SENATE CONCURRENT RESOLUTION

APPROVING THE CONVEYANCE OF CERTAIN HAWAII COMMUNITY DEVELOPMENT AUTHORITY LANDS TO THE CITY AND COUNTY OF HONOLULU.

WHEREAS, the Legislature created the Hawaii Community Development Authority in 1976 to redevelop and revitalize underutilized communities in the State and designated the Kakaako Community Development District as the first community to be redeveloped by the Hawaii Community Development Authority, as codified in chapter 206E, Hawaii Revised Statutes;

WHEREAS, the Hawaii Community Development Authority has implemented a district-wide improvement program of improvement district projects to facilitate redevelopment in Kakaako by constructing or requiring the construction of infrastructure improvements to the roads, sewer, water, drainage, electrical, communication, and traffic systems all in accordance with the requirements of the City and County of Honolulu and the public utility companies;

WHEREAS, the Hawaii Community Development Authority acquired the fee title of lands for the construction of improvement district projects in Kakaako through negotiations with affected land owner or eminent domain proceedings;

WHEREAS, the Hawaii Community Development Authority also acquired the fee title of roadway parcels through land exchange and development agreements;

WHEREAS, the roadway parcels comprise portions of several roads in Kakaako and are identified by tax map keys and improvement district parcel numbers below:

(1) A portion of South and Pohukaina Streets, improvement district 1, parcel 5, and is identified as a 6,806 square foot parcel, TMK No. 2-1-29:06, with an appraised value of $100; and
(2) A portion of South Street, improvement district 1, parcel 1, and is identified as a 1,595 square foot parcel, TMK No. 2-1-29:07, with an appraised value of $100; and

(3) Portions of South and Halekauwila Streets, improvement district 1, parcels 7, 8, 9, and 10, and is identified as a 640 square foot parcel, TMK No. 2-1-30:46, with an appraised value of $100; and

(4) A portion of Pohukaina Street, improvement district 1, parcel 11, improvement district 2 parcels 1, 2, and 3, and is identified as a 4,380 square foot parcel, TMK No. 2-1-30:47, with an appraised value of $100; and

(5) A portion of South Street, improvement district 1, parcels 12, and 13, and is identified as a 758 square foot parcel, TMK No. 2-1-30:48, with an appraised value of $100; and

(6) Portions of South and Pohukaina Streets, improvement district 1, parcel 6, and is identified as a 4,586 square foot parcel, TMK No. 2-1-30:49, with an appraised value of $100; and

(7) A portion of Halekauwila Street, improvement district 1, parcel 14, and is identified as a 23 square foot parcel, TMK No. 2-1-31:37, with an appraised value of $100; and

(8) A portion of South Street, improvement district 1, parcels 18, 19, 20 and 21, and is identified as a 5,095 square foot parcel, TMK No. 2-1-31:38, with an appraised value of $100; and

(9) Portions of Queen and South Streets, improvement district 1, parcels 15, 16, 17, 26, 27, 29 and 30, and is identified as a 9,761 square foot parcel, TMK No. 2-1-32:25, with an appraised value of $100; and

(10) A portion of South Street, improvement district 1, parcel 28, and is identified as a 1,450 square foot parcel, TMK No. 2-1-47:09, with an appraised value of $100; and
(11) Portions of Cooke and Kawaiahao Streets, improvement district 1, parcels 31, 32, 33, 34, 35, 37, 38, 39, 40, and improvement district 3, parcels 10 and 11 is identified as a 27,598 square foot parcel, TMK No. 2-1-48:20, with an appraised value of $3,000; and

(12) A portion of South Street, improvement district 1, parcels 22, 23, 24 and 25, and is identified as a 5,049 square foot parcel, TMK No. 2-1-48:21, with an appraised value of $100; and

(13) The corner of Cooke and Kawaiahao Streets, improvement district 3, parcel 13, and is identified as an 86 square foot parcel, TMK No. 2-1-49:51, with an appraised value of $100; and

