

JAN 25 2012

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# A BILL FOR AN ACT

RELATING TO LAND.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that prior to being  
2 acquired by the State, Waiahole valley was held by the Marks  
3 estate, which was largely undeveloped and consisted of  
4 residences and farming under short-term leases or oral  
5 agreements. The Marks estate sold rights to develop Waiahole  
6 valley for residential use. The sale of development rights  
7 sparked public outcry against the proposed urbanization of rural  
8 agricultural lands. In 1977, the governor authorized the Hawaii  
9 housing authority to acquire the Marks Estate in furtherance of  
10 the public purpose of preserving the rural agricultural nature  
11 of the valley. The authority acquired the property via a  
12 disbursement of \$6,160,000 from the dwelling unit revolving  
13 fund.

14           In 1978, the Hawaii housing authority adopted a resolution  
15 setting forth its policies for the future use of Waiahole  
16 valley. The resolution stated that the valley would be  
17 developed as a farming community and include residential,  
18 commercial, community, and public facilities uses, and that



1 viable agricultural lands would be developed to the fullest  
2 potential feasible.

3       Following the completion of condemnation proceedings in  
4 1986, the housing finance and development corporation  
5 constructed infrastructure and subdivided the valley into what  
6 is now known as the Waiahole valley agricultural park and  
7 residential lots subdivision. In 1993, the legislature enacted  
8 Act 330, Session Laws of Hawaii 1993, which authorized the  
9 department of land and natural resources to convey ten  
10 additional parcels in Waiahole valley to the housing finance and  
11 development corporation.

12       The legislature further finds that the current owner of the  
13 Waiahole valley agricultural park and residential lots  
14 subdivision, the Hawaii housing finance and development  
15 corporation, does not have the expertise in agriculture or  
16 agricultural lands while the department of agriculture does.  
17 The Waiahole valley agricultural park and residential lots  
18 subdivision at present is not being managed and developed for  
19 agricultural use to its fullest potential.

20       The purpose of this Act is to transfer title to the  
21 Waiahole valley agricultural park and residential lots  
22 subdivision from the Hawaii housing finance and development



1 corporation to the department of agriculture to fulfill the  
 2 public purpose of maintaining the agricultural nature of the  
 3 valley.

4 SECTION 2. The following parcels of land, identified by  
 5 tax map key number, are hereby transferred from the Hawaii  
 6 housing finance and development corporation to the department of  
 7 agriculture:

8	<u>Tax map key number</u>	<u>Tax map key number</u>
9		
10	(1)4-8-01-001	(1)4-8-01-004
11	(1)4-8-01-019	(1)4-8-01-020
12	(1)4-8-07-001	(1)4-8-07-003
13	(1)4-8-07-005	(1)4-8-07-006
14	(1)4-8-07-008	(1)4-8-07-009
15	(1)4-8-07-010	(1)4-8-07-011
16	(1)4-8-07-013	(1)4-8-07-014
17	(1)4-8-08-001	(1)4-8-08-002
18	(1)4-8-08-008	(1)4-8-08-010
19	(1)4-8-08-012	(1)4-8-08-016
20	(1)4-8-08-018	(1)4-8-08-019
21	(1)4-8-08-020	(1)4-8-08-021
22	(1)4-8-08-022	(1)4-8-08-023
23	(1)4-8-08-024	(1)4-8-08-025
24	(1)4-8-08-026	(1)4-8-08-027
25	(1)4-8-08-028	(1)4-8-08-030
26	(1)4-8-08-031	(1)4-8-08-032
27	(1)4-8-08-033	(1)4-8-08-034
28	(1)4-8-08-035	(1)4-8-09-001
29	(1)4-8-09-002	(1)4-8-09-004
30	(1)4-8-09-007	(1)4-8-09-008
31	(1)4-8-09-012	(1)4-8-09-014
32	(1)4-8-09-016	(1)4-8-09-017
33	(1)4-8-09-018	(1)4-8-09-021
34	(1)4-8-09-022	(1)4-8-09-023
35	(1)4-8-09-026	(1)4-8-09-027
36	(1)4-8-09-028	(1)4-8-09-029



