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# HOUSE CONCURRENT RESOLUTION

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

1           WHEREAS, portions of a seawall and steps fronting property  
2 identified as Tax Key No.: (4) 2-6-11:019 at Kukuiula, Koloa,  
3 Kona, Kauai, are located makai of the shoreline; and  
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5           WHEREAS, Edmund Donald Gregoire and Linda Lee Gregoire  
6 acquired the property by deed dated December 24, 2014, and  
7 thereafter learned of the encroachment of the seawall and steps;  
8 and  
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10           WHEREAS, in approximately the fall of 2015, the Gregoires  
11 began to work with the Department of Land and Natural Resources  
12 to resolve the encroachment; and  
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14           WHEREAS, on September 23, 2016, under Agenda Item D-1, the  
15 Board of Land and Natural Resources approved the grant of a  
16 non-exclusive easement for a term of fifty-five years to run  
17 with the land and to inure to the benefit of the abutting  
18 property, to resolve the encroachment; and  
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20           WHEREAS, the term, non-exclusive easement covering one-  
21 hundred six square feet was appraised at a fair market value of  
22 \$7,820.00; and  
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24           WHEREAS, section 171-53, Hawaii Revised Statutes, requires  
25 the prior approval of the Governor and prior authorization of  
26 the Legislature by concurrent resolution to lease state  
27 submerged lands; now, therefore,  
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# H.C.R. NO. 6

1 BE IT RESOLVED by the House of Representatives of the  
2 Thirtieth Legislature of the State of Hawaii, Regular Session of  
3 2019, the Senate concurring, that the Board of Land and Natural  
4 Resources is hereby authorized to grant a term, non-exclusive  
5 easement covering a portion of state submerged lands fronting  
6 the property identified as Tax Key No.: (4) 2-6-11:019, makai of  
7 the property at Kukuiula, Koloa, Kona, Hawaii, for the seawall  
8 and steps, and for use, repair, and maintenance of the existing  
9 improvements constructed thereon pursuant to section 171-53,  
10 Hawaii Revised Statutes; and

11  
12 BE IT FURTHER RESOLVED that a certified copy of this  
13 Concurrent Resolution be transmitted to the Chairperson of the  
14 Board of Land and Natural Resources.

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OFFERED BY: \_\_\_\_\_



JAN 22 2019

