

MAR 14 2012

SENATE CONCURRENT RESOLUTION

AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A NON-EXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL PURPOSES AT SPRECKLESVILLE BEACH LOTS, WAILUKU, MAUI, AS APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES.

1 WHEREAS, Koolau Properties, LLC, is the current owner of
2 recorded private property at Spreckelsville Beach Lots, Wailuku,
3 Maui, Tax Map Key (2)3-8-002:051 that abuts State-owned land;
4 and

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6 WHEREAS, the Koolau Properties, LLC, property has
7 encroached on approximately two thousand thirty square feet of
8 the State-owned land since the year 1924, and the encroachment
9 includes a large seawall; and

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11 WHEREAS, Koolau Properties, LLC, applied to the Land
12 Division of the Department of Land and Natural Resources to
13 request a grant of a fifty-five year term for a non-exclusive
14 easement over, under, and across the State-owned land, including
15 the right, privilege and authority to use, maintain, repair,
16 replace or remove the seawall; and

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18 WHEREAS, on September 9, 2010, under agenda item D-10, the
19 Board of Land and Natural Resources approved the request for the
20 term easement for seawall purposes; and

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22 WHEREAS, on October 20, 2011, the Department of Land and
23 Natural Resources notified Koolau Properties, LLC, by letter
24 that the easement's appraised value is \$53,400, and that amount,
25 plus fees, was paid on November 17, 2011; and

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27 WHEREAS, pursuant to section 171-53(c), Hawaii Revised
28 Statutes, the Board of Land and Natural Resources, with the
29 approval of the Governor and the prior authorization of the



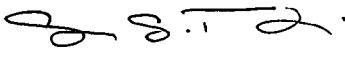
S.C.R. NO. 119

1 Legislature by concurrent resolution, may lease State submerged
2 lands and lands beneath tidal waves; now, therefore,

3
4 BE IT RESOLVED by the Senate of the Twenty-sixth
5 Legislature of the State of Hawaii, Regular Session of 2012, the
6 House of Representatives concurring, that the fifty-five year
7 term for a non-exclusive easement to Koolau Properties, LLC, for
8 seawall purposes, is hereby authorized by the Legislature
9 according to the terms and conditions approved by the Board of
10 Land and Natural Resources on September 9, 2010; and

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12 BE IT FURTHER RESOLVED that certified copies of this
13 Concurrent Resolution be transmitted to the Governor,
14 Chairperson of the Board of Land and Natural Resources, and
15 Koolau Properties, LLC.

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OFFERED BY: 
By Request

