22 how the state department or agency made this
23 determination.

24 A draft of the concurrent resolution for the prior approval
25 of a sale or gift of land shall also be submitted to the office
26 of Hawaiian affairs at least three months prior to the convening
27 of a regular or special session of the legislature to allow the
28 office to determine whether the land was classed as government
29 or crown lands previous to August 15, 1895, or was acquired by
30 the State in exchange for such lands"; and
31

1 WHEREAS, pursuant to section 171-64.7(e), Hawaii Revised
2 Statutes, prior to finalizing any proposal for the sale or gift
3 of lands and prior to the submission of the concurrent
4 resolution to the Legislature, an informational briefing on the
5 proposed sale or gift of lands shall be held in the community
6 where the land to be sold or given is located; and
7

8 WHEREAS, the Hawaii Housing Finance and Development
9 Corporation (the "Corporation") desires to sell the leased fee
10 interest in 2314 10th Avenue, Honolulu, Hawaii, and provides the
11 following information pursuant to section 171-64.7, Hawaii
12 Revised Statutes:

- 13 (1) The parcel is a single family home that is part of the
14 Palolo Solar Homes project built in 1981 and is
15 identified as a 3,387 square foot parcel, TMK No. 1-3-
16 4-3-38;
- 17 (2) The leased fee interest in this parcel was appraised
18 to have a fair market value of \$196,700;
- 19 (3) The parcel was appraised by Harlin Young & Co, Ltd.;
- 20 (4) The appraisal valuation date is July 1, 2011;
- 21 (5) The primary purpose for the sale of this parcel is to
22 convey the leased fee interest to its current
23 leasehold owner and the owner's leasehold agreement
24 included the right to purchase the leased fee interest
25 in the land;
- 26 (6) There is no development plan for this unit, which is a
27 single family residence; and
- 28 (7) As of August 15, 1895, the parcel was a portion of the
29 Government (Crown) Land of Waiomao; the Corporation's
30 predecessor agency, the Hawaii Housing Authority,
31 acquired title to the property through Grant No. S-
32 15,431, dated March 3, 1978; and the determination was
33 made by a search of the title records for this parcel
34 by Title Guaranty of Hawaii on July 27, 2011; and
35

36 WHEREAS, pursuant to section 5(f) of the Admission Act,
37 "the development of farm and home ownership on as widespread a
38 basis as possible for the making of public improvement" is an
39 expressly authorized purpose of the ceded lands inventory; and
40

41 WHEREAS, the Corporation duly submitted a draft of the
42 Concurrent Resolution to the Office of Hawaiian Affairs on
43 October 3, 2011, more than three months prior to the opening
44 date of the Regular Session of 2012; and
45

1 WHEREAS, the Corporation duly conducted a public
2 informational briefing on the sale of this parcel on August 11,
3 2011, at the Jarrett Middle School cafeteria, Honolulu, Hawaii,
4 following publication of notice of the briefing in the Honolulu
5 Star-Advertiser newspaper on August 4 and 7, 2011; and
6

7 WHEREAS, no objection to the proposed sale was received at
8 the public informational briefing; now, therefore,
9

10 BE IT RESOLVED by the House of Representatives of the
11 Twenty-sixth Legislature of the State of Hawaii, Regular Session
12 of 2012, the Senate concurring, that the sale of the leased fee
13 interest in 2314 10th Avenue, Honolulu, Hawaii, TMK No. 1-3-4-3-
14 38, is hereby approved; and
15

16 BE IT FURTHER RESOLVED that a certified copy of this
17 Concurrent Resolution be transmitted to the Executive Director
18 of the Corporation.
19

20 OFFERED BY: Calvin K. Soy
21
22 BY REQUEST
23

JAN 23 2012

HR 27

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10th AVENUE, HONOLULU, HAWAII.

PURPOSE: To seek the prior approval of the Legislature by concurrent resolution of the sale of the leased fee interest in 2314 10th Avenue, Honolulu, Hawaii, TMK No. 1-3-4-3-38, to its current leasehold homeowners.

MEANS: Concurrent resolution pursuant to section 171-64.7, Hawaii Revised Statutes.

JUSTIFICATION: HHFDC is seeking legislative approval to sell the leased fee interest in 2314 10th Avenue its current leasehold owners.

The property at 2314 10th Avenue is a single family home built in 1981 as part of the Palolo Solar Homes affordable for-sale development. Only 2 lessees remain out of the 5 homes in the development.

The long-term leases executed by the homebuyers in that development included a clause giving the lessees the right to purchase the leased fee interest in the land. The fair market value of the leased fee interest in 2314 10th Avenue was determined to be \$196,700 as of July 1, 2011, by HHFDC's appraiser, Harlin Young & Co, Ltd.

A title search conducted by Title Guaranty of Hawaii on July 27, 2011, determined that as of August 15, 1895, the parcel was part of the Government (Crown) Land of Waiomao, and that HHFDC's predecessor agency, the Hawaii Housing Authority, acquired title to it through Grant No. S-15,431, dated March 3, 1978.

Pursuant to section 5(f) of the Admission Act, promotion of home ownership is an express public purpose of the ceded lands inventory.

HHFDC conducted a public meeting on the proposed sale on August 11, 2011, at Jarrett Middle School, Honolulu, Hawaii, following publication of notice in the Honolulu Star-Advertiser newspaper on August 4 and 7, 2011. There was no objection to the proposed sale raised at that time.

HHFDC has also worked closely with the Office of Hawaiian Affairs during the interim to keep them informed of these findings and our intent to sell the leased fee interest in this parcel.

Impact on the public: Minimal.

Impact on the department and other agencies: Minimal.

GENERAL FUND:

None.

OTHER FUNDS:

The sale proceeds will be deposited into the Dwelling Unit Revolving Fund to support the development and construction of additional affordable housing units.

PPBS PROGRAM
DESIGNATION:

BED 160.

OTHER AFFECTED
AGENCIES:

Office of Hawaiian Affairs.

EFFECTIVE DATE:

Upon adoption.