

MAR 12 2013

SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS PURSUANT TO SECTION 171-53, HAWAII REVISED STATUTES, RELATING TO RECLAMATION AND DISPOSITION OF SUBMERGED OR RECLAIMED PUBLIC LAND.

1 WHEREAS, Eric Carl Jonsson and Joanna Fowler Jonsson,
2 (collectively "Jonssons"), are the successors in interest to
3 Kenton Thaxter Eldridge and Hannelore Guip Eldridge
4 (collectively, "the Eldridges"), to the ownership of a parcel of
5 land located in Honolulu, Hawaii, identified as tax map key
6 number (1) 3-6-001-021 (the "Jonsson property"), pursuant to
7 that certain Warranty Deed (Document No. T-8400457) recorded
8 with the Bureau of Conveyances on December 31, 2012; and
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10 WHEREAS, prior to the conveyance of the Jonsson property to
11 the Jonssons, the Eldridges applied to the Department of Land
12 and Natural Resources on October 26, 2007, for a non-exclusive
13 easement over a portion of state-owned land located seaward of
14 the Jonsson property; and
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16 WHEREAS, the seaward boundary of the Jonsson property
17 fronts the ocean, and a pier straddles the seaward boundary of
18 the Jonsson property and submerged public land, which is state-
19 owned and identified by tax map key number (1) 3-6-001-021, a
20 portion of the pier encroaches into the state-owned submerged
21 land; and
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23 WHEREAS, the area of the pier comprises approximately 270
24 square feet and comprises a portion of the state-owned submerged
25 land; and
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27 WHEREAS, the Jonsson property is classified as
28 conservation/urban and zoned by the City and County of Honolulu
29 as R-3; and
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S.C.R. NO. 106

1 WHEREAS, the character of use of the easement is the right,
2 privilege, and authority to use, maintain, repair, replace, and
3 remove the existing pier over, under, and across state-owned
4 land; and

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6 WHEREAS, the easement term is for fifty-five years in
7 consideration for a one-time payment to be determined by
8 independent or staff appraisal establishing a fair market rent,
9 subject to review and approval by the Chairperson of the Board
10 of Land and Natural Resources; and

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12 WHEREAS, the easement abuts the Jonsson property; now,
13 therefore,

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15 BE IT RESOLVED by the Senate of the Twenty-seventh
16 Legislature of the State of Hawaii, Regular Session of 2013, the
17 House of Representatives concurring, that the Board of Land and
18 Natural Resources is hereby authorized to issue a non-exclusive
19 easement for a fifty-five year term, covering that portion of
20 state submerged lands described above, located in Honolulu, for
21 purposes of renovation and construction of a pier, pursuant to
22 section 171-53, Hawaii Revised Statutes, subject to limitations
23 and conditions to be determined by the Board of Land and Natural
24 Resources; and

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26 BE IT FURTHER RESOLVED that certified copies of this
27 Concurrent Resolution be transmitted to the Chairperson of the
28 Board of Land and Natural Resources.

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OFFERED BY:

