
HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING PORTION OF STATE SUBMERGED LANDS AT KANEOHE,
KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE
EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE
EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

1 WHEREAS, the existing pier identified as Tax Map Key: (1)
2 4-5-058:121, Kaneohe, Koolaupoko, Oahu, was placed upon state
3 submerged lands; and

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5 WHEREAS, since 1987, the abutting property owner, Conrad
6 Bryson Bush, possessed a month-to-month revocable permit issued
7 by the Board of Land and Natural Resources to cover the
8 encroachment; and

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10 WHEREAS, in 2016, Mr. Bush passed away and Mrs. Martha K.
11 Bush became the sole property owner and, subsequently, was
12 interested in converting the revocable permit to a long-term
13 easement; and

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15 WHEREAS, the Department of Land and Natural Resources'
16 Office of Conservation and Coastal Lands did not indicate any
17 objections to the conversion into a long-term easement regarding
18 the pier; and

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20 WHEREAS, on December 9, 2016, under agenda item D-20, the
21 Board of Land and Natural Resources approved a grant of a 55-
22 year non-exclusive easement to resolve the encroachment; and

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24 WHEREAS, the subject area is about 538 square feet, which
25 will be reviewed and approved by the Department of Accounting
26 and General Services' Survey Division; and



1 WHEREAS, the grantee shall pay the State the fair market
2 value of the easement as consideration of the use of the public
3 lands to be determined by an independent appraisal; and
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5 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
6 the prior approval of the Governor and prior authorization of
7 the Legislature by concurrent resolution to lease state
8 submerged lands; now, therefore,
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10 BE IT RESOLVED by the House of Representatives of the
11 Twenty-ninth Legislature of the State of Hawaii, Regular Session
12 of 2017, the Senate concurring, that the Board of Land and
13 Natural Resources is hereby authorized to issue a term, non-
14 exclusive easement covering a portion of state submerged land
15 identified as Tax Map Key: (1) 4-5-058:121, Kaneohe, Koolaupoko,
16 Oahu, for the maintenance and repair of the existing pier, and
17 for use, repair, and maintenance of the existing improvements
18 constructed thereon pursuant to section 171-53, Hawaii Revised
19 Statutes; and
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21 BE IT FURTHER RESOLVED that a certified copy of this
22 Concurrent Resolution be transmitted to the Chairperson of the
23 Board of Land and Natural Resources.
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