

MAR 12 2021

SENATE CONCURRENT RESOLUTION

SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW
AND APPROVAL OF ACTION TAKEN BY THE BOARD OF LAND AND
NATURAL RESOURCES ON A LAND EXCHANGE BETWEEN THE STATE OF
HAWAII AND PARKER LAND TRUST.

1 WHEREAS, at its meeting of April 11, 2014, under agenda
2 item D-6, the Board of Land and Natural Resources approved, in
3 principle, a land exchange between the State of Hawaii and
4 Parker Land Trust, formerly the Parker Ranch Land Trust, for
5 state-owned land at Waikoloa, Waimea, South Kohala, Hawaii, Tax
6 Map Key: (3) 6-7-003:020, having a land area of approximately
7 0.5368 acre, and privately owned commercial/industrial land of
8 equal or greater value to be identified at a later date; and
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10 WHEREAS, at its meeting of August 28, 2020, under agenda
11 item D-3, the Board of Land and Natural Resources amended the
12 aforementioned Board action by approving an exchange with the
13 Trustees of Parker Land Trust, as landowner for the Parker
14 Ranch, Inc., of the "flagpole"-shaped portion of the state-owned
15 parcel, Tax Map Key: (3) 6-7-003:020, which is configured as a
16 flag lot, for a portion of privately-owned unimproved land, Tax
17 Map Key: (3) 6-7-002:062, zoned for residential use, and
18 contiguous with the remaining "flag" portion of the state-owned
19 exchange parcel; and
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21 WHEREAS, the public purposes for the exchange, as approved,
22 are to facilitate the construction of a United States Post
23 Office and to straighten the boundaries of the state-owned flag
24 lot, which will resolve an access issue affecting the
25 construction of Ala Ohia Road at the base of the flagpole,
26 thereby providing the State with safe, usable access to its
27 retained land; and
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29 WHEREAS, the approximately 0.5368-acre of state land
30 identified as part of this proposed exchange is vacant and
31 unencumbered; and



1 WHEREAS, upon completion of the proposed exchange, the
2 State's interest in the 0.5368-acre site will be conveyed to the
3 Trustees of Parker Land Trust, and the conveyed lands will be
4 developed pursuant to the Waimea Town Center Master Plan and
5 United States Postal Service plans; and

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7 WHEREAS, the approximately 0.5368 acre of state land is a
8 portion of land acquired by the State of Hawaii by Deed and
9 Agreement for Exchange dated June 5, 1961, between the State of
10 Hawaii and Richard Smart; and

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12 WHEREAS, pursuant to the 1961 exchange, the State of Hawaii
13 conveyed to Richard Smart a parcel of land comprising
14 approximately 3.109 acres situated at Lalamilo, Waimea, South
15 Kohala, Hawaii; and

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17 WHEREAS, the above cited parcel which was conveyed to
18 Richard Smart as part of the 1961 exchange was classified as
19 ceded lands pursuant to section 5(b) of the Admissions Act, and
20 the 0.5368 acre of state land being conveyed to the Trustees of
21 Parker Land Trust in this proposed exchange is now classified as
22 ceded lands pursuant to section 5(b) of the Admissions Act; and

23
24 WHEREAS, the approximate 0.3420 acre of private land
25 identified as part of this proposed exchange is vacant; and

26
27 WHEREAS, upon completion of this proposed exchange, the
28 0.3420-acre site will be used to provide access to the
29 remaining, otherwise landlocked, flag portion of the state-owned
30 land; and

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32 WHEREAS, following an appraisal by CBRE, Inc., as of
33 September 18, 2020, the value of the private land is estimated
34 at \$250,000, and the value of the state land is estimated at
35 \$19,400; and

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37 WHEREAS, section 171-50, Hawaii Revised Statutes, provides
38 that land exchanges of public land for private land are subject
39 to approval by the Legislature by a majority vote of both houses
40 in any regular or special session; and



1 WHEREAS, pursuant to section 171-50(c), Hawaii Revised
2 Statutes, a copy of the draft resolution was submitted to the
3 Office of Hawaiian Affairs on October 19, 2020, to allow the
4 agency to determine whether the state-owned land was classified
5 as government or crown lands prior to August 15, 1895, or was
6 acquired by the State in exchange for such lands; and
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8 WHEREAS, the Office of Hawaiian Affairs did not express any
9 opposition to the land exchange; and
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11 WHEREAS, to comply with the requirements of section 171-50,
12 Hawaii Revised Statutes, the Department of Land and Natural
13 Resources, together with the Trustees of Parker Land Trust, is
14 required to introduce to the Legislature a resolution for review
15 of action of the land exchange described herein, subject
16 however, to approval by a majority vote of both houses of the
17 Legislature; now, therefore,
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19 BE IT RESOLVED by the Senate of the Thirty-first
20 Legislature of the State of Hawaii, Regular Session of 2021, the
21 House of Representatives concurring, that the following land
22 exchange, previously approved in principle by the Board of Land
23 and Natural Resources at its meeting on April 11, 2014, under
24 agenda item D-6, and previously approved by the Board of Land
25 and Natural Resources at its meeting on August 28, 2020, under
26 agenda item D-3, is hereby reviewed and approved by the
27 Legislature; and
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29 BE IT FURTHER RESOLVED that upon consummation of the
30 proposed exchange, the 0.3420-acre of land to be conveyed to the
31 State of Hawaii as part of this exchange shall be classified as
32 ceded lands pursuant to section 5(b) of the Admissions Act; and
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34 BE IT FURTHER RESOLVED that a certified copy of this
35 Concurrent Resolution be transmitted to the Chairperson of the
36 Board of Land and Natural Resources.
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OFFERED BY: *Josephine R. Inoué*

