
HOUSE CONCURRENT RESOLUTION

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

1 WHEREAS, portions of the existing seawall and steps
2 fronting the property identified as Tax Map Key: (1) 3-1-040:
3 seaward of 001, Kaalawai, Honolulu, Oahu, were placed upon state
4 submerged lands; and

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6 WHEREAS, around January 2018, the Department of Land and
7 Natural Resources' Office of Conservation and Coastal Lands
8 (OCCL) worked with the property owners, Wendy Brandt Johnson and
9 William Paul Johnson, co-trustees, and Gary K. Johnson, trustee,
10 to resolve the encroachments; and

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12 WHEREAS, OCCL had no objection to the issuance of a long-
13 term easement to resolve the encroachments; and

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15 WHEREAS, on November 9, 2018, under agenda item D-12, the
16 Board of Land and Natural Resources approved a grant of a 55-
17 year non-exclusive easement to run with land and to inure to the
18 benefit of the abutting real property, to resolve the seawall
19 and steps encroachments; and

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21 WHEREAS, the subject area is about 80 square feet, which
22 will be reviewed and approved by the Department of Accounting
23 and General Services' Land Survey Division; and

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25 WHEREAS, the grantee shall pay the State the fair market
26 value of the easement as consideration of the use of public
27 lands to be determined by an independent appraisal; and



H.C.R. NO. 19

1 WHEREAS, section 171-53(c), Hawaii Revised Statutes,
 2 authorizes the Board of Land and Natural Resources, with the
 3 prior approval of the Governor and prior authorization of the
 4 Legislature by concurrent resolution, to lease submerged public
 5 lands under the terms, conditions, and restrictions provided in
 6 chapter 171, Hawaii Revised Statutes; now, therefore,
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8 BE IT RESOLVED by the House of Representatives of the
 9 Thirtieth Legislature of the State of Hawaii, Regular Session of
 10 2019, the Senate concurring, that the Board of Land and Natural
 11 Resources is hereby authorized to issue a term, non-exclusive
 12 easement covering a portion of state submerged lands fronting
 13 the property identified as Tax Map Key: (1) 3-1-040: seaward of
 14 001, Kaalawai, Honolulu, Oahu, for the existing seawall and
 15 steps, and for use, repair, and maintenance of the existing
 16 improvements constructed thereon pursuant to section 171-53,
 17 Hawaii Revised Statutes; and
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19 BE IT FURTHER RESOLVED that certified copies of this
 20 Concurrent Resolution be transmitted to the Governor and the
 21 Chairperson of the Board of Land and Natural Resources.
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OFFERED BY: *B. Kolypali*

FEB 15 2019

