
HOUSE 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
31 exchange of private lands in Waikele, Oahu, for public lands
32 located on the islands of Oahu, Kauai, and Hawaii; and
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1 WHEREAS, Act 27, Session Laws of Hawaii 2003, cited all the
2 foregoing cited properties involved in the land exchange as
3 approved by the Board of Land and Natural Resources, including
4 land identified as tax map key (1) 5-9-05:77; and

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

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

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

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

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

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38 WHEREAS, in light of the above cited Board of Land and
39 Natural Resources' approval, independent appraisal, concurrent
40 resolutions, Act 27, Session Laws of Hawaii 2003, and the public
41 notice of the land exchange, the Department of Land and Natural
42 Resources and the Aloha Council Boy Scouts of America do not
43 believe that compliance with Act 176, Session Laws of Hawaii
44 2009, is required to correct the inadvertent omission of tax map



1 key (1) 5-9-05:77 from the 2004 recorded conveyance documents;
2 however, the parties wish to comply with Act 176, Session Laws
3 of Hawaii 2009, out of an abundance of caution; now, therefore,
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5 BE IT RESOLVED by the House of Representatives of the
6 Twenty-fifth Legislature of the State of Hawaii, Regular Session
7 of 2010, that the land exchange between the Aloha Council Boy
8 Scouts of America and the State of Hawaii, which was previously
9 approved by the Board of Land and Natural Resources, the House
10 of Representatives, the Senate, and the Governor pursuant to
11 section 171-50, Hawaii Revised Statutes, be again reviewed by
12 the Legislature, pursuant to section 171-50, Hawaii Revised
13 Statutes, as amended by Act 176, Session Laws of Hawaii 2009,
14 only with respect to conveyance of tax map key (1) 5-9-05:77 to
15 Aloha Council Boy Scouts of America to correct the inadvertent
16 omission of the parcel from the 2004 recorded conveyance
17 documents; and
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19 BE IT FURTHER RESOLVED that pursuant to section 171-50,
20 Hawaii Revised Statutes, as amended, the land exchange between
21 the Aloha Council Boy Scouts of America and the State of Hawaii,
22 as approved by the Board of Land and Natural Resources and
23 authorized by Act 27, Session Laws of Hawaii 2003, Relating to a
24 Land Exchange Between the State of Hawaii and the Aloha Council
25 Boy Scouts of America, the following information is provided:
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27 (1) Location and area of the parcels of land;

28 (A) Public lands;

29 (i) Camp Pupukea - Pupukea, Oahu

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

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

32 (ii) Camp Honokaia - Honokaia, Hawaii

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

34 (iii) Camp Alan Faye - Alan Faye, Kauai
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- 1 Tax Map Key (4) 1-4-001:015 - 29 acres
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- 3 (B) Private lands - Waikele, Oahu;
- 4 (C)
- 5 (i) Tax Map Key (1) 9-4-166:024 - 0.391 acre
- 6
- 7 (ii) Tax Map Key (1) 9-4-166:025 - 0.382 acre
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- 9 (iii) Tax Map Key (1) 9-4-166:026 - 0.367 acre
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- 11 (2) Value of the lands;
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- 13 (A) Public land - \$1,150,000
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- 15 (i) Camp Pupukea - \$700,000
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- 17 (ii) Camp Honokaia - \$319,000
- 18
- 19 (iii) Camp Alan Faye - \$131,000
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- 21 (B) Private land - \$1,209,000
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- 23 (i) Tax Map Key (1) 9-4-166:024 - \$414,000
- 24
- 25 (ii) Tax Map Key (1) 9-4-166:025 - \$405,000
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- 27 (iii) Tax Map Key (1) 9-4-166:026 - \$390,000
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- 29 (3) Name or names of the appraiser or appraisers;
- 30
- 31 (A) Public land - Robert J. Vernon, MAI, CRE
- 32 (John Child & Company)
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- 35 (B) Private land - James E. Hallstrom, Jr., MAI, CRE
- 36 Brian S. Goto, MAI, SRA
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- 38 (The Hallstrom Group, Inc.)
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- 41 (4) The date of the appraisal valuation;
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- 43 (A) Public land - December 23, 2002
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(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

BE IT FURTHER RESOLVED that a copy of this Resolution has been submitted to the Office of the Hawaiian Affairs.

OFFERED BY: _____



MAR 10 2010

