

JAN 19 2018

SENATE CONCURRENT RESOLUTION

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

1 WHEREAS, the existing seawall, steps, and landscaped area
2 identified as Tax Map Key: (1) 8-7-023: seaward of 044,
3 Waianae, Oahu, were placed upon state submerged lands; and
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5 WHEREAS, around August 2016, the property owner, Peter
6 Cushman Lewis, worked with the Department of Land and Natural
7 Resources to resolve the encroachments; and
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9 WHEREAS, on October 13, 2017, under agenda item D-8, the
10 Board of Land and Natural Resources approved a grant of a fifty-
11 five-year non-exclusive easement to run with the land and to
12 inure to the benefit of the abutting real property, to resolve
13 the encroachment; and
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15 WHEREAS, the subject area is about 391 square feet, which
16 will be reviewed and approved by the Department of Accounting
17 and General Services' Survey Division; and
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19 WHEREAS, the grantee shall pay the State the fair market
20 value of the easement as consideration for the use of public
21 lands to be determined by an independent appraisal; and
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23 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
24 the prior approval of the Governor and prior authorization of
25 the Legislature by concurrent resolution to lease state
26 submerged lands; now, therefore,
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28 BE IT RESOLVED by the Senate of the Twenty-ninth
29 Legislature of the State of Hawaii, Regular Session of 2018, the
30 House of Representatives concurring, that the Board of Land and



S.C.R. NO. 2

1 Natural Resources is hereby authorized to issue a term, non-
2 exclusive easement covering a portion of state submerged lands
3 identified as Tax Map Key: (1) 8-7-023: seaward of 044,
4 Waianae, Oahu, for the existing seawall, steps, and landscaped
5 area and for use, repair, and maintenance of the existing
6 improvements constructed thereon pursuant to section 171-53,
7 Hawaii Revised Statutes; and

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9 BE IT FURTHER RESOLVED that a certified copy of this
10 Concurrent Resolution be transmitted to the Chairperson of the
11 Board of Land and Natural Resources.
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OFFERED BY:  _____

