

S.C.R. NO. 17

JAN 24 2018

SENATE CONCURRENT RESOLUTION

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

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

7
8 WHEREAS, the Hawaii Community Development Authority has
9 implemented a district-wide improvement program of improvement
10 district projects to facilitate redevelopment in Kakaako by
11 constructing or requiring the construction of infrastructure
12 improvements to the roads, sewer, water, drainage, electrical,
13 communication, and traffic systems all in accordance with the
14 requirements of the City and County of Honolulu and the public
15 utility companies; and

16
17 WHEREAS, the Hawaii Community Development Authority
18 acquired the fee title of lands for the construction of
19 improvement district projects in Kakaako through negotiations
20 with affected land owner or eminent domain proceedings; and

21
22 WHEREAS, the Hawaii Community Development Authority also
23 acquired the fee title of roadway parcels through land exchange
24 and development agreements; and

25
26 WHEREAS, the roadway parcels comprise portions of several
27 roads in Kakaako and are identified by tax map keys and
28 improvement district parcel numbers below:

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

- 1 (2) A portion of South Street, improvement district 1,
2 parcel 1, and is identified as a 1,595 square foot
3 parcel, TMK No. 2-1-29:07, with an appraised value of
4 \$100; and
5
- 6 (3) Portions of South and Halekauwila Streets, improvement
7 district 1, parcels 7, 8, 9, and 10, and is identified
8 as a 640 square foot parcel, TMK No. 2-1-30:46, with an
9 appraised value of \$100; and
10
- 11 (4) A portion of Pohukaina Street, improvement district 1,
12 parcel 11, improvement district 2 parcels 1, 2, and 3,
13 and is identified as a 4,380 square foot parcel, TMK
14 No. 2-1-30:47, with an appraised value of \$100; and
15
- 16 (5) A portion of South Street, improvement district 1,
17 parcels 12, and 13, and is identified as a 758 square
18 foot parcel, TMK No. 2-1-30:48, with an appraised value
19 of \$100; and
20
- 21 (6) Portions of South and Pohukaina Streets, improvement
22 district 1, parcel 6, and is identified as a 4,586
23 square foot parcel, TMK No. 2-1-30:49, with an
24 appraised value of \$100; and
25
- 26 (7) A portion of Halekauwila Street, improvement district
27 1, parcel 14, and is identified as a 23 square foot
28 parcel, TMK No. 2-1-31:37, with an appraised value of
29 \$100; and
30
- 31 (8) A portion of South Street, improvement district 1,
32 parcels 18, 19, 20 and 21, and is identified as a 5,095
33 square foot parcel, TMK No. 2-1-31:38, with an
34 appraised value of \$100; and
35
- 36 (9) Portions of Queen and South Streets, improvement
37 district 1, parcels 15, 16, 17, 26, 27, 29 and 30, and
38 is identified as a 9,761 square foot parcel, TMK No. 2-
39 1-32:25, with an appraised value of \$100; and
40
- 41 (10) A portion of South Street, improvement district 1,
42 parcel 28, and is identified as a 1,450 square foot
43 parcel, TMK No. 2-1-47:09, with an appraised value of
44 \$100; and

