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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 014, AT MOKULEIA, WAIALUA, OAHU, HAWAII.

1           WHEREAS, the lot area of parcel 14 (Lot 23) was originally  
2 9,407 square feet, as shown on Map 4 of Land Court Application  
3 1810; and  
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5           WHEREAS, on September 9, 1960, a building permit was issued  
6 for the existing single-family dwelling and attached garage; and  
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8           WHEREAS, the buildable lot area of parcel 14 (Lot 23) is  
9 now 6,477 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 143 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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1           WHEREAS, section 171-53, Hawaii Revised Statutes, requires  
2 the prior approval of the Governor and prior authorization of  
3 the Legislature by concurrent resolution to lease state  
4 submerged lands; now, therefore,  
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6           BE IT RESOLVED by the House of Representatives of the  
7 Twenty-seventh Legislature of the State of Hawaii, Regular  
8 Session of 2014, the Senate concurring, that the Board of Land  
9 and Natural Resources is hereby authorized to issue a term,  
10 nonexclusive easement for seawall purposes for the property  
11 identified as tax map key (1) 6-8-010: seaward of 014, at  
12 Mokuleia, Waialua, Oahu, Hawaii, pursuant to section 171-53,  
13 Hawaii Revised Statutes; and  
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15           BE IT FURTHER RESOLVED that a certified copy of this  
16 Concurrent Resolution be transmitted to the Chairperson of the  
17 Board of Land and Natural Resources.  
18  
19  
20

OFFERED BY:



MAR 06 2014