(14) A portion of Queen Street, improvement district 3, parcel 16, and is identified as a 286 square foot parcel, TMK No. 2-1-49:81, with an appraised value of $100; and

(15) The corner of Cooke Street and Kapiolani Boulevard, improvement district 3, parcel 12, and is identified as a 155 square foot parcel, TMK No. 2-1-49:83, with an appraised value of $100; and

(16) The corner of Cooke and Ilaniwai Streets improvement district 3, parcel 19, and is identified as an 86 square foot parcel, TMK No. 2-1-50:66, with an appraised value of $100; and

(17) A portion of Halekauwila Street, improvement district 3, parcels 22A, 22D, 23A, 23B, 24A, 24B, 25A, and is identified as an 18,614 square foot parcel, TMK No. 2-1-50: a portion of 67, with an appraised value of $3,600; and

(18) A portion of Cooke Street, improvement district 3, parcels 21A and 21B, and is identified as a 235 square foot parcel, TMK No. 2-1-50:69, with an appraised value of $100; and

(19) The corner of Cooke and Queen Streets, improvement district 3, parcel 18, and is identified as an 86
square foot parcel, TMK No. 2-1-50: a portion of Cooke and Queen Streets, with an appraised value of $100; and

(20) A portion of Cooke and Pohukaina Streets, improvement district 2, parcel 7, and improvement district 3, parcels 1A, 1B, 1C, 2, and 3, and is identified as an 11,646 square foot parcel, TMK No. 2-1-51: a portion of 03, with an appraised value of $1,300; and

(21) A portion of Cooke Street, improvement district 3, parcel 8, and is identified as a 750 square foot parcel, TMK No. 2-1-51: a portion of 14, with an appraised value of $100; and

(22) Portions of Halekauwila and Cooke Streets, improvement district 3, parcel 4A, and is identified as a 7,207 square foot parcel, TMK No. 2-1-51: a portion of 19, with an appraised value of $200; and

(23) A portion of Coral Street, improvement district 1, parcel 36, and is identified as an 82 square foot parcel, TMK No. 2-1-51:34, with an appraised value of $100; and

(24) A portion of Cooke Street, improvement district 3, parcel 9, and is identified as an 836 square foot parcel, TMK No. 2-1-51:36, with an appraised value of $100; and

(25) A portion of Cooke Street, improvement district 3, parcel 7, and is identified as a 1,628 square foot parcel, TMK No. 2-1-51:37, with an appraised value of 100; and

(26) A portion of Pohukaina Street, improvement district 2, parcel 4, and is identified as a 7,000 square foot parcel, TMK No. 2-1-51:40, with an appraised value of $100; and

(27) A portion of Pohukaina Street, improvement district 2, parcel 6, and is identified as a 160 square foot parcel, TMK No. 2-1-51: portion of Lana Lane, with an appraised value of $100; and
(28) Portions of Halekauwila Street and Lana Lane, improvement district 3, parcels 5A, and is identified as a 400 square foot parcel, TMK No. 2-1-51: portion of Lana Lane and Halekauwila Street, with an appraised value of $100; and

(29) A portion of Halekauwila Street, and is identified as a 37,261 square foot parcel, TMK No. 2-1-52: a portion of 22, with an appraised value of $4,300; and

(30) A portion of Cooke Street, improvement district 2, parcel 8, and improvement district 3, parcels 26A, 26B and 27, and is identified as a 1,520 square foot parcel, TMK No. 2-1-52:55, with an appraised value of $100; and

(31) A portion of Cooke Street, improvement district 2, parcel 16, and is identified as a 4,892 square foot parcel, TMK No. 2-1-53:31, with an appraised value of $100; and

(32) A portion of South and Auahi Streets, improvement district 1, parcels 3, and is identified as an 86 square foot parcel, TMK No. 2-1-54:34, with an appraised value of $100; and

