

NEIL ABERCROMBIE  
GOVERNOR



KAREN SEDDON  
EXECUTIVE DIRECTOR

**STATE OF HAWAII**

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM  
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION  
677 QUEEN STREET, SUITE 300  
Honolulu, Hawaii 96813  
FAX: (808) 587-0600

IN REPLY REFER TO:

Statement of  
**Karen Seddon**  
Hawaii Housing Finance and Development Corporation  
Before the

**HOUSE COMMITTEE ON WATER, LAND & OCEAN RESOURCES  
HOUSE COMMITTEE ON HOUSING**

March 2, 2012 at 11:10 a.m.  
Room 325, State Capitol

In consideration of  
**HCR 27 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10th  
AVENUE, HONOLULU, HAWAII.**

The HHFDC supports HCR 27. HHFDC is seeking legislative approval to sell the leased fee interest in this single family home to its leasehold owner.

The subject parcel is a single family home built in 1981 as part of the Palolo Solar Homes affordable for-sale development. Only 2 lessees remain out of the 5 homes in the development. The long-term leases in this development included a clause giving the lessees the contractual right to purchase the leased fee interest in their land.

The fair market value of the leased fee interest in this property as of July 1, 2011 was \$196,700. A title search conducted by Title Guaranty of Hawaii on July 27, 2011, showed that this parcel was classified as Government land previous to August 15, 1895.

HHFDC conducted a public meeting on the proposed sale on August 11, 2011, at Jarrett Middle School, Honolulu, Hawaii, following publication of notice in the Honolulu Star-Advertiser newspaper on August 4 and 7, 2011. There was no objection to the proposed sale raised at that time.

HHFDC has also worked with the Office of Hawaiian Affairs during the interim to keep them informed of these findings and intent to sell the leased fee interest in these parcels. A copy of the draft resolution was provided to OHA on October 3, 2011. The attached documents provide more information on these properties to the Committee:

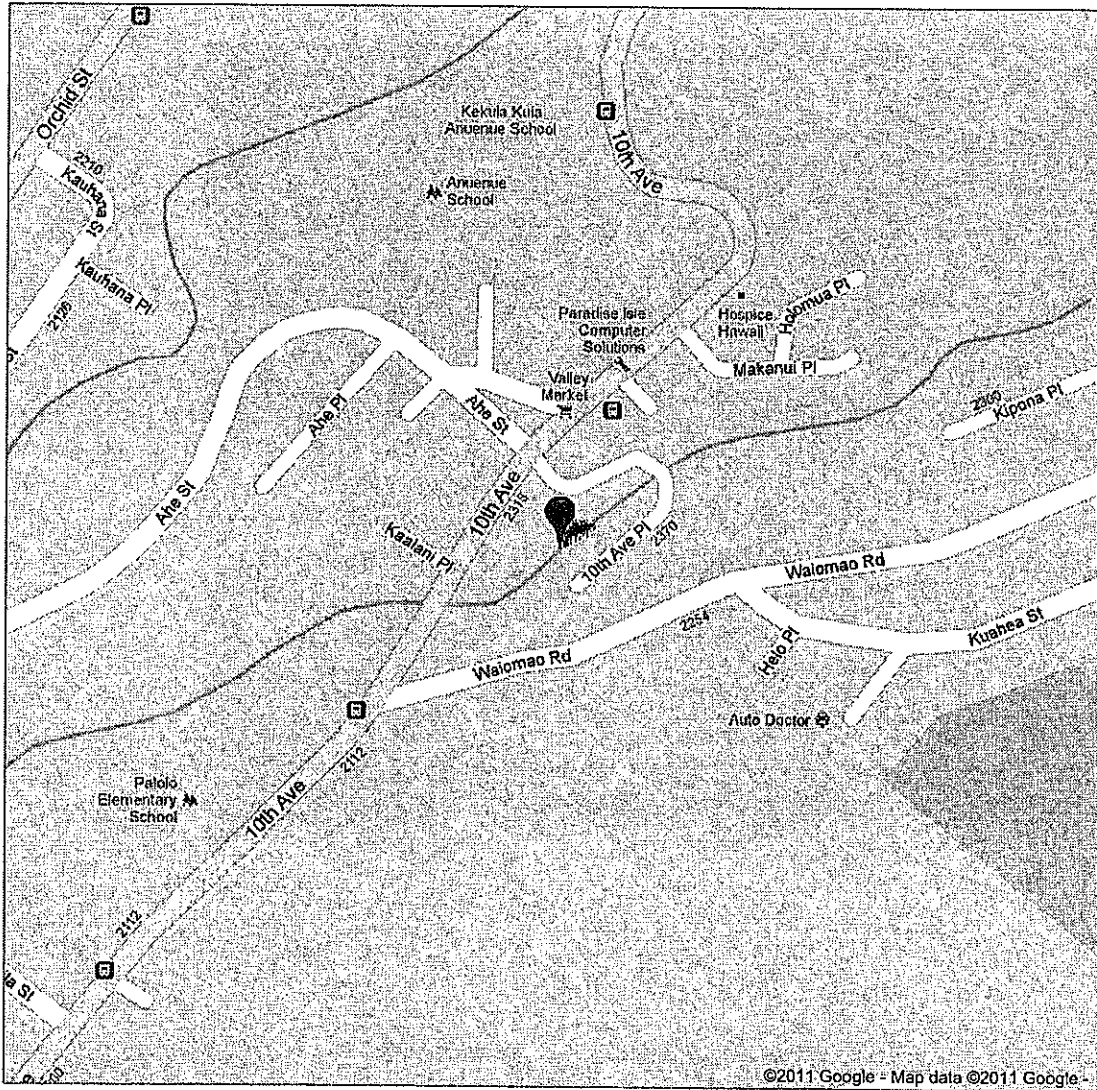
1. A map showing the general location of the parcel;
2. A photo of the parcel; and
3. A copy of the title report for this parcel.