- 1 (11) Portions of Cooke and Kawaiahao Streets, improvement
2 district 1, parcels 31, 32, 33, 34, 35, 37, 38, 39, 40,
3 and improvement district 3, parcels 10 and 11 is
4 identified as a 27,598 square foot parcel, TMK No. 2-1-
5 48:20, with an appraised value of \$3,000; and
6
- 7 (12) A portion of South Street, improvement district 1,
8 parcels 22, 23, 24 and 25, and is identified as a 5,049
9 square foot parcel, TMK No. 2-1-48:21, with an
10 appraised value of \$100; and
11
- 12 (13) The corner of Cooke and Kawaiahao Streets, improvement
13 district 3, parcel 13, and is identified as an 86
14 square foot parcel, TMK No. 2-1-49:51, with an
15 appraised value of \$100; and
16
- 17 (14) A portion of Queen Street, improvement district 3,
18 parcel 16, and is identified as a 286 square foot
19 parcel, TMK No. 2-1-49:81, with an appraised value of
20 \$100; and
21
- 22 (15) The corner of Cooke Street and Kapiolani Boulevard,
23 improvement district 3, parcel 12, and is identified as
24 a 155 square foot parcel, TMK No. 2-1-49:83, with an
25 appraised value of \$100; and
26
- 27 (16) The corner of Cooke and Ilaniwai Streets improvement
28 district 3, parcel 19, and is identified as an 86
29 square foot parcel, TMK No. 2-1-50:66, with an
30 appraised value of \$100; and
31
- 32 (17) A portion of Halekauwila Street, improvement district
33 3, parcels 22A, 22D, 23A, 23B, 24A, 24B, 25A, and is
34 identified as an 18,614 square foot parcel, TMK No. 2-
35 1-50: a portion of 67, with an appraised value of
36 \$3,600; and
37
- 38 (18) A portion of Cooke Street, improvement district 3,
39 parcels 21A and 21B, and is identified as a 235 square
40 foot parcel, TMK No. 2-1-50:69, with an appraised value
41 of \$100; and
42
- 43 (19) The corner of Cooke and Queen Streets, improvement
44 district 3, parcel 18, and is identified as an 86

- 1 square foot parcel, TMK No. 2-1-50: a portion of Cooke
2 and Queen Streets, with an appraised value of \$100; and
3
- 4 (20) A portion of Cooke and Pohukaina Streets, improvement
5 district 2, parcel 7, and improvement district 3,
6 parcels 1A, 1B, 1C, 2, and 3, and is identified as an
7 11,646 square foot parcel, TMK No. 2-1-51: a portion of
8 03, with an appraised value of \$1,300; and
9
- 10 (21) A portion of Cooke Street, improvement district 3,
11 parcel 8, and is identified as a 750 square foot
12 parcel, TMK No. 2-1-51: a portion of 14, with an
13 appraised value of \$100; and
14
- 15 (22) Portions of Halekauwila and Cooke Streets, improvement
16 district 3, parcel 4A, and is identified as a 7,207
17 square foot parcel, TMK No. 2-1-51: a portion of 19,
18 with an appraised value of \$200; and
19
- 20 (23) A portion of Coral Street, improvement district 1,
21 parcel 36, and is identified as an 82 square foot
22 parcel, TMK No. 2-1-51:34, with an appraised value of
23 \$100; and
24
- 25 (24) A portion of Cooke Street, improvement district 3,
26 parcel 9, and is identified as an 836 square foot
27 parcel, TMK No. 2-1-51:36, with an appraised value of
28 \$100; and
29
- 30 (25) A portion of Cooke Street, improvement district 3,
31 parcel 7, and is identified as a 1,628 square foot
32 parcel, TMK No. 2-1-51:37, with an appraised value of
33 100; and
34
- 35 (26) A portion of Pohukaina Street, improvement district 2,
36 parcel 4, and is identified as a 7,000 square foot
37 parcel, TMK No. 2-1-51:40, with an appraised value of
38 \$100; and
39
- 40 (27) A portion of Pohukaina Street, improvement district 2,
41 parcel 6, and is identified as a 160 square foot
42 parcel, TMK No. 2-1-51: portion of Lana Lane, with an
43 appraised value of \$100; and
44

