

MAR 07 2014

SENATE 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
4

5 WHEREAS, on September 9, 1960, a building permit was issued
6 for the existing single-family dwelling and attached garage; and
7

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
12

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
18

19 WHEREAS, the encroachment area was determined to be
20 approximately 143 square feet; and
21

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
25

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
30



S.C.R. NO. 113

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,
5

6 BE IT RESOLVED by the Senate of the Twenty-seventh
7 Legislature of the State of Hawaii, Regular Session of 2014, the
8 House of Representatives concurring, that the Board of Land and
9 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
14

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: _____

