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## HOUSE CONCURRENT RESOLUTION

REVIEWING AND APPROVING THE ACTION TAKEN BY THE BOARD OF LAND  
AND NATURAL RESOURCES ON A LAND EXCHANGE BETWEEN THE STATE  
OF HAWAII AND PARKER RANCH, INC.

1           WHEREAS, at its meeting of April 11, 2014, under agenda  
2 item D-6, the Board of Land and Natural Resources approved, in  
3 principle, a land exchange between the State of Hawaii and  
4 Parker Ranch, Inc., for State-owned land at Waimea, South  
5 Kohala, Hawaii, Tax Map Key: (3) 6-7-003:020, and privately-  
6 owned commercial/industrial land of equal or greater value to be  
7 identified at a later date; and

8  
9           WHEREAS, at its meeting of August 28, 2020, under agenda  
10 item D-3, the Board of Land and Natural Resources amended the  
11 aforementioned Board action by approving an exchange with the  
12 Trustees of Parker Land Trust, as landowner for the Parker  
13 Ranch, Inc., of the "flagpole"-shaped portion of the State-owned  
14 parcel, Tax Map Key: (3) 6-7-003:020, which is configured as a  
15 flag lot, for a portion of privately-owned unimproved land, Tax  
16 Map Key: (3) 6-7-002:062, zoned for residential use, and  
17 contiguous with the remaining "flag" portion of the State-owned  
18 exchange parcel; and

19  
20           WHEREAS, the public purposes for the exchange, as approved,  
21 are to facilitate the construction of a United States Post  
22 Office, and to straighten the boundaries of the State-owned flag  
23 lot, which will, in turn, resolve an access issue affecting the  
24 State-owned exchange parcel resulting from Parker Ranch, Inc.'s  
25 construction of Ala Ohia Road at the base of the flagpole,  
26 thereby providing the State with safe, usable access to its  
27 retained land; and



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1           WHEREAS, section 171-50(c), Hawaii Revised Statutes,  
2 provides that land exchanges of public land for private land are  
3 subject to approval by the Legislature by a majority vote of  
4 both houses in any regular or special session following the date  
5 of the Board of Land and Natural Resources' approval in  
6 principle of the exchange; and

7  
8           WHEREAS, pursuant to section 171-50(c), Hawaii Revised  
9 Statutes, the state department or agency must submit for  
10 introduction to the Legislature a resolution for review of  
11 action on any exchange to be consummated by the Board of Land  
12 and Natural Resources wherein exchange deeds will be executed by  
13 the parties, together with the following information:

- 14  
15           (1) The specific location and size in square feet or in  
16 other precise measure of the parcels of land to be  
17 exchanged;  
18  
19           (2) The value of the lands to be conveyed by the State and  
20 the private party;  
21  
22           (3) The name or names of the appraiser or appraisers;  
23  
24           (4) The date of the appraisal valuation;  
25  
26           (5) The purpose for which the lands are being exchanged;  
27  
28           (6) A detailed summary of any development plans for the  
29 land to be exchanged; and  
30  
31           (7) A statement of whether the land is, or is not, land  
32 that was classed as government or crown lands previous  
33 to August 15, 1895, or was acquired by the state in  
34 exchange for such lands, and a detailed explanation of  
35 how the state department or agency made this  
36 determination; and

37  
38           WHEREAS, pursuant to section 171-50(c), Hawaii Revised  
39 Statutes, a copy of the draft resolution must also be submitted  
40 to the Office of Hawaiian Affairs at least three months prior to  
41 the convening of a regular or special session of the Legislature  
42 to allow the Office of Hawaiian Affairs to determine whether the



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1 State-owned land was classified as government or crown lands  
2 prior to August 15, 1895, or was acquired by the State in  
3 exchange for such lands; and  
4

5 WHEREAS, a copy of the draft resolution was transmitted to  
6 the Office of Hawaiian Affairs on October 19, 2020, and the  
7 Office of Hawaiian Affairs has expressed no opposition to the  
8 Department of Land and Natural Resources regarding the land  
9 exchange; now, therefore,  
10

11 BE IT RESOLVED by the House of Representatives of the  
12 Thirty-first Legislature of the State of Hawaii, Regular Session  
13 of 2021, the Senate concurring, that the following land  
14 exchange, previously approved in principle by the Board of Land  
15 and Natural Resources at its meeting on April 11, 2014, under  
16 agenda item D-6, and previously approved by the Board of Land  
17 and Natural Resources at its meeting on August 28, 2020, under  
18 agenda item D-3, is hereby reviewed and approved by the  
19 Legislature:  
20

21 LAND EXCHANGE BETWEEN STATE OF HAWAII AND THE TRUSTEES OF  
22 PARKER LAND TRUST  
23

24 (1) The state land identified as Tax Map Key: (3) 6-7-  
25 003:portion 020, having a land area of approximately  
26 0.5368 acre and being located at Waikoloa, Waimea,  
27 South Kohala, Island of Hawaii, State of Hawaii; and  
28

