

MAR 07 2014

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## SENATE RESOLUTION

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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 AN EXISTING CONCRETE PAD, LADDER, STEPS, AND ROCK WALLS AND FOR THE USE, MAINTENANCE, REPAIR, REPLACEMENT, AND REMOVAL OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

1           WHEREAS, an existing concrete pad, ladder, steps, and rock  
2 walls were placed on state submerged lands fronting the property  
3 identified as Tax Map Key: (1) 3-7-002: seaward of 045, Niu,  
4 Honolulu, Oahu; and  
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6           WHEREAS, around 2013, the Department of Land and Natural  
7 Resources (Department) worked with the owners, Thomas and Sandra  
8 Young, to 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 had no objection to the issuance of  
14 an easement to resolve the encroachments; and  
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16           WHEREAS, on February 14, 2014, under agenda item D-15, the  
17 Board of Land and Natural Resources approved a grant of a fifty-  
18 five year non-exclusive easement to resolve the encroachments;  
19 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 Senate of the Twenty-seventh  
27 Legislature of the State of Hawaii, Regular Session of 2014,  
28 that the Board of Land and Natural Resources is hereby  
29 authorized to issue a term, non-exclusive easement covering a  
30 portion of state submerged lands fronting the property  
31 identified as Tax Map Key: (1) 3-7-002: seaward of 045, Niu,



1 Honolulu, Oahu, for the use, maintenance, repair, replacement,  
 2 and removal of the existing concrete pad, ladder, steps, and  
 3 rock walls and for the use, maintenance, repair, replacement,  
 4 and removal of the existing improvements constructed thereon,  
 5 pursuant to section 171-53, Hawaii Revised Statutes; and

6  
 7 BE IT FURTHER RESOLVED that a certified copy of this  
 8 Resolution be transmitted to the Chairperson of the Board of  
 9 Land and Natural Resources.

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 11  
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OFFERED BY:

*Malene Pa...*  
*Miriam...*

*Randy & Bob*

*D*

*Wanda...*  
*Joy*

*Clementine...*

*Al...*

