
HOUSE CONCURRENT RESOLUTION

APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE
UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII.

1 WHEREAS, private, non-ceded lands in Kapolei were donated
2 by the Campbell Estate to the University of Hawaii (UH) to build
3 the UH-West Oahu campus; and
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5 WHEREAS, the private, non-ceded lands were donated on the
6 specific conditions that a campus would be built that
7 accommodates at least 2,750 students and that construction would
8 begin by December 31, 2011, otherwise the lands would revert to
9 the Campbell Estate; and
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11 WHEREAS, one method of quickly raising funds to finance the
12 construction would be to sell in fee simple portions of the
13 outlying areas of the donated lands that are situated around the
14 proposed site of the new Kapolei campus, and to use the proceeds
15 from the sale of those adjoining lands to finance construction
16 costs; and
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18 WHEREAS, a current impediment to selling any state-owned
19 lands in fee simple, whether the lands are ceded or not ceded,
20 is Act 176, Session Laws of Hawaii (SLH) 2009, which requires
21 the prior approval of the Legislature by concurrent resolution
22 to sell certain state land in fee simple and applies to land
23 which the University of Hawaii holds title; and
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25 WHEREAS, Act 176, SLH 2009, establishes procedural
26 requirements that might delay the sale of those lands adjoining
27 the new Kapolei campus, which in turn might hopelessly delay
28 construction of the new campus until after the end of 2011; and



1 WHEREAS, Act 176, SLH 2009, appears to have created
2 unintended operational difficulties for state agencies that need
3 to sell or gift state-owned lands in a timely and efficient
4 manner; and

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6 WHEREAS, UH desires to sell in fee simple certain non-ceded
7 lands adjoining the site of the campus to raise the funds to
8 construct the campus, pursuant to the requirements of Act 176,
9 SLH 2009, and to comply with the conditions running with the
10 donated lands; and

11
12 WHEREAS, the appraisal has been conducted listing:

- 13
14 (1) The appraisal value;
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16 (2) The names of all appraisers performing the appraisals;
17 and
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19 (3) The date of the appraisal valuation,

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21 all in accordance with Act 176, however, as UH is currently in
22 negotiations with bidders, UH cannot disclose the appraisal
23 amount but will provide such information at the conclusion of
24 negotiations which is expected shortly; now, therefore,

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26 BE IT RESOLVED by the House of Representatives of the
27 Twenty-fifth Legislature of the State of Hawaii, Regular Session
28 of 2010, the Senate concurring, that UH is hereby authorized to
29 sell the fee simple interest in non-ceded lands situated around
30 the Kapolei campus, identified as Tax Map Key No. (1) 9-1-16-
31 181, pursuant to the requirements of Act 176, SLH 2009; provided
32 that this authorization shall not be effective until this House
33 Concurrent Resolution is amended to reflect the information
34 required by Act 176, SLH 2009, including:

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36 (1) The appraisal value of the land to be sold;
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38 (2) The names of all appraisers performing the appraisals
39 of the land to be sold;
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41 (3) The date of the appraisal valuation; and
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1 (4) A detailed summary of any development plans for the
2 land to be sold;

3
4 and

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6 BE IT FURTHER RESOLVED that certified copies of this
7 Concurrent Resolution be transmitted to the Chairperson of the
8 Board of Regents of the University of Hawaii and President of
9 the University of Hawaii.