(33) A portion of South and Pohukaina Streets, improvement district 1, parcel 4, and is identified as an 86 square foot parcel, TMK No. 2-1-54:35, with an appraised value of $100; and

(34) A portion of Cooke Street, improvement district 2, parcel 14, and is identified as a 707 square foot parcel, TMK No. 2-1-54:36, with an appraised value of $100;

(35) A portion of South and Auahi Streets, improvement district 1, parcel 2, and is identified as an 86 square foot parcel, TMK No. 2-1-55:39, with an appraised value of $100; and

(36) A portion of Cooke Street, improvement district 2, parcels 9, 10, 11, 12, and 13, and is identified as a
512 square foot parcel, TMK No. 2-1-55:40, with an appraised value of $100; and

(37) A portion of Cooke Street, improvement district 2, parcel 15, and is identified as a 3,189 square foot parcel, TMK No. 2-1-56:12, with an appraised value of $100; and

(38) A portion of Ahui Street, improvement district 12, parcel 10, and is identified as an 18,818 square foot parcel, TMK No. 2-1-58: portion of Ahui Street, with an appraised value of $2,600; and

(39) Portions of Ohe, Olomehani, and Ahui Streets, improvement district 12, parcel 11, and is identified as a 3.248 acre parcel, TMK No. 2-1-60: portions of 4, 6, and Ahui Street, with an appraised value of $6,400; and

(40) A portion of Kamakee Street, improvement district 4, parcel 1, 2, 3, 4, 8, 9, 10, 11, 17, 18, 21, 22, 23, lot 239-B, and is identified as an 11,649 square foot parcel, TMK No. 2-3-03:103, with an appraised value of $100; and

(41) A portion of Queen Street at Kamakee Street identified as an approximately 26,826 square foot parcel, TMK No. 2-3-03:87, with an appraised value of $800; and

(42) A portion of Kamakee and Queen Streets, improvement district 4, parcels 5 and 6, and improvement district 10, lots 454 and 456, LCA 670, map 46, and is identified as a 3,431 square foot parcel, TMK No. 2-3-04: a portion of 29, with an appraised value of $100; and

(43) A portion of Kamakee Street, improvement district 4, parcels 19, 20, 24, and 25, and is identified as an 8,075 square foot parcel, TMK No. 2-3-04:74, with an appraised value of $100; and

(44) A portion of Waimanu Street, improvement district 10, lot 30A, LCA 948, map 8, improvement district 10, lot 31B, LCA 948, map 9, improvement district 10, lot 1B,
LCC 53, map 22, and is identified as a 20,686 square foot parcel, TMK No. 2-3-04: portion of 80, with an appraised value of $100; and

(45) A portion of Queen Street, improvement district 10, lot 4, LCC 188, map 3, and is identified as a 44,385 square foot parcel, TMK Nos. 2-3-04: portion of 80 and 2-3-06: portion of 14, with an appraised value of $900; and

(46) A portion of Kamakee Street, improvement district 4, parcel 13, and is identified as a 910 square foot parcel, TMK No. 2-3-04: portion of Kamakee Street, with an appraised value of $100; and

(47) A portion of Kamakee Street, improvement district 4, parcel 14, and is identified as an 892 square foot parcel, TMK No. 2-3-04: portion of Kamakee Street, with an appraised value of $100; and

(48) A portion of Kamakee Street, improvement district 4, parcels 15, and 16, and is identified as a 1,784 square foot parcel, TMK No. 2-3-04: portion of Kamakee Street, with an appraised value of $100; and

(49) A portion of Kawaiahao Street, improvement district 4, parcel 7, and is identified as a 710 square foot parcel, TMK No. 2-3-04: portion of Kawaiahao Street, with an appraised value of $100; and

(50) A portion of Waimanu Street, and is identified as a 9,507 square foot parcel, TMK No. 2-3-06:16, with an appraised value of $100; and