We respectfully request your favorable consideration of this concurrent resolution.  
Thank you for the opportunity to testify.

Google maps

Address 2314 10th Ave  
Honolulu, HI 96816

Get Google Maps on your phone  
Text the word "GMAPS" to 466453



Google maps

Address 2340 10th Avenue

Address is approximate

2314 10th Avenue (House not visible from street)

TMK No. 1-3-4-3-38

3,387 square feet



# TITLE GUARANTY OF HAWAII

INCORPORATED

235 QUEEN STREET  
HONOLULU, HAWAII 96813

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Phone No. (808) 539-7743

Residential Title

Fax No. (808) 521-0288

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Lorna Kometani, Housing Sales Coordinator  
HHFDC-Real Estate Services Section  
677 Queen Street, Suite 300  
Honolulu, Hawaii 96813

Re: TMK (1) 3-4-003-038

## LIMITED LETTER REPORT

Maximum liability limited to  
**\$3,500.00**

In accordance with your request, we have made a search as to the Fee Simple ownership of the property identified as Tax Map Key (1) 3-4-003-038, containing an area of 3,387 square feet, and find that the land as of August 15, 1895 was a portion of the Government (Crown) Land of Waiomao.

1. Land is classified as Government Land as of August 15, 1895.
2. HAWAII HOUSING AUTHORITY acquired title through Grant No. S-15,431, as attached.

Dated July 27, 2011

Inquiries concerning this report  
Should be directed to  
Justin Lee  
Email: [jmlee@tghawaii.com](mailto:jmlee@tghawaii.com)  
Fax (808) 521-0288  
Telephone (808) 539-7743  
Refer to Order No. 201127505

STATE OF HAWAII

1772

*Land Patent No.* S-15,431

(Grant)  
Issued On

SALE PURSUANT TO SECTION 171-95(a) (1)  
HAWAII REVISED STATUTES

*By* THIS PATENT the State of Hawaii, in conformity with the laws of the State of Hawaii relating to public lands and pursuant to the approval by the Board of Land and Natural Resources on May 13, 1977,

makes known to all men that it does this day grant and confirm unto

HAWAII HOUSING AUTHORITY,  
a public body and a body corporate  
and politic, State of Hawaii,  
hereinafter called the "PATENTEE,"

for the consideration of *Gratis*, provided, however, that after sale of the areas, the Patentee will pay the Grantor the difference of the sales price over the development cost,

all of the land situate at WAIOMAO, PALOLO VALLEY, HONOLULU, OAHU, HAWAII, being a portion of the Government (Crown) Land of Waiomao, containing an area of 0.469 acre, more or less, more particularly described in Exhibit "A" and delineated on Exhibit "B," both of which are attached hereto and made parts hereof, said exhibits being, respectively, a survey description and a survey map, prepared by the Survey Division, Department of Accounting and General Services, State of Hawaii, designated as C.S.F. No. 18,204 and dated January 25, 1978.

RESERVING TO THE STATE OF HAWAII, ITS SUCCESSORS AND ASSIGNS, THE FOLLOWING:

(1) All minerals as hereinafter defined, in, on or under the demised premises and the right, on its own behalf or through persons authorized by it, to prospect for, mine and remove such minerals and to occupy and use so much of the surface of the ground as may be required for all purposes reasonably extending to the mining and removal of such minerals by any means whatsoever, including strip mining. "Minerals," as used herein, shall mean any or all oil, gas, coal, phosphate, sodium, sulphur, iron, titanium, gold, silver, bauxite, bauxitic clay, diaspore, boehmite, laterite, gibbsite, alumina, all ores of aluminum and, without limitation thereon, all other mineral substances and ore deposits, whether solid, gaseous or liquid, including all geothermal resources, in, on, or under the land, fast or submerged; provided, that "minerals" shall not include sand, gravel, rock or other material suitable for use and when used in general construction in furtherance of the Patentee's permitted activities on the demised premises and not for sale to others.

