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## HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT,  
COVERING A PORTION OF STATE SUBMERGED AND RECLAIMED  
(FILLED) LANDS AT KUAU, MAKAWAO, PAIA, MAUI, FOR ROCKWALL,  
REVTMENT STAIRWAY, AND LAWN MAINTENANCE PURPOSES.

1           WHEREAS, the Aleiki Nominee Trust dated August 13, 2001,  
2 owns the property located at 123 Aleiki Place, Kuau, Makawao,  
3 Paia, Maui, further identified by Tax Map Key: (2) 2-6-012:  
4 seaward of 026; and  
5

6           WHEREAS, encroachments from that property, including a  
7 concrete wall, a revetment, a stairway, and a lawn, encumber  
8 approximately one thousand fifty-nine square feet of state  
9 submerged and reclaimed (filled) lands seaward of Tax Map Key:  
10 (2) 2-6-012:016; and  
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12           WHEREAS, it has not been determined when the non-conforming  
13 encroachments were put into place; and  
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15           WHEREAS, on May 2, 2012, the Office of Conservation and  
16 Coastal Lands of the Department of Land and Natural Resources  
17 determined that allowing the encroachments to remain through the  
18 issuance of an easement would have no adverse impact on beach  
19 and recreational resources, nor act as a detriment to public  
20 access; and  
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22           WHEREAS, on November 30, 2012, under agenda item D-5, the  
23 Board of Land and Natural Resources granted an approval for a  
24 fifty-five-year term, non-exclusive easement to Steven N.  
25 Hirsch, Trustee of the Aleiki Nominee Trust dated August 13,  
26 2001; and  
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28           WHEREAS, sections 171-13 and 171-53, Hawaii Revised  
29 Statutes, requires the prior approval of the Governor and prior



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1 authorization of the Legislature by concurrent resolution to  
 2 dispose of state submerged lands by grant of an easement; now,  
 3 therefore,  
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5 BE IT RESOLVED by the House of Representatives of the  
 6 Twenty-ninth Legislature of the State of Hawaii, Regular Session  
 7 of 2017, the Senate concurring, that the Board of Land and  
 8 Natural Resources is authorized to issue a term, non-exclusive  
 9 easement covering a portion of state submerged and reclaimed  
 10 (filled) land identified as Tax Map Key: (2) 2-6-012:026 at  
 11 Kuau, Makwawao, Paia, Maui, comprising one thousand fifty-nine  
 12 square feet, for maintenance, repair, replacement, and removal  
 13 of an existing seawall, rubble rock revetment, stairs and lawn  
 14 over, under, and across state-owned land; and  
 15

16 BE IT FURTHER RESOLVED that certified copies of this  
 17 Concurrent Resolution be transmitted to the Chairperson of the  
 18 Board of Land and Natural Resources and to the Aleiki Nominee  
 19 Trust.  
 20  
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OFFERED BY:

*Lyn De Coita*

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MAR - 8 2017

