

To: Representative Ken Ito, Chair of Water, Land and Ocean Resources
Committee

Re: Supporting HB 2835, relating to Bureau of Conveyances

As a resident of Lakimela Lane, Honolulu, 96817, I would like to support HB 2835, relating to Bureau of Conveyances because this bill will help us find the owners of the right of ways/streets in our neighborhood.

Finding the owners of near-by lanes and streets will help us establish responsibility for maintenance and improvements to our neighborhood.

This problem of finding the owners of rights of ways/streets affects other lanes in our neighborhood and others around the State.

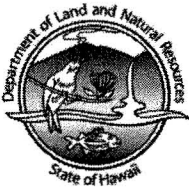
Please pass HB 2835.

Mahalo nui,



Delfin Cabasa Jr.
817 Lakimela Lane
Honolulu, HI 96817

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the House Committee on
WATER, LAND, & OCEAN RESOURCES**

**Friday, February 5, 2010
9:00 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 2835
RELATING TO THE BUREAU OF CONVEYANCES**

House Bill 2835 would require the registrar of the Bureau of Conveyances to provide adjacent landowners with any information available concerning ownership of roads and streams adjoining their lands. The Department of Land and Natural Resources (Department) does not support this measure as the Department believes that the Registrar of the Bureau of Conveyances is in no position to opine on the "management" or "control" of public highways, waterway or water courses.

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

COMMENTS



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

BRENNON T. MORIOKA
DIRECTOR

Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI
JIRO A. SUMADA

IN REPLY REFER TO:

(February 5, 2010)

OPPOSE

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE BILL NO. 2835

COMMITTEE ON WATER, LAND & OCEAN RESOURCES

The Department of Transportation opposes this bill, because we believe it will cause undue hardship and take an extraordinary amount of time to accurately research, identify and provide available ownership information for highways, roads, lanes, alleys and streams. There are no known existing available data bases at the Bureau of Conveyances for this bill.

This bill states that ownership cannot be readily determined by search of public records. Ownership is typically determined by exhausted searches of public records and maps. Even with the ample amount of time and research, ownership of these interests might be hard to determine. Some of the ownership of said roads and streams are determined by older maps that have no transfer ownership documents of record. Common use does not ascertain a land or waterway as a legal owner. We believe that the Bureau does not have this capability (Refer also past Bills, ie. 2008 HB 2418, HB 3415, SB 2900 and 2009 HB 932, HB 021, BH 640, HB 1702, HB 832 and SB 0399).

Examples given were: Waiohino subdivision which did not indicate ownership for an access road that has been widely used for years and plantation roads of Ka'u on the Big Island are often utilized without determination of ownership. It should be noted that simple use by the public does not give the users legal ownership.

The current and still recommended approach is to have the interested owners do their own due diligence when presented with a situation. The bill will likely have a negative effect on other agencies beyond the Bureau.



SUPPORT

HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

February 5, 2010

To: Representative Ken Ito, Chair of WLO

Re: HB 2835, Relating to Bureau of Conveyances

We, the undersigned, urge you to approve HB 2835, relating to bureau of conveyances, because we all are from districts dealing with roads, streets, and property with ownership issues.

The issue goes by many names, including:

- Roads "in limbo"
- Unclaimed roads (property)
- "Hui" roads
- Roads (property) without owners

However the issue is named, HB 2835 is a beginning step to identify the "WHO" and "WHERE" of the problem, i.e., WHO is the owner, if there is an owner at all, and from WHERE to WHERE is ownership in dispute.

Respectfully yours,

Representative Rhoads

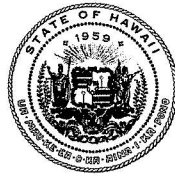
Representative Coffman

Representative Herkes

Representative Hanohano

Representative Nishimoto

REPRESENTATIVE EVANS



SUPPORT

HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

February 4, 2010

Testimony of Representative Faye P. Hanohano before the Committee on Water, Land and Ocean Resources in **support** of HB 2835 Relating to the Bureau of Conveyances.

I wish to express my support of this measure. Finding the owners of privately owned lanes and streets will help establish responsibility for the maintenance of these roadways. This is an on-going problem in the district I represent of Puna on Hawai'i island and I feel that this measure is a start to address the problem.

Mahalo,

Faye P. Hanohano
State Representative, District 4

SUPPORT

February 5, 2010

To: Representative Ken Ito, Chair of Water, Land and Ocean Resources
Committee

Re: Supporting HB 2835, relating to Bureau of Conveyances

I would like to support HB 2835, relating to Bureau of Conveyances because this bill will help us find the owners of the right of ways/streets in our neighborhood.

Finding the owners of near-by lanes and streets will help us establish responsibility for maintenance and improvements to our neighborhood.

This problem of finding the owners of rights of ways/streets affects other lanes in our neighborhood and others around the State.

Please pass HB 2835.

Mahalo nui,

FETU KOLIO

/s/

Fetu Kolio

plans to attend.

1235 PUA LANE

address

Hon 96817

-----Original Message-----

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 02, 2010 8:03 PM

To: WLOtestimony

Cc: hpagaduan1@hawaii.rr.com

Subject: Testimony for HB2835 on 2/5/2010 9:00:00 AM

SUPPORT

Testimony for WLO 2/5/2010 9:00:00 AM HB2835

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: Hermie Pagaduan

Organization: Individual

Address: 823 Lakimela Lane Honolulu, HI

Phone: 808 258 8542

E-mail: hpagaduan1@hawaii.rr.com

Submitted on: 2/2/2010

Comments:

please process this bill asap so we know who really the right people who would own this private lane. For so many years now, no known owner of the said issue. Lakimela lane has been disown by the state of Hawaii and I can't remember when State has fixed/paved of the said lane. I am in full support this bill.

February 5, 2010

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Please pass HB 2835.

Mahalo nui,

Catalina Mejias
/s/

1010 Rawlins line apt C.

Honolulu Hawaii 96817
address

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Mahalo nui,

Maria Ica Oferra Maria Ica Oferra
/s/

1010 Kawlins Ln Apt. Q

Honolulu, Hawaii
address

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Mahalo nui,

Agnel Montejó
/s/

APAT N
1010 RAWLINS LANE

Honolulu Hi. 96817
address

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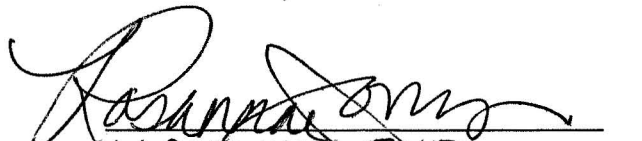
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Mahalo nui,


/s/ ROSANNA JONES
1010 # B Rawlins Ln

Hon H 96817
address

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Mahalo nui,

David Fujiara
/s/ DAVID FUJIHARA

1225 Peterson Lane

Hon. HI 96817
address

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David Fujiwara
/s/ DAVID FUJIHARA
1225 Peterson Lane

Hon. HI 96817
address