(2) All surface and ground waters appurtenant to the demised land and the right on its own behalf or through persons authorized by it, to capture, divert or impound the same and to occupy and use so much of the demised premises as may be required in the exercise of this reserved right.

(3) All prehistoric and historic remains found in, on or under said land.

PROVIDED, HOWEVER, that as a condition precedent to the exercise by the State of Hawaii of the rights reserved in this paragraph just compensation shall be paid to the Patentee for any of Patentee's improvements taken.

SUBJECT, HOWEVER, TO THE FOLLOWING TERMS, CONDITIONS AND COVENANTS:

(a) That the land hereby granted shall be used solely for residential housing and related purposes.

(b) That the use and enjoyment of the land herein granted shall not be in support of any policy which discriminates against anyone based upon race, creed, color, national origin or a physical handicap.

TO HAVE AND TO HOLD said granted land unto the said

HAWAII HOUSING AUTHORITY,  
a public body and a body corporate  
and politic, State of Hawaii,

its successors and assigns forever; subject, however, to the reservations, conditions and covenants herein contained.

IN WITNESS WHEREOF, the State of Hawaii, by its Board of Land and Natural Resources, has caused the Seal of the Department of Land and Natural Resources to be hereunto affixed and this Patent to be duly executed this 3rd day of March, 1978.

STATE OF HAWAII  
Board of Land and Natural Resources

By W. F. Thompson  
Chairman and Member

By [Signature]  
Member

APPROVED AS TO FORM

Peter I. Wong  
Deputy Attorney General  
Dated: Feb. 24, 1978

Written by: cf

Proofed by:



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STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES

HONOLULU

January 25, 1978

C.S.F. No. 18,306

(REVISED JANUARY 1978)  
PALOLO HOMESTEAD LEASES

LOT 8-B

Waialae, Palolo Valley, Honolulu, Oahu, Hawaii

Being a portion of the Government (Crown) Land of Waialae.

Beginning at the south corner of this parcel of land, on the north corner of the intersection of 10th Avenue and Kaalani Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KADUKI" being 8564.72 feet North and 3167.11 feet East, thence running by azimuths measured clockwise from True South:-

1. 130° 30' 61.33 feet along Kaalani Place;
2. 203° 37' 43.74 feet along Grant -14,466 to Honolulu Trust Company, Limited, Guardian of the Estate of Joseph A. Lawelawe;
3. 131° 35' 154.03 feet along Grant S-14,466 to Honolulu Trust Company, Limited, Guardian of the Estate of Joseph A. Lawelawe;
4. 220° 51' 110.71 feet along Grant S-15388 to Charles L. Ruckowski, Jr. and Beatrice M. Ruckowski;
5. 312° 46' 16.64 feet along Grant 12634 to Dora D. Brown;
6. 328° 17' 202.33 feet along R.P. 2426, L.C.Aw. 10622, Ap. 2 to Pa;
7. 29° 30' 94.76 feet along the northwest side of 10th Avenue to the point of beginning and containing an AREA OF 20,427 SQUARE FEET or 0.469 ACRE.

Subject, however, to a perpetual non-exclusive sewer line easement covered by Grant of Easement from the State of Hawaii to the City and County of Honolulu dated April 22, 1977 and recorded in Liber 12377, Page 741 (Land Office Deed S-26771) and more particularly described as follows:-

-1-

EXHIBIT "A"



C.S.F. No. 18,204

January 25, 1978

Beginning at the southwest corner of this easement, being also the end of Course 1 of the above-described Lot 8-B (Revised January 1978) of Palolo Homestead Leases, thence running by azimuths measured clockwise from True South:-

- 1. 203° 37' 43.74 feet along Grant S-14,466 to Honolulu Trust Company, Limited, Guardian of the Estate of Joseph A. Lawelawe;
- 2. 131° 35' 154.03 feet along Grant S-14,466 to Honolulu Trust Company, Limited, Guardian of the Estate of Joseph A. Lawelawe;
- 3. 220° 51' 6.00 feet along Grant S-15,388 to Charles L. Rutkowski, Jr. and Beatrice M. Rutkowski;
- 4. 311° 35' 158.47 feet;
- 5. 23° 37' 49.92 feet;
- 6. 130° 30' 6.27 feet along the northeast side of Kaalani Place to the point of beginning and containing an AREA OF 1,218 SQUARE FEET.

