## HOUSE CONCURRENT RESOLUTION

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

WHEREAS, portions of the existing rock seawall fronting the property identified as Tax Map Key: (4) 2-6-012: seaward of 001, Kukuiula, Koloa, Kauai, were placed on state submerged lands; and

WHEREAS, in 2014, the Department of Land and Natural Resources' Office of Conservation and Coastal Lands worked with the property owners, David G. Jorgensen and Annette Thatcher Jorgensen, Trustees of the David and Annette Jorgensen Revocable Trust, to resolve the encroachment; and

WHEREAS, on December 12, 2014, the Board of Land and Natural Resources, under agenda item D-2, approved a grant of a fifty-five-year non-exclusive easement to resolve the encroachment; and

WHEREAS, the subject area is about 535 square feet, which will be reviewed and approved by the Department of Accounting and General Services' Survey Division; and

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

WHEREAS, section 171-53, Hawaii Revised Statutes, requires the prior approval of the Governor and prior authorization of the Legislature by concurrent resolution for this disposition of state submerged lands; now, therefore,

Twenty-eighth Legislature of the State of Hawaii, Regular Session of 2016, the Senate concurring, that the Board of Land and Natural Resources is hereby authorized to issue a term, nonexclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (4) 2-6-012: seaward of 001, Kukuiula, Koloa, Kauai, for the maintenance and repair of the existing rock seawall, and for the use, maintenance, and repair of the existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes;

BE IT RESOLVED by the House of Representatives of the

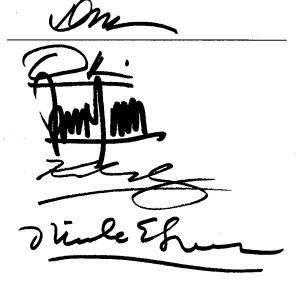
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BE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be transmitted to the Chairperson of the Board of Land and Natural Resources.

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OFFERED BY:



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