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# SENATE 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, pursuant to Act 176, Session Laws of Hawaii 2009,  
2 section 171-50, Hawaii Revised Statutes, was amended to provide  
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 (BSA).  
14 The proposed land exchange involved the transfer of ceded lands  
15 leased to BSA, including tax map keys: (1) 5-9-05:02 and 77;  
16 (3) 4-6-11:40; and (4) 1-4-01:15, and private lands identified  
17 as tax 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, were submitted to the Legislature for review  
22 during the 2003 Regular Session of the Twenty-Second  
23 Legislature. The concurrent resolutions identified the public  
24 purpose for the exchange, the independent appraiser, and the  
25 determined fair market values for the above cited properties  
26 involved in the exchange, including tax map key (1) 5-9-05:77;  
27 and

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29           WHEREAS, on April 22, 2003, the Governor of the State of  
30 Hawaii approved H.B. No. 83, H.D. 1, Relating to a Land Exchange  
31 between the State of Hawaii and the Aloha Council Boy Scouts of  
32 America, codified as Act 27, Session Laws of Hawaii 2003,



1 authorizing the exchange of private lands in Waikele, Oahu, for  
2 public lands located on the islands of Oahu, Kauai, and Hawaii;  
3 and  
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5 WHEREAS, Act 27, Session Laws of Hawaii 2003, Relating to a  
6 Land Exchange Between the State of Hawaii and the Aloha Council  
7 Boy Scouts of America, cited all the above cited properties  
8 involved in the land exchange as approved by the Board of Land  
9 and Natural Resources, including land identified as tax map key  
10 (1) 5-9-05:77; and  
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12 WHEREAS, pursuant to section 171-50, Hawaii Revised  
13 Statutes, public notice of the proposed land exchange was  
14 published in various newspapers on February 14, 2003, a  
15 correction of which was published in the same newspapers on  
16 June 19, 2003; and  
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18 WHEREAS, pursuant to section 171-50, Hawaii Revised  
19 Statutes, public notice of the proposed land exchange was  
20 published in various newspapers on February 14, 2003, a  
21 correction of which was published in the same newspapers on  
22 June 19, 2003; and  
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24 WHEREAS, final documentation of the approved land exchange  
25 was reviewed and approved by the Department of the Attorney  
26 General, executed by all appropriate parties, and recorded in  
27 the Bureau of Conveyances on April 8, 2004; and  
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29 WHEREAS, despite the inclusion of tax map key (1) 5-9-05:77  
30 in the above cited Board of Land and Natural Resources approval,  
31 independent appraisal, concurrent resolutions, Act 27, Session  
32 Laws of Hawaii 2003, and the public notice of the land exchange,  
33 tax map key (1) 5-9-05:77 was inadvertently omitted from the  
34 recorded conveyance documents pertaining to the approved land  
35 exchange; and  
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37 WHEREAS, both the State of Hawaii, Department of Land and  
38 Natural Resources and the Aloha Council Boy Scouts of America  
39 now wish to correct the inadvertent omission of tax map key  
40 (1) 5-9-05:77 from the 2004 recorded conveyance documents and  
41 convey said parcel to the Aloha Council Boy Scouts of America by  
42 way of amending the 2004 conveyance documents or entering into  
43 new conveyance documents, such that the documents are consistent



1 with the original intent and all approvals of the land exchange;  
2 and  
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4 WHEREAS, in light of the above cited Board of Land and  
5 Natural Resources approval, independent appraisal, concurrent  
6 resolutions, Act 27, Session Laws of Hawaii 2003, and the public  
7 notice of the land exchange, the State of Hawaii, Department of  
8 Land and Natural Resources and the Aloha Council Boy Scouts of  
9 America do not believe that compliance with Act 176, Session  
10 Laws of Hawaii 2009 is required to correct the inadvertent  
11 omission of tax map key (1) 5-9-05:77 from the 2004 recorded  
12 conveyance documents; however, the parties wish to comply with  
13 Act 176, Session Laws of Hawaii 2009 out of an abundance of  
14 caution; and  
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16 WHEREAS, pursuant to section 171-50, Hawaii Revised  
17 Statutes, the following information is provided regarding the  
18 land exchange between the Aloha Council Boy Scouts of America  
19 and the State of Hawaii, as approved by the Board of Land and  
20 Natural Resources and authorized by Act 27, Session Laws of  
21 Hawaii 2003, Relating to a Land Exchange Between the State of  
22 Hawaii and the Aloha Council Boy Scouts of America:  
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24 (1) Location and area of the parcels of land;

25 (A) Public lands;

26 (i) Camp Pupukea - Pupukea, Oahu

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

28 Tax Map Key (1) 5-9-005:077 - 7.838 acres

29 (ii) Camp Honokaia - Honokaia, Hawaii

30 Tax Map Key (3) 4-6-011:040 - 238 acres

31 (iii) Camp Alan Faye - Alan Faye, Kauai

32 Tax Map Key (4) 1-4-001:015 - 29 acres

33 (B) Private lands - Waikele, Oahu;

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

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

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

(B) Private land - October 11, 2002

(5) Purpose for the exchange - Generation of revenues for public land trust purposes as previously approved by the board of land and natural resources and Act 27, 2003; and

WHEREAS, a draft copy of this measure has been submitted to the Office of the Hawaiian Affairs; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, the

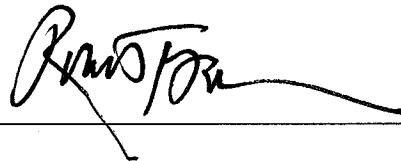


1 House of Representatives concurring, that as a result of the  
2 proposed correction to executed documents, the foregoing land  
3 exchange, which was previously approved by the Board of Land and  
4 Natural Resources, the House of Representatives, the Senate and  
5 the Governor pursuant to section 171-50, Hawaii Revised  
6 Statutes, is again approved by the Legislature pursuant to  
7 section 171-50(c), Hawaii Revised Statutes, as amended by  
8 Act 176, Session Laws of Hawaii 2009, only with respect to  
9 conveyance of tax map key (1) 5-9-05:77 to Aloha Council Boy  
10 Scouts of America to correct the inadvertent omission of said  
11 parcel from the 2004 recorded conveyance documents; and  
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13 BE IT FURTHER RESOLVED that certified copies of this  
14 Concurrent Resolution be transmitted to Aloha Council Boy Scouts  
15 of America, the Department of Land and Natural Resources, and  
16 the Office of Hawaiian Affairs.  
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OFFERED BY:



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