

LATE

Representative David A. Tarnas, Chair

Representative Patrick Pihana Branco, Vice Chair

Committee On Water & Land

From: Meyer Cummins, LPLS

Date: Monday, February 1, 2021

Subject: In Favor of HB 244 Relating to Land Recordation

Honorable Representative David A. Tarnas, Chair, Representative Patrick Pihana Branco, Vice Chair, and members of the Committee On Water & Land

Thank you for allowing me to testify in favor of House Bill 244.

My name is Meyer Cummins and I am a land surveyor licensed to practice in the State of Hawaii. I am also the Past President of the Hawaii Land Surveyors Association, which represents a majority of the licensed land surveyors in the State.

Existing Land Court Deregistration legislation described in HRS Chapter 501-261 does not ensure that land owners who voluntarily deregister their property from the Land Court Registration system are in possession of a proper map and legal description of their land to replace those that become inaccurate and inapplicable immediately after deregistration.

Maps and legal descriptions are instruments that outline the bounds, area, and location of land but they also describe and delineate the entitlements and encumbrances associated with that land. A property owner should have full knowledge of said entitlements and encumbrances to not only fully exercise their own rights but to also be made aware of the limits on those rights so as not to infringe on the rights of their neighbors.

Due to this important issue, the Board of the Hawaii Land Surveyors Association was asked by its membership to craft a bill to correct the issue of title ambiguity and lack of proper documentation for those lands that are deregistered from the Land Court. The HLSA Board has spent four years meeting/and or discussing with property owners, land surveyors including Russell Higa, the retired Maui County Surveyor, and Chrystal and Nick Yamasaki with Wes Thomas Associates on the Island of Hawaii, with Reid Siarot the State Land Surveyor, Carol Ackerman, the recently retired Bureau of Conveyances Land Court Branch Chief, Leslie Kobata the Registrar of the Bureau of Conveyances, who has assured me that he supports the intent and spirit of the Bill, Lorrin Hirano of Title Guaranty, and other title professionals to get input on crafting a bill aimed at fixing the issue. We have also reached out to the Planning Departments of all the counties and on the whole did not receive any negative feedback. Our efforts have produced House Bill 244.

House Bill 244 attempts to amend existing Land Court Deregistration legislation by requiring land owners who wish to voluntarily deregister their property from the Land Court Registration system to submit to the Bureau of Conveyances a map and legal description of their land prepared in accordance with Chapter 502 by a licensed land surveyor for review and approval by the State Land Surveyor. This amendment will ensure that lands deregistered in the Land Court have the proper documentation describing their original land titles, encumbrances and rights that is expected of every other piece of land not registered in the Land Court.

Mahlo nui for this opportunity to testify. Should you have any questions, I can be reached at (808) 294-3051 and will make myself available for questions.



Meyer Cummins, LPLS

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Representative David A. Tarnas, Chair

Representative Patrick Pihana Branco, Vice Chair

## Committee on Water & Land

From:

Date: Monday, February 1, 2021

Subject: In Favor of HB 244 Relating to Land Recordation

Honorable Representative David A. Tarnas, Chair, Representative Patrick Pihana Branco, Vice Chair, and members of the Committee on Water & Land

Thank you for allowing me to testify in favor of HB 244.

My name is Karl Nishio and I am a land surveyor in the State of Hawaii. I am also a member of the Hawaii Land Surveyors Association, which represents a majority of the licensed land surveyors in the State.

I am in favor of HB 244 as it addresses the important issue of insufficiently mapped and described original Hawaiian land titles for lands being deregistered from the Land Court. Correct descriptions are critical to the conveyance of land title and protecting the basic land rights of the public which we serve.

HB 244 provides for both a uniform method of mapping and of giving constructive notice that land deregistration has occurred. Correct mapping and descriptions of original Hawaiian land titles preserve the identity of Hawai'i's past and is integral to the history of Hawai'i's culture, its land and its people. It is critical to the conveyance of Hawai'i's lands.

Mahalo nui for this opportunity to testify. Should you have any questions, I can be reached at (808) 445-9142 and I will make myself available for questions.

LATE

Representative David A. Tarnas, Chair

Representative Patrick Pihana Branco, Vice Chair

## Committee on Water & Land

From:

Date: Monday, February 1, 2021

Subject: In Favor of HB 244 Relating to Land Recordation

Honorable Representative David A. Tarnas, Chair, Representative Patrick Pihana Branco, Vice Chair, and members of the Committee on Water & Land

Thank you for allowing me to testify in favor of HB 244.

My name is Joanne Williamson and I am a licensed land surveyor in the State of Hawaii. I am also a member of the board of the Hawaii Land Surveyors Association, which represents a majority of the licensed land surveyors in the State.

I am in favor of HB 244 as it addresses the important issue of insufficiently mapped and described original Hawaiian land titles for lands being deregistered from the Land Court. Correct descriptions are critical to the conveyance of land title and protecting the basic land rights of the public which we serve.

HB 244 provides for both a uniform method of mapping and of giving constructive notice that land deregistration has occurred. Correct mapping and descriptions of original Hawaiian land titles preserve the identity of Hawai'i's past and is integral to the history of Hawai'i's culture, its land, and its people. It is critical to the conveyance of Hawai'i's lands.

Mahalo nui for this opportunity to testify. Should you have any questions, I can be reached at 436-6725 (surv1hi@gmail.com) and I will make myself available for questions.

Sincerely,

Joanne Williamson

*Licensed Professional Land Surveyor 10,555*

LATE

**HB-244**

Submitted on: 2/1/2021 7:28:16 PM

Testimony for WAL on 2/2/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Silva	Individual	Support	No

Comments:

Representative David A. Tarnas, Chair

Representative Patrick Pihana Branco, Vice Chair

Committee on Water & Land

From: Mike Silva

Date: Monday, February 1, 2021

Subject: In Favor of HB 244 Relating to Land Recordation

Dear Honorable Representative David A. Tarnas, Chair, Representative Patrick Pihana Branco, Vice Chair, and members of the Committee on Water & Land:

Thank you for allowing me to testify in favor of HB 244.

My name is Mike Silva and I am a land surveyor in the State of Hawaii. I am also a member of the Hawaii Land Surveyors Association, which represents a majority of the licensed land surveyors in the State.

I am in favor of HB 244 as it addresses the important issue of insufficiently mapped and described original Hawaiian land titles for lands being deregistered from the Land Court. Correct descriptions are critical to the conveyance of land title and protecting the basic land rights of the public which we serve.

HB 244 provides for both a uniform method of mapping and of giving constructive notice that land deregistration has occurred. Correct mapping and descriptions of original Hawaiian land titles preserve the identity of Hawai'i's past and is integral to the history of Hawai'i's culture, its land and its people. It is critical to the conveyance of Hawai'i's lands.

Mahalo nui for this opportunity to testify. Should you have any questions, I can be reached at (808) 242-8611 and I will make myself available for questions.

