
SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIKIKI,
HONOLULU, OAHU, FOR 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 the seawall
2 fronting the property identified as Tax Map Key: (1) 3-6-
3 001:seaward of 036, Waikiki, Honolulu, Oahu, were placed upon
4 state submerged lands; and
5

6 WHEREAS, around August 1989, the previous owner, Hope
7 Hearst, worked with the Department of Land and Natural Resources
8 to initially 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 of 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, trustee; and
17

18 WHEREAS, on March 11, 2016, under agenda item D-8, the
19 Board approved a grant of a fifty-five-year non-exclusive
20 easement to run with the land and to inure to the benefit of the
21 abutting real property, to resolve the encroachment; and
22

23 WHEREAS, an easement survey conducted subsequent to the
24 March 11, 2016 Board meeting showed additional areas of
25 encroachment, including a portion of the seawall, whereby the
26 total encroachment area was determined to be 331 square feet as
27 reviewed and approved by the Department of Accounting and
28 General Services' Survey Division; and
29



1 WHEREAS, on August 12, 2016, under agenda item D-8, the
2 Board approved to amend the total encroachment area to 331
3 square feet and to add seawall purposes to the easement; and
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5 WHEREAS, fair market value of the 331 square feet was
6 appraised at \$40,000; and
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8 WHEREAS, on April 6, 2017, the abutting property was
9 transferred to Jeffrey Weldon, trustee; and
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11 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
12 the prior approval of the Governor and prior authorization of
13 the Legislature by concurrent resolution to lease state
14 submerged lands; now, therefore,
15

16 BE IT RESOLVED by the Senate of the Twenty-ninth
17 Legislature of the State of Hawaii, Regular Session of 2018, the
18 House of Representatives concurring, that the Board of Land and
19 Natural Resources is hereby authorized to issue a term, non-
20 exclusive easement covering a portion of state submerged lands
21 fronting the property identified as Tax Map Key: (1) 3-6-
22 001:seaward of 036, Waikiki, Honolulu, Oahu, for the existing
23 pier and seawall, and for use, repair, and maintenance of the
24 existing improvements constructed thereon pursuant to section
25 171-53, Hawaii Revised Statutes; and
26

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

