



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 28 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-557
KAMANAAINA PLACE, WAIMANALO, HAWAII.**

The HHFDC supports HCR 28. HHFDC is seeking legislative approval to sell the leased fee interest in this single family home to its leasehold owner.

The property at 41-557 Kamanaaina Place is a single family home built in 1994 as part of the Waimanalo Village Annex, a 40-unit affordable self-help housing 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 \$301, 200. 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 15, 2011, at Waimanalo School cafeteria, Waimanalo, 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:

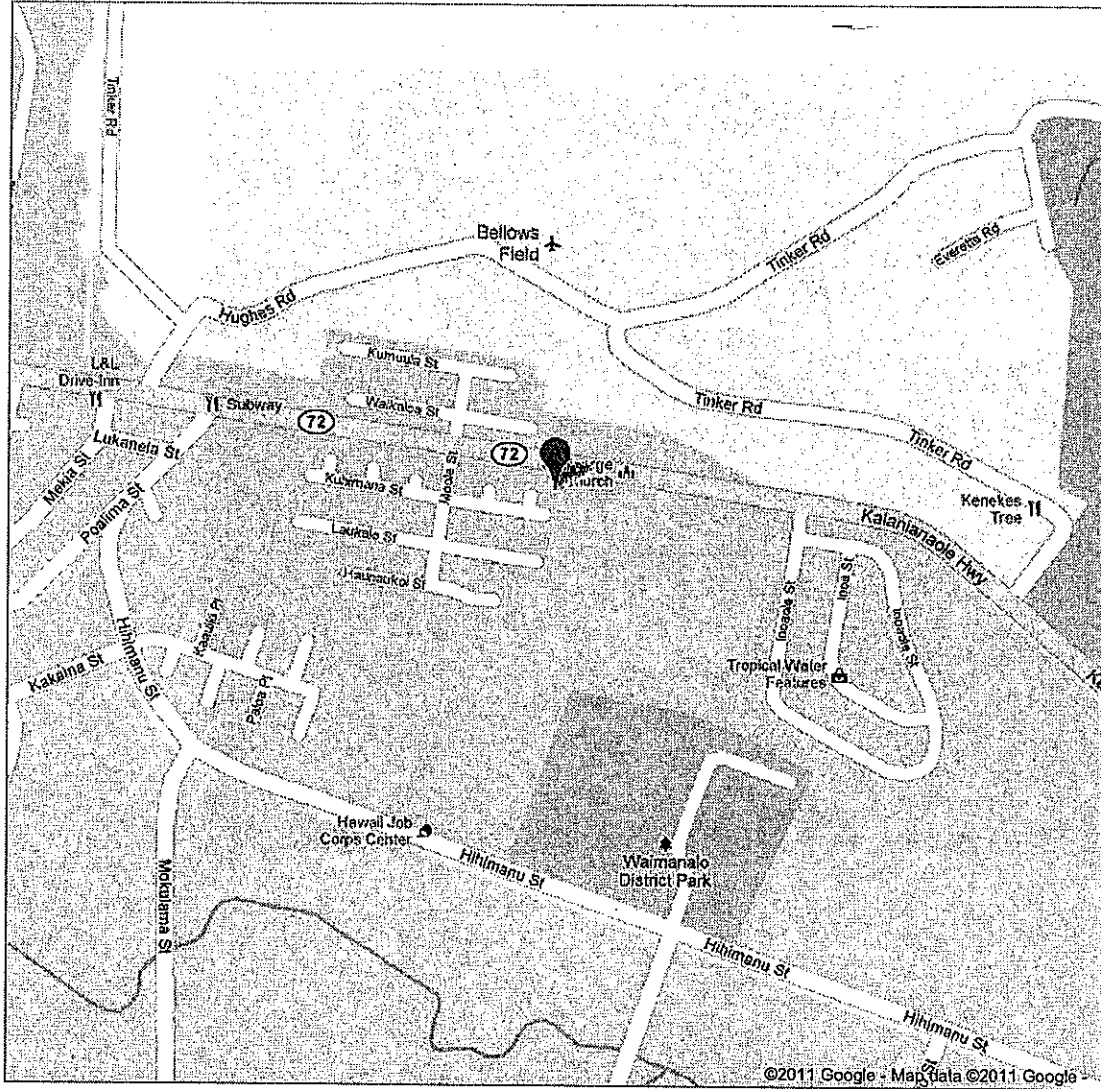
1. A map showing the general location of the parcel;
2. A photo of the parcel; and
3. A copy of the title report for this parcel.

