

H.C.R. NO. 10

HOUSE CONCURRENT RESOLUTION

APPROVING THE CONVEYANCE OF CERTAIN HAWAII COMMUNITY DEVELOPMENT
AUTHORITY LANDS TO THE CITY AND COUNTY OF HONOLULU.

1 WHEREAS, the Legislature created the Hawaii Community
2 Development Authority in 1976 to redevelop and revitalize
3 underutilized communities in the State and designated the
4 Kakaako Community Development District as the first community to
5 be redeveloped by the Hawaii Community Development Authority, as
6 codified in chapter 206E, Hawaii Revised Statutes; and
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8 WHEREAS, the Hawaii Community Development Authority has
9 implemented a district-wide improvement program of improvement
10 district projects to facilitate redevelopment in Kakaako by
11 constructing or requiring the construction of infrastructure
12 improvements to the roads, sewer, water, drainage, electrical,
13 communication, and traffic systems all in accordance with the
14 requirements of the City and County of Honolulu and the public
15 utility companies; and
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17 WHEREAS, the Hawaii Community Development Authority
18 acquired the fee title of lands for the construction of
19 improvement district projects in Kakaako through negotiations
20 with affected land owner or eminent domain proceedings; and
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22 WHEREAS, the Hawaii Community Development Authority also
23 acquired the fee title of roadway parcels through land exchange
24 and development agreements; and
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26 WHEREAS, the roadway parcels comprise portions of several
27 roads in Kakaako and are identified by tax map keys and
28 improvement district parcel numbers below:
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- 30 (1) A portion of South and Pohukaina Streets, improvement
31 district 1, parcel 5, and is identified as a 6,806
32 square foot parcel, TMK No. 2-1-29:06, with an
33 appraised value of \$100; and

- 1 (2) A portion of South Street, improvement district 1,
2 parcel 1, and is identified as a 1,595 square foot
3 parcel, TMK No. 2-1-29:07, with an appraised value of
4 \$100; and
5
- 6 (3) Portions of South and Halekauwila Streets, improvement
7 district 1, parcels 7, 8, 9, and 10, and is identified
8 as a 640 square foot parcel, TMK No. 2-1-30:46, with an
9 appraised value of \$100; and
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- 11 (4) A portion of Pohukaina Street, improvement district 1,
12 parcel 11, improvement district 2 parcels 1, 2, and 3,
13 and is identified as a 4,380 square foot parcel, TMK
14 No. 2-1-30:47, with an appraised value of \$100; and
15
- 16 (5) A portion of South Street, improvement district 1,
17 parcels 12, and 13, and is identified as a 758 square
18 foot parcel, TMK No. 2-1-30:48, with an appraised value
19 of \$100; and
20
- 21 (6) Portions of South and Pohukaina Streets, improvement
22 district 1, parcel 6, and is identified as a 4,586
23 square foot parcel, TMK No. 2-1-30:49, with an
24 appraised value of \$100; and
25
- 26 (7) A portion of Halekauwila Street, improvement district
27 1, parcel 14, and is identified as a 23 square foot
28 parcel, TMK No. 2-1-31:37, with an appraised value of
29 \$100; and
30
- 31 (8) A portion of South Street, improvement district 1,
32 parcels 18, 19, 20 and 21, and is identified as a 5,095
33 square foot parcel, TMK No. 2-1-31:38, with an
34 appraised value of \$100; and
35
- 36 (9) Portions of Queen and South Streets, improvement
37 district 1, parcels 15, 16, 17, 26, 27, 29 and 30, and
38 is identified as a 9,761 square foot parcel, TMK No. 2-
39 1-32:25, with an appraised value of \$100; and
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- 41 (10) A portion of South Street, improvement district 1,
42 parcel 28, and is identified as a 1,450 square foot
43 parcel, TMK No. 2-1-47:09, with an appraised value of
44 \$100; and

