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## HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS PURSUANT TO SECTION 171-53, HAWAII REVISED STATUTES, RELATING TO THE RECLAMATION AND DISPOSITION OF SUBMERGED OR RECLAIMED PUBLIC LAND.

1           WHEREAS, the Robert E. Cambra and Agnes L. Freitas Trust  
2 applied for a grant of term, non-exclusive easement for seawall  
3 and filled land purposes for the state-owned submerged lands of  
4 the property identified as tax map key (1) 4-7-014: seaward of  
5 010; and

6  
7           WHEREAS, the character of use for this easement is for the  
8 right, privilege, and authority to construct, use, maintain,  
9 repair, and replace and remove seawall, filled land over, under,  
10 and across state-owned land; and

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12           WHEREAS, the applicants request a term easement to resolve  
13 the encroachments containing filled land, seawall, and a small  
14 tile wall located makai of the boundary; and

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16           WHEREAS, the encroachment is approximately 2,243 square  
17 feet; and

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19           WHEREAS, on November 10, 2011, the Board of Land and  
20 Natural Resources authorized the issuance of a term, non-  
21 exclusive easement for seawall and filled land purposes to the  
22 owners of the abutting private property; and

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24           WHEREAS, on July 9, 2012, under agenda item D-11, the  
25 Chairperson of the Board of Land and Natural Resources approved  
26 an appraisal that determined that the fair market value of the  
27 easement to be \$62,600, to be paid in one lump sum; and  
28



# H.C.R. NO. 104

1           WHEREAS, Robert E. Cambra requested that the consideration  
 2 be paid off in three annual installments instead of one lump sum  
 3 payment; and

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 5           WHEREAS, the Board of Land and Natural Resources has  
 6 approved the payment of \$62,600 to be paid in three annual  
 7 installments instead of one lump sum payment; and

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 9           WHEREAS, section 171-53, Hawaii Revised Statutes, requires  
 10 the prior approval of the Governor and prior authorization of  
 11 the Legislature by concurrent resolution to lease state  
 12 submerged lands; now, therefore,

13  
 14           BE IT RESOLVED by the House of Representatives of the  
 15 Twenty-seventh Legislature of the State of Hawaii, Regular  
 16 Session of 2013, the Senate concurring, that the Board of Land  
 17 and Natural Resources is hereby authorized to issue a term non-  
 18 exclusive easement covering a portion of state submerged lands  
 19 fronting the property identified as tax map key (1) 4-7-014:  
 20 seaward of 010, Kaalaea, Koolaupoko, Oahu, for use, maintenance,  
 21 and repair of the existing seawall and encroachments, pursuant  
 22 to section 171-53, Hawaii Revised Statutes; and

23  
 24           BE IT FURTHER RESOLVED that certified copies of this  
 25 Concurrent Resolution be transmitted to Chairperson of the Board  
 26 of Land and Natural Resources and the Trustees of the Robert E.  
 27 Cambra and Agnes L. Freitas Trust.

28  
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 30 OFFERED BY:

*Linda Ichizama*  
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 MAR 12 2013