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

Google maps

Address 41-557 Kamana 'Aina Pl
Waimanalo, HI 96795

Notes TMK No. 1-4-1-34-96
7,325 square feet



Google maps

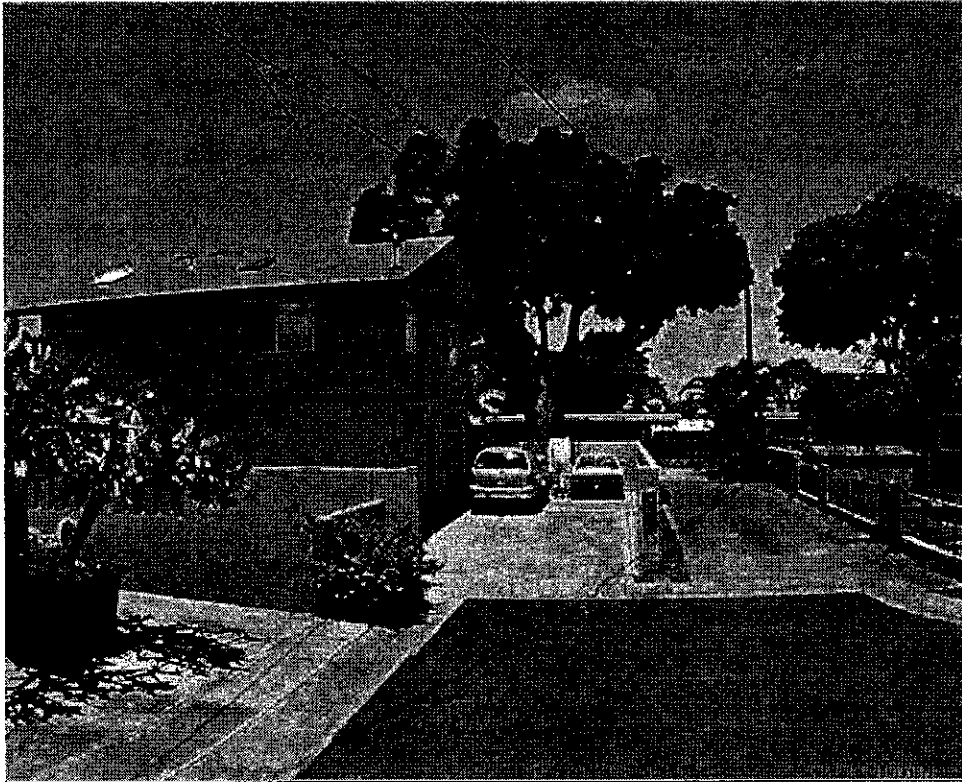
Address **Kamana 'Aina Place**

Address is approximate

41-557 Kamanaaina Pl. (NOTE: House is at end of driveway to the right)

TMK No. 1-4-1-34-96

7,325 square feet



TITLE GUARANTY OF HAWAII

INCORPORATED

235 QUEEN STREET
HONOLULU, HAWAII 96813

Phone No. (808) 539-7743

Residential Title

Fax No. (808) 521-0288

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

Re: TMK (1) 4-1-034-096

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) 4-1-034-096, containing an area of 7,325 square feet, and find that the land as of August 15, 1895 was a portion of the Government (Crown) Land of Waimanalo.

1. Land is classified as Government Land as of August 15, 1895.
2. HAWAII HOUSING AUTHORITY acquired title through Grant No. S-15,415, as attached.

Dated July 27, 2011

Inquiries concerning this report
Should be directed to
Justin Lee
Email: jmlee@tghawaii.com
Fax (808) 521-0288
Telephone (808) 539-7743
Refer to Order No. 201127506

STATE OF HAWAII

7A

Land Patent No. S-15,415

(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 June 10, 1976,

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 ONE DOLLAR (\$1.00), the receipt whereof is hereby acknowledged,

all of the land situate at WAIMANALO, KOOLAUPOKO, OAHU, HAWAII, being portions of the Government (Crown) Land of Waimanalo, Parcels C and D, Waimanalo Housing Project, 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. 18,111 and dated July 29, 1977.