29 The private land identified as Tax Map Key: (3) 6-7-  
30 002:portion 062, having a land area of approximately  
31 0.3420 acre, being located at Lalamilo and Waikoloa,  
32 Waimea, South Kohala, Island of Hawaii, State of  
33 Hawaii;  
34

35 (2) The value of the state land was estimated at \$19,400,  
36 as of September 18, 2020; and  
37

38 The value of the private land was estimated at  
39 \$250,000, as of September 18, 2020;



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- 1 (3) The state land and the private land were both  
2 appraised by Nathan Alexander of CBRE, Inc.;
- 3
- 4 (4) The date of the appraisal report for the state land  
5 and the private land was February 24, 2021, with  
6 effective dates of value being September 18, 2020;
- 7
- 8 (5) At its meeting of August 28, 2020, under agenda  
9 item D-3, the Board of Land and Natural Resources  
10 approved the public purpose of the proposed exchange  
11 to facilitate the construction of a United States Post  
12 Office, and to straighten the boundaries of the state-  
13 owned flag lot;
- 14
- 15 (6) The approximately 0.5368 acre of state land identified  
16 as part of this proposed exchange is vacant and  
17 unencumbered. Upon completion of the proposed  
18 exchange, the state's interest in the 0.5368 acre site  
19 will be conveyed to the Trustees of Parker Land Trust.  
20 Subsequently, the conveyed lands will be developed  
21 pursuant to the Waimea Town Center Master Plan and  
22 United States Postal Service plans; and
- 23
- 24 The approximate 0.3420 acre of private land identified  
25 as part of the proposed exchange is currently vacant.  
26 Upon completion of this proposed exchange, the 0.3420  
27 acre site will be used to provide access to the  
28 remaining, otherwise landlocked flag portion of the  
29 state-owned land; and
- 30
- 31 (7) The approximate 0.5368 acre of state land is ceded  
32 land pursuant to Section 5(b) of the Hawaii Admission  
33 Act, hereinafter the "Admission Act"; and
- 34
- 35 Said land is a portion of land acquired by the State  
36 of Hawaii by Deed and Agreement for Exchange dated  
37 June 5, 1961 between the State of Hawaii and Richard  
38 Smart, hereinafter the "1961 Exchange." Pursuant to  
39 the 1961 Exchange, the State of Hawaii conveyed to  
40 Richard Smart a parcel of land comprising  
41 approximately 3.109 acres situate at Lalamilo, Waimea,



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1 South Kohala, Hawaii, having been described as  
2 follows:

3  
4 Beginning at an angle in the southwest boundary of  
5 this parcel of land, being also the north corner of  
6 Grant S-13707 Item II to Richard Smart, the  
7 coordinates of said point of beginning referred to  
8 Government Survey Triangulation Station "PUU PA" being  
9 9955.79 feet North and 9167.22 feet East, as shown on  
10 Government Survey Registered Map 2575, thence running  
11 by azimuths measured clockwise from True South:  
12

- 13 1. 131° 11' 30" 348.37 feet along Grant S-13705 Item  
14 I to Richard Smart;
- 15 2. 228° 31' 30" 397.83 feet along Government Land;
- 16 3. 318° 31' 30" 361.50 feet along Government Land;
- 17 4. 48° 31' 30" 354.96 feet along Government Land  
18 (remainder of General Lease 3381 to Richard Smart);
- 19 5. 144° 12' 30" 16.06 feet along Grant S-13707  
20 Item II to Richard Smart to the point of beginning  
21 and containing an AREA of 3.109 ACRES.

22  
23 Whereas, the above cited parcel, which was  
24 conveyed to Richard Smart as part of the 1961  
25 Exchange, was classified as ceded lands pursuant to  
26 Section 5(b) of the Admission Act, the former Richard  
27 Smart lands conveyed to the state in the 1961  
28 Exchange, including the 0.5368 acre of state land  
29 being conveyed to the Trustees of Parker Land Trust in  
30 this proposed exchange, are now classified as ceded  
31 lands pursuant to Section 5(b) of the Admission Act;  
32 and  
33

34 BE IT FURTHER RESOLVED that upon consummation of the  
35 proposed exchange, the 0.3420 acre of land to be conveyed to the  
36 State of Hawaii as part of this proposed exchange will be  
37 classified as ceded lands pursuant to Section 5(b) of the  
38 Admission Act; and  
39

40 BE IT FURTHER RESOLVED that certified copies of this  
41 Concurrent Resolution be transmitted to the Governor,  
42 Chairperson of the Board of Land and Natural Resources,



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1 Chairperson of the Board of Trustees of the Office of Hawaiian  
2 Affairs, and Trustees of Parker Land Trust.

3  
4  
5

OFFERED BY:



BY REQUEST

MAR 03 2021