- (11) Portions of Cooke and Kawaiahao Streets, improvement district 1, parcels 31, 32, 33, 34, 35, 37, 38, 39, 40, and improvement district 3, parcels 10 and 11 is identified as a 27,598 square foot parcel, TMK No. 2-1-48:20, with an appraised value of \$3,000; and
- (12) A portion of South Street, improvement district 1, parcels 22, 23, 24 and 25, and is identified as a 5,049 square foot parcel, TMK No. 2-1-48:21, with an appraised value of \$100; and
- (13) The corner of Cooke and Kawaiahao Streets, improvement district 3, parcel 13, and is identified as an 86 square foot parcel, TMK No. 2-1-49:51, with an appraised value of \$100; and
- (14) A portion of Queen Street, improvement district 3, parcel 16, and is identified as a 286 square foot parcel, TMK No. 2-1-49:81, with an appraised value of \$100; and
- (15) The corner of Cooke Street and Kapiolani Boulevard, improvement district 3, parcel 12, and is identified as a 155 square foot parcel, TMK No. 2-1-49:83, with an appraised value of \$100; and
- (16) The corner of Cooke and Ilaniwai Streets improvement district 3, parcel 19, and is identified as an 86 square foot parcel, TMK No. 2-1-50:66, with an appraised value of \$100; and
- (17) A portion of Halekauwila Street, improvement district 3, parcels 22A, 22D, 23A, 23B, 24A, 24B, 25A, and is identified as an 18,614 square foot parcel, TMK No. 2-1-50: a portion of 67, with an appraised value of \$3,600; and
- (18) A portion of Cooke Street, improvement district 3, parcels 21A and 21B, and is identified as a 235 square foot parcel, TMK No. 2-1-50:69, with an appraised value of \$100; and
- (19) The corner of Cooke and Queen Streets, improvement district 3, parcel 18, and is identified as an 86

square foot parcel, TMK No. 2-1-50: a portion of Cooke and Queen Streets, with an appraised value of \$100; and

(20) A portion of Cooke and Pohukaina Streets, improvement district 2, parcel 7, and improvement district 3, parcels 1A, 1B, 1C, 2, and 3, and is identified as an 11,646 square foot parcel, TMK No. 2-1-51: a portion of 03, with an appraised value of \$1,300; and

(21) A portion of Cooke Street, improvement district 3, parcel 8, and is identified as a 750 square foot parcel, TMK No. 2-1-51: a portion of 14, with an appraised value of \$100; and

(22) Portions of Halekauwila and Cooke Streets, improvement district 3, parcel 4A, and is identified as a 7,207 square foot parcel, TMK No. 2-1-51: a portion of 19, with an appraised value of \$200; and

(23) A portion of Coral Street, improvement district 1, parcel 36, and is identified as an 82 square foot parcel, TMK No. 2-1-51:34, with an appraised value of \$100; and

(24) A portion of Cooke Street, improvement district 3, parcel 9, and is identified as an 836 square foot parcel, TMK No. 2-1-51:36, with an appraised value of \$100; and

(25) A portion of Cooke Street, improvement district 3, parcel 7, and is identified as a 1,628 square foot parcel, TMK No. 2-1-51:37, with an appraised value of 100; and

(26) A portion of Pohukaina Street, improvement district 2, parcel 4, and is identified as a 7,000 square foot parcel, TMK No. 2-1-51:40, with an appraised value of \$100; and

(27) A portion of Pohukaina Street, improvement district 2, parcel 6, and is identified as a 160 square foot parcel, TMK No. 2-1-51: portion of Lana Lane, with an appraised value of \$100; and

