
SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIKIKI,
HONOLULU, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE
EXISTING PIER AND SEAWALL AND FOR USE, REPAIR, AND
MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED
THEREON.

1 WHEREAS, the existing pier and portions of seawall fronting
2 the property identified as Tax Map Key: (1) 3-6-001:036,
3 Waikiki, Honolulu, Oahu, were placed upon state submerged lands;
4 and
5

6 WHEREAS, around August 1989, the previous owner, Hope
7 Hearst, worked with the Department of Land and Natural Resources
8 to resolve the pier encroachment; and
9

10 WHEREAS, on September 22, 1989, under agenda item F-1-a,
11 the Board of Land and Natural Resources (Board) approved a grant
12 of a revocable permit to resolve the encroachment for about 112
13 square feet; and
14

15 WHEREAS, in October 2012, the previous owner transferred
16 the abutting property to Brigitte J. Coley and the property is
17 currently held by the Brigitte J. Coley Trust; and
18

19 WHEREAS, on March 11, 2016, under agenda item D-8, the
20 Board approved a grant of a 55-year non-exclusive easement to
21 resolve the encroachments; and
22

23 WHEREAS, the total encroaching area, including a portion of
24 the seawall discovered during a subsequent shoreline
25 certification application process, was determined to be 331
26 square feet as reviewed and approved by the Department of
27 Accounting and General Services, Survey Division; and
28



1 WHEREAS, the easement grantee shall pay the State the fair
2 market value of the easement as consideration for the use of
3 public lands to be determined by an independent appraisal; and
4

5 WHEREAS, it is understood that the easement shall run with
6 the land for the term of the easement and shall inure to the
7 benefit of the real property identified as Tax Map Key: (1) 3-
8 6-001:036, Waikiki, Honolulu, Oahu; and
9

10 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
11 the prior approval of the Governor and prior authorization of
12 the Legislature by concurrent resolution to lease state
13 submerged lands; now, therefore,
14

15 BE IT RESOLVED by the Senate of the Twenty-ninth
16 Legislature of the State of Hawaii, Regular Session of 2017, the
17 House of Representatives concurring, pursuant to section 171-53,
18 Hawaii Revised Statutes, that the Board of Land and Natural
19 Resources is authorized to issue a 55-year term, non-exclusive
20 easement for approximately 331 square feet, subject to
21 confirmation by the Department of Accounting and General
22 Services of the existing pier and portions of seawall fronting
23 the property identified as Tax Map Key: (1) 3-6-001:036,
24 Waikiki, Honolulu, Oahu, to resolve the pier encroachment for
25 the maintenance and repair of the existing pier and seawall; and
26

27 BE IT FURTHER RESOLVED that a certified copy of this
28 Concurrent Resolution be transmitted to the Chairperson of the
29 Board of Land and Natural Resources.
30
31
32

