
HOUSE CONCURRENT RESOLUTION

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

1 WHEREAS, as amended pursuant to Act 176, Session Laws of
2 Hawaii 2009, section 171-50, Hawaii Revised Statutes, provides
3 that any exchange of public land for private land shall be
4 subject to disapproval by the Legislature, by two thirds vote of
5 either the Senate or the House of Representatives or by majority
6 vote of both in any regular or special session, and that a copy
7 of the resolution shall be submitted to the Office of Hawaiian
8 Affairs when it is submitted to the Legislature; and
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10 WHEREAS, at its meetings on February 23, 2001, under agenda
11 item D-4, and December 13, 2002, under agenda item D-58, the
12 Board of Land and Natural Resources approved a land exchange
13 between the State of Hawaii and the Boy Scouts of America. The
14 proposed land exchange involved ceded lands leased to Boy Scouts
15 of America, including Tax Map Keys: (1) 5-9-05:02 and 77; (3) 4-
16 6-11:40; and (4) 1-4-01:15, and private lands identified as tax
17 map keys: (1) 9-4-166:24, 25, and 26; and
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19 WHEREAS, pursuant to section 171-50(c), Hawaii Revised
20 Statutes, concurrent resolutions, identified as S.C.R. No. 127
21 and H.C.R. No. 33, Regular Session of 2003, were submitted to
22 the Legislature for review and identified the public purpose for
23 the exchange, the independent appraiser, and the determined fair
24 market values for the above cited properties involved in the
25 exchange, including tax map key (1) 5-9-05:77; and
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27 WHEREAS, on April 22, 2003, the Governor approved H.B. No.
28 83 H.D. 1, entitled "Relating to a Land Exchange between the
29 State of Hawaii and the Aloha Council Boy Scouts of America",
30 enacted as Act 27, Session Laws of Hawaii 2003, authorizing the



1 exchange of private lands in Waikele, Oahu, for public lands
2 located on the islands of Oahu, Kauai, and Hawaii; and

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4 WHEREAS, Act 27, Session Laws of Hawaii 2003, cited all the
5 foregoing cited properties involved in the land exchange as
6 approved by the Board of Land and Natural Resources, including
7 land identified as tax map key (1) 5-9-05:77; and

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9 WHEREAS, pursuant to section 171-50, Hawaii Revised
10 Statutes, public notice of the proposed land exchange was
11 published in various newspapers on February 14, 2003; however, a
12 correction was published in the same newspapers on June 19,
13 2003; and

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15 WHEREAS, the public notices cited all the foregoing cited
16 properties involved in the land exchange, including land
17 identified as tax map key (1) 5-9-05:77; and

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19 WHEREAS, final documentation of the approved land exchange
20 was reviewed and approved by the Department of the Attorney
21 General, executed by all appropriate parties, and recorded in
22 the Bureau of Conveyances on April 8, 2004; and

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24 WHEREAS, despite the inclusion of tax map key (1) 5-9-05:77
25 in the Board of Land and Natural Resources' approval,
26 independent appraisal, concurrent resolutions, Act 27, Session
27 Laws of Hawaii 2003, and the public notice of the land exchange,
28 tax map key (1) 5-9-05:77 was inadvertently omitted from the
29 recorded conveyance documents pertaining to the approved land
30 exchange; and

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32 WHEREAS, both the Department of Land and Natural Resources
33 and the Aloha Council Boy Scouts of America now wish to correct
34 the inadvertent omission of tax map key (1) 5-9-05:77 from the
35 2004 recorded conveyance documents and convey the parcel to the
36 Aloha Council Boy Scouts of America by way of amending the 2004
37 conveyance documents or entering into new conveyance documents,
38 so that the documents are consistent with the original intent
39 and all approvals of the land exchange; and

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41 WHEREAS, in light of the above cited Board of Land and
42 Natural Resources' approval, independent appraisal, concurrent
43 resolutions, Act 27, Session Laws of Hawaii 2003, and the public
44 notice of the land exchange, the Department of Land and Natural