- 1 (28) Portions of Halekauwila Street and Lana Lane,
2 improvement district 3, parcels 5A, and is identified
3 as a 400 square foot parcel, TMK No. 2-1-51: portion of
4 Lana Lane and Halekauwila Street, with an appraised
5 value of \$100; and
6
- 7 (29) A portion of Halekauwila Street, and is identified as a
8 37,261 square foot parcel, TMK No. 2-1-52: a portion of
9 22, with an appraised value of \$4,300; and
10
- 11 (30) A portion of Cooke Street, improvement district 2,
12 parcel 8, and improvement district 3, parcels 26A, 26B
13 and 27, and is identified as a 1,520 square foot
14 parcel, TMK No. 2-1-52:55, with an appraised value of
15 \$100; and
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- 17 (31) A portion of Cooke Street, improvement district 2,
18 parcel 16, and is identified as a 4,892 square foot
19 parcel, TMK No. 2-1-53:31, with an appraised value of
20 \$100; and
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- 22 (32) A portion of South and Auahi Streets, improvement
23 district 1, parcels 3, and is identified as an 86
24 square foot parcel, TMK No. 2-1-54:34, with an
25 appraised value of \$100; and
26
- 27 (33) A portion of South and Pohukaina Streets, improvement
28 district 1, parcel 4, and is identified as an 86 square
29 foot parcel, TMK No. 2-1-54:35, with an appraised value
30 of \$100; and
31
- 32 (34) A portion of Cooke Street, improvement district 2,
33 parcel 14, and is identified as a 707 square foot
34 parcel, TMK No. 2-1-54:36, with an appraised value of
35 \$100; and
36
- 37 (35) A portion of South and Auahi Streets, improvement
38 district 1, parcel 2, and is identified as an 86 square
39 foot parcel, TMK No. 2-1-55:39, with an appraised value
40 of \$100; and
41
- 42 (36) A portion of Cooke Street, improvement district 2,
43 parcels 9, 10, 11, 12, and 13, and is identified as a
44 512 square foot parcel, TMK No. 2-1-55:40, with an
45 appraised value of \$100; and

- (37) A portion of Cooke Street, improvement district 2, parcel 15, and is identified as a 3,189 square foot parcel, TMK No. 2-1-56:12, with an appraised value of \$100; and
- (38) A portion of Ahui Street, improvement district 12, parcel 10, and is identified as an 18,818 square foot parcel, TMK No. 2-1-58: portion of Ahui Street, with an appraised value of \$2,600; and
- (39) Portions of Ohe, Olomehani, and Ahui Streets, improvement district 12, parcel 11, and is identified as a 3.248 acre parcel, TMK No. 2-1-60: portions of 4, 6, and Ahui Street, with an appraised value of \$6,400; and
- (40) A portion of Kamakee Street, improvement district 4, parcel 1, 2, 3, 4, 8, 9, 10, 11, 17, 18, 21, 22, 23, lot 239-B, and is identified as an 11,649 square foot parcel, TMK No. 2-3-03:103, with an appraised value of \$100; and
- (41) A portion of Queen Street at Kamakee Street identified as an approximately 26,826 square foot parcel, TMK No. 2-3-03:87, with an appraised value of \$800; and
- (42) A portion of Kamakee and Queen Streets, improvement district 4, parcels 5 and 6, and improvement district 10, lots 454 and 456, LCA 670, map 46, and is identified as a 3,431 square foot parcel, TMK No. 2-3-04: a portion of 29, with an appraised value of \$100; and
- (43) A portion of Kamakee Street, improvement district 4, parcels 19, 20, 24, and 25, and is identified as an 8,075 square foot parcel, TMK No. 2-3-04:74, with an appraised value of \$100; and
- (44) A portion of Waimanu Street, improvement district 10, lot 30A, LCA 948, map 8, improvement district 10, lot 31B, LCA 948, map 9, improvement district 10, lot 1B, LCC 53, map 22, and is identified as a 20,686 square foot parcel, TMK No. 2-3-04: portion of 80, with an appraised value of \$100; and

