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## HOUSE RESOLUTION

AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A NON-EXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL PURPOSES AT SPRECKLESVILLE BEACH LOTS, WAILUKU, MAUI, AS APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES.

1           WHEREAS, Koolau Properties, LLC, is the current owner of  
2 recorded private property at Spreckelsville Beach Lots, Wailuku,  
3 Maui, Tax Map Key (2)3-8-002:051 that abuts state-owned land;  
4 and  
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6           WHEREAS, the Koolau Properties, LLC, property has  
7 encroached on approximately two thousand thirty square feet of  
8 the state-owned land since the year 1924, and the encroachment  
9 includes a large seawall; and  
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11           WHEREAS, Koolau Properties, LLC, applied to the Land  
12 Division of the Department of Land and Natural Resources to  
13 request a grant of a fifty-five year term for a non-exclusive  
14 easement over, under, and across the state-owned land, including  
15 the right, privilege, and authority to use, maintain, repair,  
16 replace, or remove the seawall; and  
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18           WHEREAS, on September 9, 2010, under agenda item D-10, the  
19 Board of Land and Natural Resources approved the request for the  
20 term easement for seawall purposes; and  
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22           WHEREAS, on October 20, 2011, the Department of Land and  
23 Natural Resources notified Koolau Properties, LLC, by letter  
24 that the easement's appraised value is \$53,400, and that amount,  
25 plus fees, was paid on November 17, 2011; and  
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27           WHEREAS, pursuant to section 171-53(c), Hawaii Revised  
28 Statutes, the Board of Land and Natural Resources, with the  
29 approval of the Governor and the prior authorization of the  
30 Legislature by concurrent resolution, may lease state submerged  
31 lands and lands beneath tidal waves; now, therefore,  
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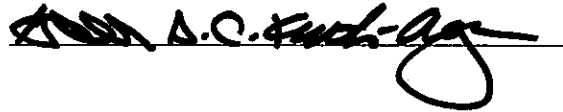
# H.R. NO. 126

1 BE IT RESOLVED by the House of Representatives of the  
2 Twenty-sixth Legislature of the State of Hawaii, Regular Session  
3 of 2012, that the fifty-five year term for a non-exclusive  
4 easement to Koolau Properties, LLC, for seawall purposes, is  
5 hereby authorized by the Legislature according to the terms and  
6 conditions approved by the Board of Land and Natural Resources  
7 on September 9, 2010; and

8  
9 BE IT FURTHER RESOLVED that certified copies of this  
10 Resolution be transmitted to the Governor, Chairperson of the  
11 Board of Land and Natural Resources, and Koolau Properties, LLC.

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OFFERED BY:



MAR 14 2012

