
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, section 171-50, Hawaii Revised Statutes, provides
2 that any exchange of public land for private land shall be
3 subject to disapproval by the Legislature by two thirds vote of
4 either the Senate or the House of Representatives or by majority
5 vote of both in any regular or special session, and that a copy
6 of the resolution shall be submitted to the Office of Hawaiian
7 Affairs when it is submitted to the Legislature; and

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9 WHEREAS, at its meetings on February 23, 2001, under agenda
10 item D-4, and December 13, 2002, under agenda item D-58, the
11 Board of Land and Natural Resources approved a land exchange
12 between the State of Hawaii and the Boy Scouts of America (BSA).
13 The proposed land exchange involved the transfer of ceded lands
14 leased to BSA, including tax map keys: (1) 5-9-05:02 and 77;
15 (3) 4-6-11:40; and (4) 1-4-01:15, and private lands identified
16 as tax map keys: (1) 9-4-166:24, 25, and 26; and

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18 WHEREAS, pursuant to section 171-50(c), Hawaii Revised
19 Statutes, concurrent resolutions, identified as S.C.R. No. 127
20 and H.C.R. No. 33, were submitted to the Legislature for review
21 during the 2003 Regular Session of the Twenty-Second
22 Legislature. The concurrent resolutions identified the public
23 purpose for the exchange, the independent appraiser, and the
24 determined fair market values for the above cited properties
25 involved in the exchange, including tax map key (1) 5-9-05:77;
26 and

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



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

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4 WHEREAS, Act 27, Session Laws of Hawaii 2003, Relating to a
5 Land Exchange Between the State of Hawaii and the Aloha Council
6 Boy Scouts of America, cited all the above cited properties
7 involved in the land exchange as approved by the Board of Land
8 and Natural Resources, including land identified as tax map key
9 (1) 5-9-05:77; and

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

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

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

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

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



1 America do not believe that compliance with Act 176, Session
2 Laws of Hawaii 2009 is required to correct the inadvertent
3 omission of tax map key (1) 5-9-05:77 from the 2004 recorded
4 conveyance documents; however, the parties wish to comply with
5 Act 176, Session Laws of Hawaii 2009 out of an abundance of
6 caution; and
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8 WHEREAS, pursuant to section 171-50, Hawaii Revised
9 Statutes, the following information is provided regarding the
10 land exchange between the Aloha Council Boy Scouts of America
11 and the State of Hawaii, as approved by the Board of Land and
12 Natural Resources and authorized by Act 27, Session Laws of
13 Hawaii 2003, Relating to a Land Exchange Between the State of
14 Hawaii and the Aloha Council Boy Scouts of America:
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16 (1) Location and area of the parcels of land;
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18 (A) Public lands;
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20 (i) Camp Pupukea - Pupukea, Oahu
21 Tax Map Key (1) 5-9-005:002 - 56.962 acres
22 Tax Map Key (1) 5-9-005:077 - 7.838 acres
23

24 (ii) Camp Honokaia - Honokaia, Hawaii
25 Tax Map Key (3) 4-6-011:040 - 238 acres
26

27 (iii) Camp Alan Faye - Alan Faye, Kauai
28 Tax Map Key (4) 1-4-001:015 - 29 acres
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30 (B) Private lands - Waikele, Oahu;
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32 (i) Tax Map Key (1) 9-4-166:024 - 0.391 acre
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34 (ii) Tax Map Key (1) 9-4-166:025 - 0.382 acre
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36 (iii) Tax Map Key (1) 9-4-166:026 - 0.367 acre
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38 (2) Value of the lands;
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40 (A) Public land - \$1,150,000
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42 (i) Camp Pupukea - \$700,000
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44 (ii) Camp Honokaia - \$319,000



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(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, Session Laws of Hawaii 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 House of Representatives concurring, that as a result of the proposed correction to executed documents, the foregoing land exchange, which was previously approved by the Board of Land and Natural Resources, the House of Representatives, the Senate and the Governor pursuant to section 171-50, Hawaii Revised Statutes, is again approved by the Legislature pursuant to section 171-50(c), Hawaii Revised Statutes, only with respect to conveyance of tax map key (1) 5-9-05:77 to Aloha Council Boy



1 Scouts of America to correct the inadvertent omission of said
2 parcel from the 2004 recorded conveyance documents; and

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4 BE IT FURTHER RESOLVED that certified copies of this
5 Concurrent Resolution be transmitted to the Scout Executive and
6 Chief Executive Office of the Aloha Council Boy Scouts of
7 America, the Chairperson of the Board of Land and Natural
8 Resources, and the Administrator of the Office of Hawaiian
9 Affairs.