- (45) A portion of Queen Street, improvement district 10, lot 4, LCC 188, map 3, and is identified as a 44,385 square foot parcel, TMK Nos. 2-3-04: portion of 80 and 2-3-06: portion of 14, with an appraised value of \$900; and
- (46) A portion of Kamakee Street, improvement district 4, parcel 13, and is identified as a 910 square foot parcel, TMK No. 2-3-04: portion of Kamakee Street, with an appraised value of \$100; and
- (47) A portion of Kamakee Street, improvement district 4, parcel 14, and is identified as an 892 square foot parcel, TMK No. 2-3-04: portion of Kamakee Street, with an appraised value of \$100; and
- (48) A portion of Kamakee Street, improvement district 4, parcels 15, and 16, and is identified as a 1,784 square foot parcel, TMK No. 2-3-04: portion of Kamakee Street, with an appraised value of \$100; and
- (49) A portion of Kawaiahao Street, improvement district 4, parcel 7, and is identified as a 710 square foot parcel, TMK No. 2-3-04: portion of Kawaiahao Street, with an appraised value of \$100; and
- (50) A portion of Waimanu Street, and is identified as a 9,507 square foot parcel, TMK No. 2-3-06:16, with an appraised value of \$100; and
- (51) A portion of Waimanu Street, improvement district 10 lot 915-B-2, LCA 880, map 132, and improvement district 10 lot 30-B-2, LCA 948, map 10, and is identified as a 3,160 square foot parcel, TMK No. 2-3-06: portion of 14, with an appraised value of \$100; and
- (52) A portion of Waimanu Street, improvement district 10 lot 915-C, LCA 880, map 131, and improvement district 10 lot 1-B, LCC 194, map 2, and is identified as a 9,194 square foot parcel, TMK No. 2-3-06: portion of 15, with an appraised value of \$100; and
- (53) The corner of Waimanu and Pensacola Streets, improvement district 10 lot 885-a, LCA 880, map 136, and is identified as an 86 square foot parcel, TMK No.

2-3-07: portion of Waimanu and Pensacola Streets, with an appraised value of \$100; and

WHEREAS, the Hawaii Community Development Authority desires to convey its fee titles of the roadway parcels to the City and County of Honolulu as provided in chapter 206E, Hawaii Revised Statutes; and

WHEREAS, both houses of the Legislature must approve of the proposed conveyance of the Hawaii Community Development Authority roadway parcels to the City and County of Honolulu pursuant to section 171-64.7, Hawaii Revised Statutes; and

WHEREAS, pursuant to section 171-64.7(c), Hawaii Revised Statutes, the Hawaii Community Development Authority did duly conduct a public informational briefing on the proposed conveyance of said Hawaii Community Development Authority lands to the city on November 3, 2016, at the Hawaii Community Development Authority's office, located on 547 Queen Street, Honolulu, Hawaii, and did not receive any objections to the proposed conveyance; and

WHEREAS, pursuant to section 171-64.7(c), Hawaii Revised Statutes, the Hawaii Community Development Authority did duly hire Leshar Chee Staudlbauer to appraise the values of said Hawaii Community Development Authority roadway parcels and to prepare an appraisal report, which is dated September 12, 2016; and

WHEREAS, the Department of Land and Natural Resources examined the records and files located in its Land Division and Bureau of Conveyances and in the Land Survey Division of the Department of Accounting and General Services to determine whether the roadway parcels were classed as government or crown lands previous to August 15, 1895, or were acquired by the State in exchange for such lands; and

WHEREAS, the Department of Land and Natural Resources determined that the following Hawaii Community Development Authority roadway parcels were classed as government or crown lands previous to August 15, 1895, but are not classed as ceded:

- (1) Portions of South and Pohukaina Streets, improvement district 1, parcel 6, TMK No. 2-1-30:49; and

- (2) Portions of Queen and South Streets, improvement district 1, parcels 17 and 26, TMK No. 2-1-32: a portion of 25; and
- (3) A portion of South Street, improvement district 1, parcels 22, 23, 24 and 25, TMK No. 2-1-48: a portion of 21; and
- (4) A portion of Waimanu Street, improvement district 10, lot 30A, LCA 948, map 8, and lot 31B, LCA 948, map 9, improvement district 10, TMK No. 2-3-04: a portion of 80; and
- (5) A portion of Queen Street, improvement district 10, lot 4, LCC 188, map 3, TMK Nos. 2-3-04: a portion of 80; and
- (6) A portion of Waimanu Street, improvement district 10 lot 30-B-2, LCA 948, map 10, TMK No. 2-3-06: a portion of 14; and
- (7) A portion of Waimanu Street, improvement district 10 lot 1-B, LCC 194, map 2, TMK No. 2-3-06: a portion of 15; and

WHEREAS, the Department of Land and Natural Resources determined that none of the Hawaii Community Development Authority roadway parcels were acquired by the State in exchange for such lands; and