- 1 (1)4-8-09-030 (1)4-8-09-031
- 2 (1)4-8-09-032 (1)4-8-09-033
- 3 (1)4-8-09-034 (1)4-8-09-035
- 4 (1)4-8-10-002 (1)4-8-10-003
- 5 (1)4-8-10-005 (1)4-8-10-006
- 6 (1)4-8-10-007 (1)4-8-10-008
- 7 (1)4-8-11-001 (1)4-8-11-002
- 8 (1)4-8-11-009 (1)4-8-11-010
- 9 (1)4-8-11-011 (1)4-8-11-014
- 10 (1)4-8-11-015 (1)4-8-11-016
- 11 (1)4-8-11-017 (1)4-8-11-018
- 12 (1)4-8-11-020 (1)4-8-11-021
- 13 (1)4-8-11-022 (1)4-8-11-025
- 14 (1)4-8-11-027 (1)4-8-11-029
- 15 (1)4-8-11-030 (1)4-8-11-031
- 16 (1)4-8-11-034 (1)4-8-11-036
- 17 (1)4-8-11-039 (1)4-8-11-040
- 18 (1)4-8-11-041 (1)4-8-11-042
- 19 (1)4-8-11-043 (1)4-8-11-046
- 20 (1)4-8-11-047 (1)4-8-11-048
- 21 (1)4-8-12-001 (1)4-8-12-005
- 22 (1)4-8-12-010 (1)4-8-12-020
- 23 (1)4-8-12-021 (1)4-8-12-022
- 24 (1)4-8-12-023 (1)4-8-12-024
- 25 (1)4-8-12-026 (1)4-8-12-027
- 26 (1)4-8-12-028 (1)4-8-12-029
- 27 (1)4-8-12-030 (1)4-8-12-031
- 28 (1)4-8-12-032 (1)4-8-12-034
- 29 (1)4-8-12-035 (1)4-8-12-036
- 30 (1)4-8-12-037 (1)4-8-12-038
- 31 (1)4-8-12-039 (1)4-8-12-040
- 32 (1)4-8-12-041 (1)4-8-12-042
- 33 (1)4-8-12-043 (1)4-8-12-044
- 34 (1)4-8-12-045 (1)4-8-12-046
- 35 (1)4-8-12-047 (1)4-8-12-048
- 36 (1)4-8-12-049 (1)4-8-12-050
- 37

38 The transfer shall be effective immediately. The Hawaii housing  
 39 finance and development corporation shall be responsible for  
 40 properly documenting the change in title.



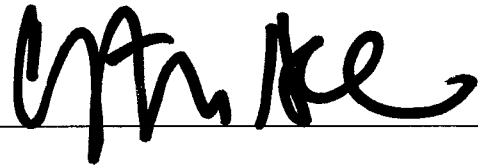
1 SECTION 3. All rights, powers, functions, and duties with  
2 respect to the administration of Waiahole valley agricultural  
3 park and residential lots subdivision are transferred from the  
4 Hawaii housing finance and development corporation to the  
5 department of agriculture.

6 Every reference to the corporation or its predecessor  
7 agencies, the Hawaii housing authority, the housing finance and  
8 development corporation, and the housing and community  
9 development corporation of Hawaii, in all deeds, leases,  
10 contracts, loans, agreements, permits, or other documents  
11 executed or entered into by or on behalf of the corporation with  
12 respect to the Waiahole valley agricultural park and residential  
13 lots subdivision shall be construed as a reference to the  
14 department of agriculture.

15 SECTION 4. This Act shall take effect upon its approval.

16

INTRODUCED BY:





# S.B. NO. 3072

**Report Title:**

Waiahole Valley Agriculture Park; Hawaii Housing Finance and Development Corporation; Department of Agriculture

**Description:**

Transfers title of certain lands in the Waiahole valley agricultural park from the Hawaii housing finance and development corporation to the department of agriculture.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