H.C.R. NO. 320

1 Resources and the Aloha Council Boy Scouts of America do not
2 believe that compliance with Act 176, Session Laws of Hawaii
3 2009, is required to correct the inadvertent omission of tax map
4 key (1) 5-9-05:77 from the 2004 recorded conveyance documents;
5 however, the parties wish to comply with Act 176, Session Laws
6 of Hawaii 2009, out of an abundance of caution; now, therefore,
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8 BE IT RESOLVED by the House of Representatives of the
9 Twenty-fifth Legislature of the State of Hawaii, Regular Session
10 of 2010, the Senate concurring, that the land exchange between
11 the Aloha Council Boy Scouts of America and the State of Hawaii,
12 which was previously approved by the Board of Land and Natural
13 Resources, the House of Representatives, the Senate, and the
14 Governor pursuant to section 171-50, Hawaii Revised Statutes, be
15 again reviewed by the Legislature, pursuant to section 171-50,
16 Hawaii Revised Statutes, as amended by Act 176, Session Laws of
17 Hawaii 2009, only with respect to conveyance of tax map key (1)
18 5-9-05:77 to Aloha Council Boy Scouts of America to correct the
19 inadvertent omission of the parcel from the 2004 recorded
20 conveyance documents; and
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22 BE IT FURTHER RESOLVED that pursuant to section 171-50,
23 Hawaii Revised Statutes, as amended, the land exchange between
24 the Aloha Council Boy Scouts of America and the State of Hawaii,
25 as approved by the Board of Land and Natural Resources and
26 authorized by Act 27, Session Laws of Hawaii 2003, Relating to a
27 Land Exchange Between the State of Hawaii and the Aloha Council
28 Boy Scouts of America, the following information is provided:
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30 (1) Location and area of the parcels of land;

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32 (A) Public lands;

33 (i) Camp Pupukea - Pupukea, Oahu

34 Tax Map Key (1) 5-9-005:002 - 56.962 acres

35 Tax Map Key (1) 5-9-005:077 - 7.838 acres
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38 (ii) Camp Honokaia - Honokaia, Hawaii

39 Tax Map Key (3) 4-6-011:040 - 238 acres
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42 (iii) Camp Alan Faye - Alan Faye, Kauai
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Tax Map Key (4) 1-4-001:015 - 29 acres

(B) Private lands - Waikele, Oahu;

(C)

(i) Tax Map Key (1) 9-4-166:024 - 0.391 acre

(ii) Tax Map Key (1) 9-4-166:025 - 0.382 acre

(iii) Tax Map Key (1) 9-4-166:026 - 0.367 acre

(2) Value of the lands;

(A) Public land - \$1,150,000

(i) Camp Pupukea - \$700,000

(ii) Camp Honokaia - \$319,000

(iii) Camp Alan Faye - \$131,000

(B) Private land - \$1,209,000

(i) Tax Map Key (1) 9-4-166:024 - \$414,000

(ii) Tax Map Key (1) 9-4-166:025 - \$405,000

(iii) Tax Map Key (1) 9-4-166:026 - \$390,000

(3) Name or names of the appraiser or appraisers;

(A) Public land - Robert J. Vernon, MAI, CRE

(John Child & Company)

(B) Private land - James E. Hallstrom, Jr., MAI, CRE

Brian S. Goto, MAI, SRA

(The Hallstrom Group, Inc.)

(4) The date of the appraisal valuation;

(A) Public land - December 23, 2002



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- 2 (B) Private land - October 11, 2002
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- 4 (5) Purpose for the exchange - Generation of revenues for
- 5 public land trust purposes as previously approved by
- 6 the board of land and natural resources and Act 27,
- 7 2003; and
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9 BE IT FURTHER RESOLVED that a copy of this Concurrent
10 Resolution has been submitted to the Office of the Hawaiian
11 Affairs.

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OFFERED BY:  _____

MAR 10 2010