- 1 (28) Portions of Halekauwila Street and Lana Lane,
2 improvement district 3, parcels 5A, and is identified
3 as a 400 square foot parcel, TMK No. 2-1-51: portion of
4 Lana Lane and Halekauwila Street, with an appraised
5 value of \$100; and
6
- 7 (29) A portion of Halekauwila Street, and is identified as a
8 37,261 square foot parcel, TMK No. 2-1-52: a portion of
9 22, with an appraised value of \$4,300; and
10
- 11 (30) A portion of Cooke Street, improvement district 2,
12 parcel 8, and improvement district 3, parcels 26A, 26B
13 and 27, and is identified as a 1,520 square foot
14 parcel, TMK No. 2-1-52:55, with an appraised value of
15 \$100; and
16
- 17 (31) A portion of Cooke Street, improvement district 2,
18 parcel 16, and is identified as a 4,892 square foot
19 parcel, TMK No. 2-1-53:31, with an appraised value of
20 \$100; and
21
- 22 (32) A portion of South and Auahi Streets, improvement
23 district 1, parcels 3, and is identified as an 86
24 square foot parcel, TMK No. 2-1-54:34, with an
25 appraised value of \$100; and
26
- 27 (33) A portion of South and Pohukaina Streets, improvement
28 district 1, parcel 4, and is identified as an 86 square
29 foot parcel, TMK No. 2-1-54:35, with an appraised value
30 of \$100; and
31
- 32 (34) A portion of Cooke Street, improvement district 2,
33 parcel 14, and is identified as a 707 square foot
34 parcel, TMK No. 2-1-54:36, with an appraised value of
35 \$100; and
36
- 37 (35) A portion of South and Auahi Streets, improvement
38 district 1, parcel 2, and is identified as an 86 square
39 foot parcel, TMK No. 2-1-55:39, with an appraised value
40 of \$100; and
41
- 42 (36) A portion of Cooke Street, improvement district 2,
43 parcels 9, 10, 11, 12, and 13, and is identified as a

1 512 square foot parcel, TMK No. 2-1-55:40, with an
2 appraised value of \$100; and

3
4 (37) A portion of Cooke Street, improvement district 2,
5 parcel 15, and is identified as a 3,189 square foot
6 parcel, TMK No. 2-1-56:12, with an appraised value of
7 \$100; and

8
9 (38) A portion of Ahui Street, improvement district 12,
10 parcel 10, and is identified as an 18,818 square foot
11 parcel, TMK No. 2-1-58: portion of Ahui Street, with an
12 appraised value of \$2,600; and

13
14 (39) Portions of Ohe, Olomehani, and Ahui Streets,
15 improvement district 12, parcel 11, and is identified
16 as a 3.248 acre parcel, TMK No. 2-1-60: portions of 4,
17 6, and Ahui Street, with an appraised value of \$6,400;
18 and

19
20 (40) A portion of Kamakee Street, improvement district 4,
21 parcel 1, 2, 3, 4, 8, 9, 10, 11, 17, 18, 21, 22, 23,
22 lot 239-B, and is identified as an 11,649 square foot
23 parcel, TMK No. 2-3-03:103, with an appraised value of
24 \$100; and

25
26 (41) A portion of Queen Street at Kamakee Street identified
27 as an approximately 26,826 square foot parcel, TMK No.
28 2-3-03:87, with an appraised value of \$800; and

29
30 (42) A portion of Kamakee and Queen Streets, improvement
31 district 4, parcels 5 and 6, and improvement district
32 10, lots 454 and 456, LCA 670, map 46, and is
33 identified as a 3,431 square foot parcel, TMK No. 2-3-
34 04: a portion of 29, with an appraised value of \$100;
35 and

36
37 (43) A portion of Kamakee Street, improvement district 4,
38 parcels 19, 20, 24, and 25, and is identified as an
39 8,075 square foot parcel, TMK No. 2-3-04:74, with an
40 appraised value of \$100; and

41
42 (44) A portion of Waimanu Street, improvement district 10,
43 lot 30A, LCA 948, map 8, improvement district 10, lot
44 31B, LCA 948, map 9, improvement district 10, lot 1B,

1 LCC 53, map 22, and is identified as a 20,686 square
2 foot parcel, TMK No. 2-3-04: portion of 80, with an
3 appraised value of \$100; and
4