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.



STATE OF HAWAII
SURVEY DIVISION
DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 18,111

July 29, 1977

WAIMANALO HOUSING PROJECT

PARCELS C AND D

Waimanalo, Koolaupoko, Oahu, Hawaii

Being portions of the Government (Crown) Land of Waimanalo.

PARCEL C:

Beginning at the southeast corner of this parcel of land and on the north side of Kalaniana'ole Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMANALO RIDGE" being 2406.86 feet South and 5815.63 feet East, thence running by azimuths measured clockwise from True South:-

- 1. 99° 06' 1190.00 feet along the north : de of Kalaniana'ole Highway;
- 2. 189° 06' 450.70 feet along Government Land and along Bellows Air Force Station;
- 3. 279° 06' 987.08 feet along Bellows Air Force Station;
- 4. 298° 08' 40" 5.21 feet along Bellows Air Force Station;
- 5. 9° 06' 218.30 feet along Bellows Air Force Station;
- 6. 279° 06' 198.00 feet along Bellows Air Force Station;
- 7. 9° 06' 230.70 feet along Government Land to the point of beginning and containing an AREA OF 11.313 ACRES.

PARCEL D:

Beginning at the northeast corner of this parcel of land, the northwest corner of Waimanalo Elementary and Intermediate School and on the south side of Kalaniana'ole Highway, the coordinates of said point of

EXHIBIT 44 77

C.S.F. No. 18,111

July 29, 1977

beginning referred to Government Survey Triangulation Station "WAIMANALO RIDGE" being 2406.86 feet South and 5815.63 feet East, thence running by azimuths measured clockwise from True South:-

1. 9° 06' 520.00 feet along Waimanalo Elementary and Intermediate School;
2. 279° 06' 206.77 feet along Waimanalo Elementary and Intermediate School;
3. 9° 06' 280.00 feet along Waimanalo Elementary and Intermediate School;
4. 99° 06' 771.67 feet along Government Land;
5. 189° 06' 147.00 feet along Lot 5 of Waimanalo Housing Development, Unit 1-A (File Plan 1352);
6. 279° 06' 56.00 feet along Grant S-15140 to Hawaii Housing Authority;
7. 189° 06' 623.00 feet along Grant S-15140 to Hawaii Housing Authority;
8. Thence along Grant S-15140 to Hawaii Housl.; Authority, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
234° 06' 42.43 feet;
9. 279° 06' 478.90 feet along the south side of Kalaniana'ole Highway to the point of beginning and containing an AREA OF 10.860 ACRES.

