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TESTIMONY IN SUPPORT OF SB321

I urge you to support this legislation. Many subdivisions were created by development corporations that established the roads and subdivided the lots. After the last lots were sold, the development corporations went inactive and were eventually dissolved. The majority of these development corporations did not transfer the title of the road lots to the communities.

The current situation is that many of the community associations who maintain these roadways do not have actual title. This situation is a problem for the community associations and for the County of Hawaii. The County has been working to acquire an easement to create an additional access road that would serve four subdivisions. Unfortunately, the title for part of that access belongs to a corporation that has been dissolved since the 1990s. Community associations entering into paving contracts with the major paving contractors do not have title to the roads they are seeking to pave. Additionally, community associations that do not have clear title to their road lots cannot secure loans to finance road work.

The remedy provided by this legislation is simple and there is no financial impact for the state or county. Any title transfer expenses would be incurred by the community associations. The benefit is that the community associations would have clear title to their own maintained roads and have fewer obstacles to entering into contracts to fund and maintain their roads.

Some examples of dissolved development corporations that still hold title to road lots:

Crescent Acres LTD – developer of Fern Acres – 2,000 properties

Hawaii Mountain View Development Corporation – developer of Eden Roc Estates – 1,800 properties

Nishimura Mitsushi Trustee – developer of Hawaiian Acres – 4,000 properties

Hilo Development Inc. – developer of Orchidland – 2,500 properties

Royal Pacific Development Corporation – developer of Aloha Estates – 300 properties

Manoa Finance Company Inc. – developer of Hawaiian Orchid Island Estates – 1,200 properties

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SB-321

Submitted on: 2/20/2025 3:10:28 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Matson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee Members,

I am so grateful to our Puna Senator Joy San Buenaventura for continuing to try to address the nightmare that our County allowed to be created more than a half-century ago when substandard subdivisions were the norm. As someone who lives in one of the many subdivisions that is affected by unpaved and unmaintained roads I am hopeful that you will pass this bill so that our communities can continue to work to right these wrongs.

In the neighborhood that I live in, we have over 75 miles of unpaved roads. This is an income inequality issue, an equity issue, an emergency evacuation issue, a health and well-being issue, and a safety issue. There are many hardworking community members who are doing everything they can to address it, but without full ownership of the roads things can get complicated in court in trying to enforce road maintenance fees. Please grant us property owners the full benefits of owning our own roads, if the deadbeat developers won't help us, and the County and State don't want to take ownership, then please let us fully own our own roads so we can make the best decisions on how to proceed. I ask that you please consult with legal counsel to ensure that this bill as written will not prevent our Hawaiian Acres Road Corporation from taking over ownership and maintain our roads as our Hawaiian Acres Community Association does not currently maintain our roads or accept funds for road work. Thank you for the opportunity to testify in support of improving our roads.

Mahalo for your time and consideration,

Shannon M.

Hawai'i Island Resident