
HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT HE'EIA,
KO'OLAUPOKO, O'AHU, FOR THE EXISTING SEAWALL AND LANDSCAPED
AREA AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING
IMPROVEMENTS CONSTRUCTED THEREON.

1 WHEREAS, the existing seawall and landscaped area identified
2 as Tax Map Key: (1) 4-6-001:seaward of 019, He'eia, Ko'olaupoko,
3 O'ahu, were placed upon state submerged lands; and
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5 WHEREAS, around September 1981, the previous owner, Richard
6 Gessler, worked with the Department of Land and Natural
7 Resources to resolve the encroachments; and
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9 WHEREAS, the previous owner was not able to resolve the
10 encroachments; and
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12 WHEREAS, in March 2007, the previous owner transferred the
13 abutting property to Clayton Honbo; and
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15 WHEREAS, in August 2014, the Mr. Honbo transferred the
16 abutting property to his company, Nanaina 'O Pali Ku, LLC; and
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18 WHEREAS, in 2014, Nanaina 'O Pali Ku, LLC worked with the
19 Department of Land and Natural Resources to resolve the
20 encroachments; and
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22 WHEREAS, on December 8, 2017, under agenda item D-11, the
23 Board of Land and Natural Resources approved a grant of a 55-
24 year non-exclusive easement to resolve the encroachments; and
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26 WHEREAS, the subject area is approximately 1,379 square
27 feet, which will be reviewed and approved by the Department of
28 Accounting and General Services' Survey Division; and



1 WHEREAS, the grantee shall pay the State the fair market
2 value of the easement as consideration of the use of public
3 lands to be determined by an independent appraisal; and
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5 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
6 prior approval by the Governor and prior authorization by the
7 Legislature by concurrent resolution to lease state submerged
8 lands; now, therefore,
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10 BE IT RESOLVED by the House of Representatives of the
11 Twenty-ninth Legislature of the State of Hawaii, Regular Session
12 of 2018, the Senate concurring, that the Board of Land and
13 Natural Resources is hereby authorized to issue a term, non-
14 exclusive easement covering a portion of state submerged lands
15 identified as Tax Map Key: (1) 4-6-001:seaward of 019, He'eia,
16 Ko'olaupoko, O'ahu, for the existing seawall and landscaped area
17 and for use, repair, and maintenance of the existing
18 improvements constructed thereon pursuant to section 171-53,
19 Hawaii Revised Statutes; and
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21 BE IT FURTHER RESOLVED that a certified copy of this
22 Concurrent Resolution be transmitted to the Chairperson of the
23 Board of Land and Natural Resources.
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OFFERED BY: 

FEB 14 2018

