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## HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NONEXCLUSIVE EASEMENT FOR SEAWALL PURPOSES FOR THE PROPERTY IDENTIFIED AS TAX MAP KEY (1) 6-8-010: SEAWARD OF 015, AT MOKULEIA, WAIALUA, OAHU, HAWAII.

1           WHEREAS, the lot area of parcel 15 (Lot 22) was originally  
2 11,109 square feet, as shown on Map 4 of Land Court Application  
3 1810; and  
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5           WHEREAS, on June 3, 1965, a building permit was issued for  
6 the existing single-family dwelling and attached garage; and  
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8           WHEREAS, the buildable lot area of parcel 15 (Lot 22) is  
9 now 7,664 square feet due to erosion of the seaward portion of  
10 the shoreline, as certified by the Board of Land and Natural  
11 Resources on August 1, 2013; and  
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13           WHEREAS, portions of the rock seawall, which was authorized  
14 after-the-fact by the City and County of Honolulu by a shoreline  
15 setback variance dated December 21, 2009, are now located makai  
16 of the shoreline on submerged land and considered to be  
17 encroaching on state lands; and  
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19           WHEREAS, the encroachment area was determined to be  
20 approximately 313 square feet; and  
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22           WHEREAS, on May 24, 2013, under agenda item D-12, the Board  
23 of Land and Natural Resources approved the request for a  
24 nonexclusive easement by the owner Sutton Family Partners; and  
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26           WHEREAS, the Land Division of the Department of Land and  
27 Natural Resources has approved the issuance of the easement  
28 subject to payment of fair market value, as determined by an  
29 appraisal; and  
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