
HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A 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 fronting the property identified
2 as Tax Map Key: (1) 4-5-058:121, Kaneohe, Koolaupoko, Oahu, was
3 placed upon state 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 is interested in
12 converting the revocable permit to a long-term easement; and
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14 WHEREAS, the Department of Land and Natural Resources'
15 Office of Conservation and Coastal Lands did not indicate any
16 objections to the conversion into a long-term easement regarding
17 the pier; and
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19 WHEREAS, on December 9, 2016, under agenda item D-20, the
20 Board of Land and Natural Resources approved a grant of a 55-
21 year non-exclusive easement to resolve the encroachment; and
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23 WHEREAS, the subject area is 538 square feet, more or less,
24 which will be reviewed and approved by the Department of
25 Accounting and General Services' Survey Division; and
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27 WHEREAS, the grantee shall pay the State the fair market
28 value of the easement as consideration of the use of the public
29 lands to be determined by an independent appraisal; and



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

