
HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM AND NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIKIKI, HONOLULU, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING PIER AND SEAWALL AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

1 WHEREAS, the existing pier and portions of seawall fronting
2 the property identified as Tax Map Key: (1) 3-6-001:036,
3 Waikiki, Honolulu, Oahu, were placed upon state submerged lands;
4 and

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6 WHEREAS, around August 1989, the previous owner, Hope
7 Hearst, worked with the Department of Land and Natural Resources
8 to resolve the pier encroachment; and

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10 WHEREAS, on September 22, 1989, under agenda item F-1-a,
11 the Board of Land and Natural Resources (Board) approved a grant
12 of a revocable permit to resolve the encroachment for about 112
13 square feet; and

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15 WHEREAS, in October 2012, the previous owner transferred
16 the abutting property to Brigitte J. Coley; and

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18 WHEREAS, on March 11, 2016, under agenda item D-8, the
19 Board approved a grant of a 55-year non-exclusive easement to
20 resolve the encroachments; and

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22 WHEREAS, the total encroaching area, including a portion of
23 the seawall discovered during a subsequent shoreline
24 certification application process, was determined to be 331
25 square feet as reviewed and approved by the Department of
26 Accounting and General Services, Survey Division; and



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1 WHEREAS, the grantee shall pay the State the fair market
2 value of the easement as consideration for the use of public
3 lands to be determined by an independent appraisal; and
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5 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
6 the prior approval of the Governor and prior authorization of
7 the Legislature by concurrent resolution to lease state
8 submerged lands; now, therefore,
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10 BE IT RESOLVED by the House of Representatives of the
11 Twenty-ninth Legislature of the State of Hawaii, Regular Session
12 of 2017, the Senate concurring, pursuant to section 171-53,
13 Hawaii Revised Statutes, that the Board of Land and Natural
14 Resources is authorized to issue a term lease of fifty-five
15 years and non-exclusive easement for approximately 331 square
16 feet, subject to confirmation by the Department of Accounting
17 and General Services of the existing pier and portions of
18 seawall fronting the property identified as Tax Map Key: (1) 3-
19 6-001:036, Waikiki, Honolulu, Oahu, to resolve the pier
20 encroachment for the maintenance and repair of the existing pier
21 and seawall; and
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23 BE IT FURTHER RESOLVED that certified copies of this
24 Concurrent Resolution be transmitted to the Chairperson of the
25 Board of Land and Natural Resources.
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OFFERED BY: Mark H. Hahaione

FEB 08 2017