(51) A portion of Waimanu Street, improvement district 10 lot 915-B-2, LCA 880, map 132, and improvement district 10 lot 30-B-2, LCA 948, map 10, and is identified as a 3,160 square foot parcel, TMK No. 2-3-06: portion of 14, with an appraised value of $100; and

(52) A portion of Waimanu Street, improvement district 10 lot 915-C, LCA 880, map 131, and improvement district 10 lot 1-B, LCC 194, map 2, and is identified as a 9,194 square foot parcel, TMK No. 2-3-06: portion of 15, with an appraised value of $100; and
(53) The corner of Waimanu and Pensacola Streets,
improvement district 10 lot 885-a, LCA 880, map 136,
and is identified as an 86 square foot parcel, TMK No.
2-3-07: portion of Waimanu and Pensacola Streets, with
an appraised value of $100;

WHEREAS, the Hawaii Community Development Authority desires
to convey its fee titles of the roadway parcels to the City and
County of Honolulu as provided in chapter 206E, Hawaii Revised
Statutes;

WHEREAS, both houses of the Legislature must approve of the
proposed conveyance of the Hawaii Community Development
Authority roadway parcels to the City and County of Honolulu
pursuant to section 171-64.7, Hawaii Revised Statutes;

WHEREAS, pursuant to section 171-64.7, Hawaii Revised
Statutes, the Hawaii Community Development Authority did duly
conduct a public informational briefing on the proposed
conveyance of said Hawaii Community Development Authority lands
to the city on November 3, 2016, at the Hawaii Community
Development Authority's office, located on 547 Queen Street,
Honolulu, Hawaii, and did not receive any objections to the
proposed conveyance;

WHEREAS, pursuant to section 171-64.7, Hawaii Revised
Statutes, the Hawaii Community Development Authority did duly
hire Lesher Chee Staudlbauer to appraise the values of said
Hawaii Community Development Authority roadway parcels and to
prepare an appraisal report, which is dated September 12, 2016;

WHEREAS, the Hawaii Community Development Authority
requested the assistance of the Department of Land and Natural
Resources to determine whether the roadway parcels were classed
as government or crown lands previous to August 15, 1895, or
were acquired by the State in exchange for such lands;

WHEREAS, the Department of Land and Natural Resources
examined the records and files located in its Land Division and
Bureau of Conveyances and in the Land Survey Division of the
Department of Accounting and General Services to determine
whether the roadway parcels were classed as government or crown
lands previous to August 15, 1895, or were acquired by the State in exchange for such lands;

WHEREAS, the Department of Land and Natural Resources determined that the following Hawaii Community Development Authority roadway parcels were classed as government or crown lands previous to August 15, 1895, but are not classed as ceded:

(1) Portions of South and Pohukaina Streets, improvement district 1, parcel 6, TMK No. 2-1-30:49; and

(2) Portions of Queen and South Streets, improvement district 1, parcels 17 and 26, TMK No. 2-1-32: a portion of 25; and

(3) A portion of South Street, improvement district 1, parcels 22, 23, 24 and 25, TMK No. 2-1-48: a portion of 21; and

(4) A portion of Waimanu Street, improvement district 10, lot 30A, LCA 948, map 8, and lot 31B, LCA 948, map 9, improvement district 10, TMK No. 2-3-04: a portion of 80; and

(5) A portion of Queen Street, improvement district 10, lot 4, LCC 188, map 3, TMK Nos. 2-3-04: a portion of 80; and

(6) A portion of Waimanu Street, improvement district 10 lot 30-B-2, LCA 948, map 10, TMK No. 2-3-06: a portion of 14; and

(7) A portion of Waimanu Street, improvement district 10 lot 1-B, LCC 194, map 2, TMK No. 2-3-06: a portion of 15;

