

JAN 24 2024

SENATE CONCURRENT RESOLUTION

APPROVING THE DEDICATION OF KUKUIA STREET, LAHAINA, HAWAII, TO
THE COUNTY OF MAUI.

1 WHEREAS, section 171-64.7, Hawaii Revised Statutes,
2 requires the prior approval of the Legislature by concurrent
3 resolution to sell certain state lands in fee simple; and
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5 WHEREAS, the Hawaii Housing Finance and Development
6 Corporation (the "Corporation") proposes to transfer the fee
7 interest in Kukuia Street, Lahaina, Hawaii, and provides the
8 following information pursuant to section 171-64.7(c), Hawaii
9 Revised Statutes:

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- 11 (1) Kukuia Street is a roadway identified as a 1.962-acre
12 parcel, TMK No. 2-4-5-021-021 (por.);
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- 14 (2) The fee interest in this parcel was appraised to have
15 a fair market value of \$1;
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- 17 (3) The parcel was appraised by ACM Consultants, Inc.;
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- 19 (4) The appraisal valuation date is September 6, 2022;
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- 21 (5) The primary purpose for the transfer of this parcel is
22 to dedicate the roadway to the County of Maui;
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- 24 (6) There are no development plans for this roadway; and
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- 26 (7) As of August 15, 1895, the parcel was a portion of
27 the Government (Crown) Land of Wahikuli; the
28 Corporation's predecessor agency, the Housing Finance
29 and Development Corporation, acquired title to the
30 property through Land Patent Grant No. S-15,792, dated
31 November 4, 1994; and this was determined by a search
32 of the title records for these parcels by Title
33 Guaranty of Hawaii on January 20, 2022; and

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WHEREAS, pursuant to section 171-64.7(c), Hawaii Revised Statutes, a draft of the concurrent resolution for the prior approval of a sale or gift of land was submitted to the Office of Hawaiian Affairs at least three months prior to the convening of a regular or special session of the Legislature to allow the office to determine whether the land was classed as government or crown lands previous to August 15, 1895, or was acquired by the State in exchange for such lands; and

WHEREAS, the Corporation will work with the County of Maui to finalize the dedication of this roadway; and

WHEREAS, pursuant to section 5(f) of the Admission Act, "the development of farm and home ownership on as widespread a basis as possible for the making of public improvement" is an expressly authorized purpose of the ceded lands inventory; and

WHEREAS, pursuant to section 171-64.7(e), Hawaii Revised Statutes, the Corporation duly conducted a public informational briefing on the dedication of this parcel on August 24, 2022, at the Lahaina Civic Center, Lahaina, Hawaii, following publication of notice of the briefing in the Maui News newspaper on August 18, 2022; and

WHEREAS, relevant public comments made at the public information briefing opposed development of the Fleming Road Extension in Lahaina generally, but did not object to the dedication of the Kukuia Street roadway to the County of Maui per se; now, therefore,

BE IT RESOLVED by the Senate of the Thirty-second Legislature of the State of Hawaii, Regular Session of 2024, the House of Representatives concurring, that the dedication of Kukuia Street, Lahaina, Hawaii, TMK No. 2-4-5-021-021 (por.), to the County of Maui, is hereby approved; and

1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Executive Director
3 of the Corporation and Chairperson of the County Council of
4 Maui.

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OFFERED BY: 

BY REQUEST

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JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: CONCURRENT RESOLUTION APPROVING THE DEDICATION OF KUKUIA STREET, LAHAINA, HAWAII, TO THE COUNTY OF MAUI.

PURPOSE: To seek the prior approval of the Legislature by concurrent resolution of the dedication of Kukuia Street (roadway), Lahaina, Hawaii, TMK No. 2-4-5-021-021 (por.), to the County of Maui.

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

JUSTIFICATION: The Hawaii Housing Finance and Development Corporation (HHFDC) is seeking legislative approval to dedicate the fee interest in Kukuia Street to the County of Maui. Approval of this proposed transfer is a prerequisite to dedication of Kukuia Street to the County of Maui.

This roadway is an approximately 1.962-acre parcel serving the Kaiaulu o Kukuia affordable rental and a portion of the Villages of Leialii projects in Lahaina, Maui. There are no development plans for this roadway.

The fair market value of the roadway was determined to be \$1 as of September 6, 2022, by HHFDC's appraiser, ACM Consultants, Inc.

A title search conducted by Title Guaranty of Hawaii on January 20, 2022, determined that as of August 15, 1985, the parcel was part of the Government (Crown) Land of Wahikuli, and that HHFDC's predecessor agency, the Housing Finance and Development Corporation, acquired title to it through Land Patent Grant No. S-15,792, dated November 4, 1994.

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HHFDC duly conducted a public informational briefing on the proposed dedication on August 24, 2022, at the Lahaina Civic Center, Lahaina, Hawaii, following publication of notice in The Maui News newspaper on August 18, 2022.

HHFDC received comments opposing the development of the Fleming Road Extension in Lahaina generally but did not object to the dedication of the Kukuia Street roadway to the County of Maui per se.

HHFDC has also worked closely with the Office of Hawaiian Affairs during the interim to keep that office informed of these findings and our intent to dedicate this parcel to the County of Maui.

Impact on the public: Minimal.

Impact on the department and other agencies:
Minimal.

GENERAL FUND:	None.
OTHER FUNDS:	None.
PPBS PROGRAM DESIGNATION:	BED-160.
OTHER AFFECTED AGENCIES:	Office of Hawaiian Affairs.
EFFECTIVE DATE:	Upon adoption.