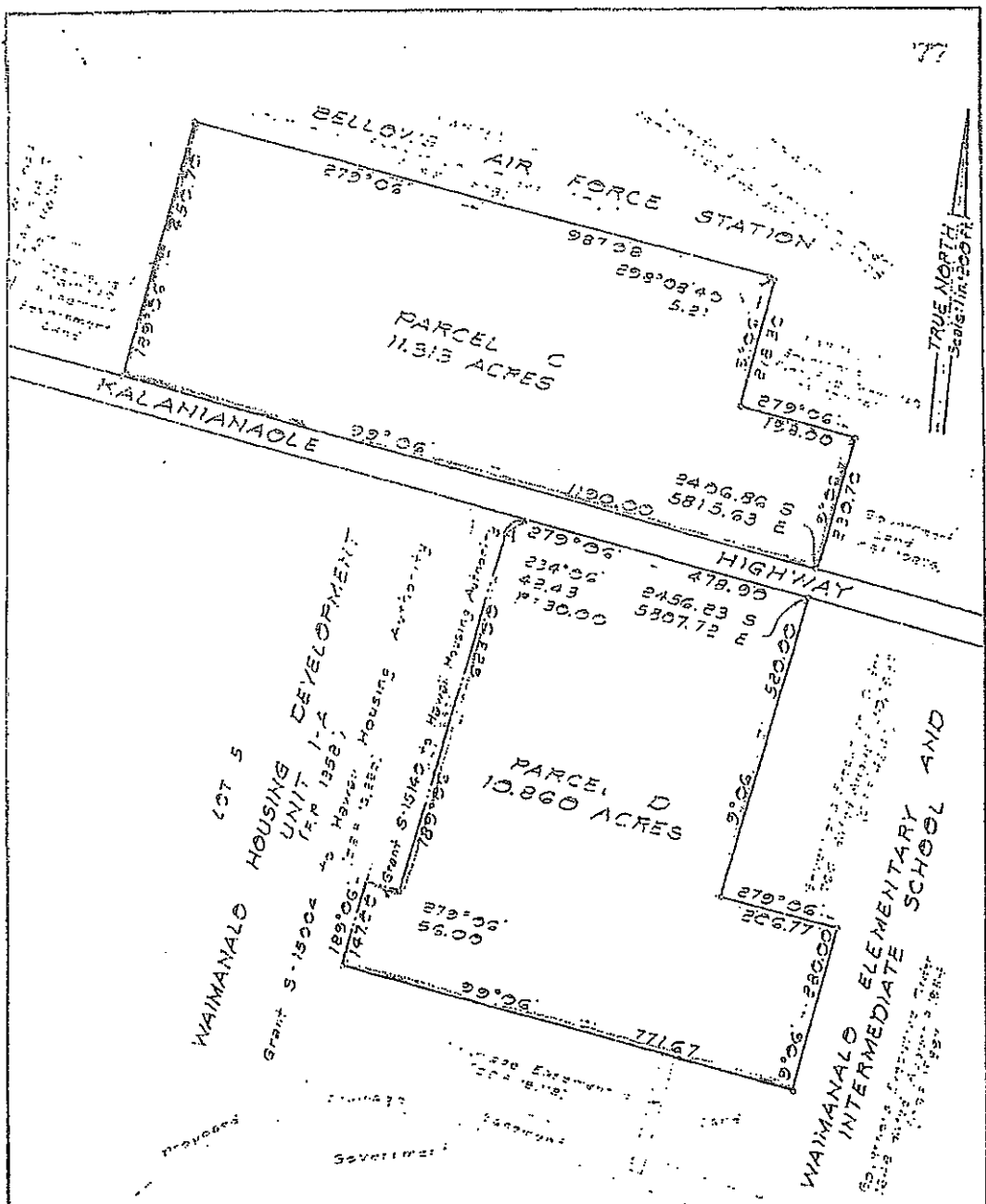
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Melvin M. Masuda
Melvin M. Masuda
Land Surveyor fb

Compiled from data furn.
by CSF 17028, 16891 and
F.P. 1352 and other Govt.
Survey Records.

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EXHIBIT "A"



WAIMANALO HOUSING PROJECT
PARCELS C AND D
Waimanalo, Koolaupeko, Oahu, Hawaii
Scale: 1 inch = 200 feet

JOB C-3377
C. BK 7, MASUDA Coordinates referred to "WAIMANALO RIDGE" Δ EXHIBIT "D"

TAX MAP 4-3-8412 SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
C. S. F. No. 18,111 STATE OF HAWAII
M.M.M. JULY 29, 1977

(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:

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 terms, conditions and covenants herein set forth.

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 15th day of ... 19th.

STATE OF HAWAII
Board of Land and Natural Resources

APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON

June 16, 1976

APPROVED AS TO FORM:

[Signature]
Deputy Attorney General
Dated: June 16, 1976

By [Signature]
Chairman and Member
By [Signature]
Member

Written by: of

Proofed by: -2-

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 29, 2012 8:37 PM
To: WLOtestimony
Cc: waimanalo@hawaiiantel.net
Subject: Testimony for HCR28 on 3/2/2012 11:10:00 AM

Testimony for WLO/HSG 3/2/2012 11:10:00 AM HCR28

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Theo Baldauf
Organization: Individual
E-mail: waimanalo@hawaiiantel.net
Submitted on: 2/29/2012

Comments:

I am asking for consideration and approval of this as allowed in the Lease Agreement entered between the parties. It is everyone's desire and dream to be able to pass on something to their children. This allows just such a thing to happen and at a fair market value so it is not being subsidized. It is also a positive for the State in this budget strapped environment we all are in today. Please consider approval of this measure being presented before you today. Thank you very much for your time.