WHEREAS, the Department of Land and Natural Resources determined that none of the Hawaii Community Development Authority roadway parcels were acquired by the State in exchange for such lands;

WHEREAS, the Department of Land and Natural Resources further determined that the Hawaii Community Development Authority roadway parcels are not ceded and are not subject to...
the public trust as provided in section 5(f) of the Admission
Act of March 18, 1959;

WHEREAS, pursuant to section 171-64.7, Hawaii Revised
Statutes, a draft copy of this Concurrent Resolution was
submitted on July 20, 2016 to the Office of Hawaiian Affairs to
allow the office to determine whether the Hawaii Community
Development Authority roadway parcels were classed as government
or crown lands previous to August 15, 1895, or were acquired by
the State in exchange for such lands;

WHEREAS, the Hawaii Community Development Authority has no
development plans for the roadway parcels; and

WHEREAS, the purpose of the conveyance of Hawaii Community
Development Authority roadway parcels to the City and County of
Honolulu is to benefit the public because the roads containing
Hawaii Community Development Authority's roadway parcels would
be under the single jurisdiction of the City and County of
Honolulu, thereby ensuring proper operation, regulation and
maintenance of the roads; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-ninth
Legislature of the State of Hawaii, Regular Session of 2017, the
House of Representatives concurring, that the conveyance of fee
simple title of the lands previously listed, from the Hawaii
Community Development Authority to the City and County of
Honolulu, is approved; and

BE IT FURTHER RESOLVED that a certified copy of this
Concurrent Resolution be transmitted to the Executive Director
of the Hawaii Community Development Authority, the Office of
Hawaiian Affairs, the Mayor of the City and County of Honolulu,
the chair of the City Council of the City and County of
Honolulu, and the director of the Department of Planning and
Permitting of the City and County of Honolulu.

OFFERED BY:  

BY REQUEST
JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: CONCURRENT RESOLUTION APPROVING THE CONVEYANCE OF CERTAIN HAWAII COMMUNITY DEVELOPMENT AUTHORITY LANDS TO THE CITY AND COUNTY OF HONOLULU.

PURPOSE: To seek the approval of the Legislature by concurrent resolution of the conveyance of Hawaii Community Development Authority (HCDA) roadway parcels to the City and County of Honolulu.

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

JUSTIFICATION: The HCDA is seeking legislative approval to convey the fee title of certain Kakaako roadway parcels, which comprise portions of several roads, to the City and County of Honolulu.

The conveyance of these roadway parcels would confirm the roads to be under the single jurisdiction of the City and County of Honolulu, thereby ensuring proper operation, regulation and maintenance of the roads.

The total fair market value of the HCDA roadway parcels was determined to be $27,500 as of September 12, 2016, by HCDA's appraiser, Lesher Chee Stauldbauer.

The HCDA requested the assistance of the Department of Land and Natural Resources (DLNR) to determine whether the roadway parcels were classed as government or crown lands previous to August 15, 1895, or were acquired in exchange for such lands. The DLNR determined some parcels were classed as government or grow lands previous to August 15, 1895, but are not classed as ceded.
The DLNR also determined that none of the HCDA roadway parcels were acquired by the state in exchange for such lands. The DLNR further determined that the HCDA roadway parcels are not ceded and are not subject to the public trust as provided in section 5(f) of the Admission Act of March 18, 1959.

A copy of the Concurrent Resolution was submitted on July 20, 2016 to the office of Hawaiian affairs.

The HCDA conducted a public meeting on the proposed sale on November 3, 2016, at the HCDA's office, located at 547 Queen Street, Honolulu, Hawaii. HCDA did not receive any objections to the proposed conveyance at that time.

Impact on the public: Minimal.

Impact on the department and other agencies: Minimal.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: BED 150.

OTHER AFFECTED AGENCIES: Office of Hawaiian Affairs, and City and County of Honolulu.

EFFECTIVE DATE: Upon adoption.