5 (45) A portion of Queen Street, improvement district 10, lot
6 4, LCC 188, map 3, and is identified as a 44,385 square
7 foot parcel, TMK Nos. 2-3-04: portion of 80 and 2-3-06:
8 portion of 14, with an appraised value of \$900; and
9

10 (46) A portion of Kamakee Street, improvement district 4,
11 parcel 13, and is identified as a 910 square foot
12 parcel, TMK No. 2-3-04: portion of Kamakee Street, with
13 an appraised value of \$100; and
14

15 (47) A portion of Kamakee Street, improvement district 4,
16 parcel 14, and is identified as an 892 square foot
17 parcel, TMK No. 2-3-04: portion of Kamakee Street, with
18 an appraised value of \$100; and
19

20 (48) A portion of Kamakee Street, improvement district 4,
21 parcels 15, and 16, and is identified as a 1,784 square
22 foot parcel, TMK No. 2-3-04: portion of Kamakee Street,
23 with an appraised value of \$100; and
24

25 (49) A portion of Kawaiahao Street, improvement district 4,
26 parcel 7, and is identified as a 710 square foot
27 parcel, TMK No. 2-3-04: portion of Kawaiahao Street,
28 with an appraised value of \$100; and
29

30 (50) A portion of Waimanu Street, and is identified as a
31 9,507 square foot parcel, TMK No. 2-3-06:16, with an
32 appraised value of \$100; and
33

34 (51) A portion of Waimanu Street, improvement district 10
35 lot 915-B-2, LCA 880, map 132, and improvement district
36 10 lot 30-B-2, LCA 948, map 10, and is identified as a
37 3,160 square foot parcel, TMK No. 2-3-06: portion of
38 14, with an appraised value of \$100; and
39

40 (52) A portion of Waimanu Street, improvement district 10
41 lot 915-C, LCA 880, map 131, and improvement district
42 10 lot 1-B, LCC 194, map 2, and is identified as a
43 9,194 square foot parcel, TMK No. 2-3-06: portion of
44 15, with an appraised value of \$100; and

1
2 (53) The corner of Waimanu and Pensacola Streets,
3 improvement district 10 lot 885-a, LCA 880, map 136,
4 and is identified as an 86 square foot parcel, TMK No.
5 2-3-07: portion of Waimanu and Pensacola Streets, with
6 an appraised value of \$100; and
7

8 WHEREAS, the Hawaii Community Development Authority desires
9 to convey its fee titles of the roadway parcels to the City and
10 County of Honolulu as provided in chapter 206E, Hawaii Revised
11 Statutes; and
12

13 WHEREAS, both houses of the Legislature must approve of the
14 proposed conveyance of the Hawaii Community Development
15 Authority roadway parcels to the City and County of Honolulu
16 pursuant to section 171-64.7, Hawaii Revised Statutes; and
17

18 WHEREAS, pursuant to section 171-64.7(c), Hawaii Revised
19 Statutes, the Hawaii Community Development Authority did duly
20 conduct a public informational briefing on the proposed
21 conveyance of said Hawaii Community Development Authority lands
22 to the city on November 3, 2016, at the Hawaii Community
23 Development Authority's office, located on 547 Queen Street,
24 Honolulu, Hawaii, and did not receive any objections to the
25 proposed conveyance; and
26

27 WHEREAS, pursuant to section 171-64.7(c), Hawaii Revised
28 Statutes, the Hawaii Community Development Authority did duly
29 hire Leshar Chee Staudlbauer to appraise the values of said
30 Hawaii Community Development Authority roadway parcels and to
31 prepare an appraisal report, which is dated September 12, 2016;
32 and
33

34 WHEREAS, the Hawaii Community Development Authority
35 requested the assistance of the Department of Land and Natural
36 Resources to determine whether the roadway parcels were classed
37 as government or crown lands previous to August 15, 1895, or
38 were acquired by the State in exchange for such lands; and
39

40 WHEREAS, the Department of Land and Natural Resources
41 examined the records and files located in its Land Division and
42 Bureau of Conveyances and in the Land Survey Division of the
43 Department of Accounting and General Services to determine
44 whether the roadway parcels were classed as government or crown