WHEREAS, the Department of Land and Natural Resources further determined that the Hawaii Community Development Authority roadway parcels are not ceded and are not subject to the public trust as provided in section 5(f) of the Admission Act of March 18, 1959; and

WHEREAS, pursuant to section 171-64.7(c), Hawaii Revised Statutes, a draft copy of this Concurrent Resolution was submitted on July 20, 2016, to the Office of Hawaiian Affairs to allow the office to determine whether the Hawaii Community Development Authority roadway parcels were classed as government or crown lands previous to August 15, 1895, or were acquired by the State in exchange for such lands; and


1 WHEREAS, the Hawaii Community Development Authority has no
2 development plans for the roadway parcels; and
3

4 WHEREAS, the purpose of the conveyance of Hawaii Community
5 Development Authority roadway parcels to the City and County of
6 Honolulu is to benefit the public because the roads containing
7 Hawaii Community Development Authority's roadway parcels would
8 be under the single jurisdiction of the City and County of
9 Honolulu, thereby ensuring proper operation, regulation and
10 maintenance of the roads; now, therefore,
11

12 BE IT RESOLVED by the House of Representatives of the
13 Twenty-ninth Legislature of the State of Hawaii, Regular Session
14 of 2018, the Senate concurring, that the conveyance of fee
15 simple title of the lands previously listed, from the Hawaii
16 Community Development Authority to the City and County of
17 Honolulu, is approved; and
18

19 BE IT FURTHER RESOLVED that a certified copy of this
20 Concurrent Resolution be transmitted to the Executive Director
21 of the Hawaii Community Development Authority, the Office of
22 Hawaiian Affairs, the Mayor of the City and County of Honolulu,
23 the chair of the City Council of the City and County of
24 Honolulu, and the director of the Department of Planning and
25 Permitting of the City and County of Honolulu.
26

27
28 OFFERED BY: _____
29


BY REQUEST
JAN 22 2018

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: CONCURRENT RESOLUTION APPROVING THE
CONVEYANCE OF CERTAIN HAWAII COMMUNITY
DEVELOPMENT AUTHORITY LANDS TO THE CITY AND
COUNTY OF HONOLULU.

PURPOSE: To seek the approval of the Legislature by
concurrent resolution of the conveyance of
Hawaii Community Development Authority
(HCDA) roadway parcels to the City and
County of Honolulu.

MEANS: Concurrent resolution pursuant to section
171-64.7, Hawaii Revised Statutes.

JUSTIFICATION: The HCDA is seeking legislative approval to
convey the fee title of certain Kakaako
roadway parcels, which comprise portions of
several roads, to the City and County of
Honolulu.

The conveyance of these roadway parcels
would confirm the roads to be under the
single jurisdiction of the City and County
of Honolulu, thereby ensuring proper
operation, regulation, and maintenance of
the roads.

The total fair market value of the HCDA
roadway parcels was determined to be \$27,500
as of September 12, 2016, by HCDA's
appraiser, Leshar Chee Stauldbauer.

The HCDA requested the assistance of the
Department of Land and Natural Resources
(DLNR) to determine whether the roadway
parcels were classed as government or crown
lands previous to August 15, 1895, or were
acquired in exchange for such lands. The
DLNR determined some parcels were classed as
government or grow lands previous to
August 15, 1895, but are not classed as
ceded.

The DLNR also determined that none of the HCDA roadway parcels were acquired by the State in exchange for such lands. The DLNR further determined that the HCDA roadway parcels are not ceded and are not subject to the public trust as provided in section 5(f) of the Admission Act of March 18, 1959.

A copy of the Concurrent Resolution was submitted on July 20, 2016, to the Office of Hawaiian Affairs.

The HCDA conducted a public meeting on the proposed sale on November 3, 2016, at the HCDA's office, located at 547 Queen Street, Honolulu, Hawaii. HCDA did not receive any objections to the proposed conveyance at that time.

Impact on the public: Minimal.

Impact on the department and other agencies:
Minimal.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: BED 150.

OTHER AFFECTED
AGENCIES: Office of Hawaiian Affairs, and City and
County of Honolulu.

EFFECTIVE DATE: Upon adoption.