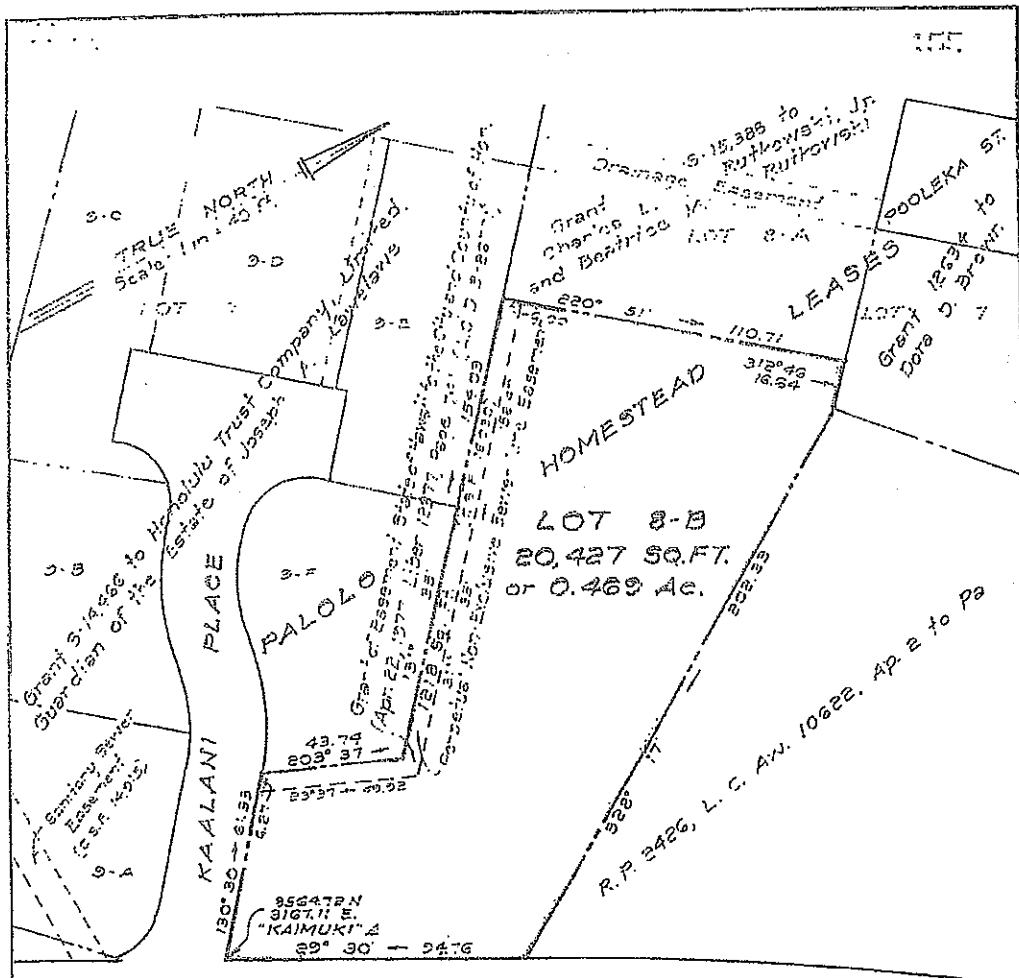
SURVEY DIVISION  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
STATE OF HAWAII

By: Robert T. Hashimoto  
Robert T. Hashimoto  
Land Surveyor

Compiled from CSF 18,030  
and Govt. Survey Records.

ac

EXHIBIT "A"



(REVISED JANUARY 1978)  
PALOLO HOMESTEAD LEASES  
LOT 8-B

Waiomao, Palolo Valley, Honolulu, Oahu, Hawaii  
Scale: 1 inch = 40 feet.

JOB 0-8606  
C. 3K

TAX MAP 3-4-63

C. S. F. No. 18,204

SURVEY DIVISION  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
STATE OF HAWAII

REVISION 1077

R.T.H. Jan. 25, 1978

March 2, 2012

RECEIVED  
HAWAII HOUSING FINANCE  
DEVELOPMENT CORP

2012 MAR -1 1:24

Committee on Housing  
Conference Room 325  
State Capitol  
415 South Beretania Street  
Honolulu HI 96813

To Whom It May Concern:

Subject: HCR 27  
Address: 2314 10<sup>th</sup> Avenue, Honolulu, HI 96816  
Lot No.: 1  
TMK: 1-3-4-3-38

Mr. Richard Masaru Matsumoto (Husband), Mrs. Waonette Haunani Matsumoto (Wife) and Mr. Ballard Kashinoki (Brother-in-law) are original lessees of the Palolo Solar Home purchase on December 16, 1981.

We respectfully request your approval of HCR 27 to allow us to purchase the leased fee interest in our land from HHFDC.

Thank you.

Sincerely,



Richard M. Matsumoto