1 lands previous to August 15, 1895, or were acquired by the State
2 in exchange for such lands; and
3

4 WHEREAS, the Department of Land and Natural Resources
5 determined that the following Hawaii Community Development
6 Authority roadway parcels were classed as government or crown
7 lands previous to August 15, 1895, but are not classed as ceded:
8

9 (1) Portions of South and Pohukaina Streets, improvement
10 district 1, parcel 6, TMK No. 2-1-30:49; and
11

12 (2) Portions of Queen and South Streets, improvement
13 district 1, parcels 17 and 26, TMK No. 2-1-32: a
14 portion of 25; and
15

16 (3) A portion of South Street, improvement district 1,
17 parcels 22, 23, 24 and 25, TMK No. 2-1-48: a portion
18 of 21; and
19

20 (4) A portion of Waimanu Street, improvement district 10,
21 lot 30A, LCA 948, map 8, and lot 31B, LCA 948, map 9,
22 improvement district 10, TMK No. 2-3-04: a portion of
23 80; and
24

25 (5) A portion of Queen Street, improvement district 10,
26 lot 4, LCC 188, map 3, TMK Nos. 2-3-04: a portion of
27 80; and
28

29 (6) A portion of Waimanu Street, improvement district 10
30 lot 30-B-2, LCA 948, map 10, TMK No. 2-3-06: a portion
31 of 14; and
32

33 (7) A portion of Waimanu Street, improvement district 10
34 lot 1-B, LCC 194, map 2, TMK No. 2-3-06: a portion of
35 15; and
36

37 WHEREAS, the Department of Land and Natural Resources
38 determined that none of the Hawaii Community Development
39 Authority roadway parcels were acquired by the State in exchange
40 for such lands; and
41

42 WHEREAS, the Department of Land and Natural Resources
43 further determined that the Hawaii Community Development
44 Authority roadway parcels are not ceded and are not subject to

1 the public trust as provided in section 5(f) of the Admission
2 Act of March 18, 1959; and

3
4 WHEREAS, pursuant to section 171-64.7(c), Hawaii Revised
5 Statutes, a draft copy of this Concurrent Resolution was
6 submitted on July 20, 2016 to the Office of Hawaiian Affairs to
7 allow the office to determine whether the Hawaii Community
8 Development Authority roadway parcels were classed as government
9 or crown lands previous to August 15, 1895, or were acquired by
10 the State in exchange for such lands; and

11
12 WHEREAS, the Hawaii Community Development Authority has no
13 development plans for the roadway parcels; and

14
15 WHEREAS, the purpose of the conveyance of Hawaii Community
16 Development Authority roadway parcels to the City and County of
17 Honolulu is to benefit the public because the roads containing
18 Hawaii Community Development Authority's roadway parcels would
19 be under the single jurisdiction of the City and County of
20 Honolulu, thereby ensuring proper operation, regulation and
21 maintenance of the roads; now, therefore,

22
23 BE IT RESOLVED by the Senate of the Twenty-ninth
24 Legislature of the State of Hawaii, Regular Session of 2018, the
25 House of Representatives concurring, that the conveyance of fee
26 simple title of the lands previously listed, from the Hawaii
27 Community Development Authority to the City and County of
28 Honolulu, is approved; and

29
30 BE IT FURTHER RESOLVED that a certified copy of this
31 Concurrent Resolution be transmitted to the Executive Director
32 of the Hawaii Community Development Authority, the Office of
33 Hawaiian Affairs, the Mayor of the City and County of Honolulu,
34 the chair of the City Council of the City and County of
35 Honolulu, and the director of the Department of Planning and
36 Permitting of the City and County of Honolulu.

37
38 OFFERED BY: 
39 BY REQUEST
40

JUSTIFICATION SHEET

S. C. R. NO. 17

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, Leshar 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.

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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.