
HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT NIU, HONOLULU, OAHU, FOR THE USE, MAINTENANCE, REPAIR, REPLACEMENT, AND REMOVAL OF THE EXISTING CONCRETE PAD, LADDER, STEPS AND ROCK WALLS, AND FOR USE, MAINTENANCE, REPAIR, REPLACEMENT, AND REMOVAL OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

1 WHEREAS, the existing concrete pad, ladder, steps, and rock
2 walls, were placed on state submerged lands fronting the
3 property identified as Tax Map Key: (1) 3-7-002: seaward of
4 045, Niu, Honolulu, Oahu; and
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6 WHEREAS, around 2013, the Department of Land and Natural
7 Resources worked with the owners; Thomas and Sandra Young, to
8 resolve the encroachments; and
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10 WHEREAS, on November 20, 2013, the Department's Office of
11 Conservation and Coastal Lands determined that the concrete pad,
12 ladder, steps and rock walls, were not Conservation District
13 violations and the Office of Conservation and Coastal Lands had
14 no objection to the issuance of an easement to resolve the
15 encroachments; and
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17 WHEREAS, on February 14, 2014, under agenda item D-15, the
18 Board of Land and Natural Resources approved a grant of a 55-
19 year non-exclusive easement to resolve the encroachments; and
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21 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
22 the prior approval of the Governor and prior authorization of
23 the Legislature by concurrent resolution for this disposition of
24 state submerged lands; now, therefore,
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26 BE IT RESOLVED by the House of Representatives of the
27 Twenty-seventh Legislature of the State of Hawaii, Regular



H.C.R. NO. 75

1 Session of 2014, the Senate concurring, that the Board of Land
2 and Natural Resources is hereby authorized to issue a term, non-
3 exclusive easement covering a portion of state submerged lands
4 fronting the property identified as Tax Map Key: (1) 3-7-002:
5 seaward of 045, Niu, Honolulu, Oahu, for the use, maintenance,
6 repair, replacement, and removal of the existing concrete pad,
7 ladder, steps, and rock walls, and for use, maintenance, repair,
8 replacement, and removal of the existing improvements
9 constructed thereon, pursuant to section 171-53, Hawaii Revised
10 Statutes; and

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12 BE IT FURTHER RESOLVED that a certified copy of this
13 Concurrent Resolution be transmitted to the Chairperson of the
14 Board of Land and Natural Resources.

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OFFERED BY:

Cindy Evans
(BR)

MAR 04 2014

