

# SCR28

Measure Title: APPROVING THE SALE OF THE LEASED FEE INTEREST IN 47-394  
KEOHAPA PLACE, KANEOHE, HAWAII.

Report Title:

Description:

Companion: HCR22

Package: Governor

Current Referral: HOU, WAM

Introducer(s): KOUCHI (Introduced by request of another party)

DAVID Y. IGE  
GOVERNOR



CRAIG K. HIRAI  
EXECUTIVE DIRECTOR

**STATE OF HAWAII**

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM  
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION  
677 QUEEN STREET, SUITE 300  
Honolulu, Hawaii 96813  
FAX: (808) 587-0600

IN REPLY REFER TO:

Statement of  
**Craig K. Hirai**  
Hawaii Housing Finance and Development Corporation  
Before the

**SENATE COMMITTEE ON HOUSING**

March 9, 2017 at 2:45 p.m.  
State Capitol, Room 225

In consideration of  
**S.C.R. 28 APPROVING THE SALE OF THE LEASED FEE INTEREST IN  
47-394 KEOHAPA PLACE, KANEOHE, HAWAII.**

The HHFDC supports S.C.R. 28. HHFDC is seeking legislative approval to sell the leased fee interest in this single family home to its leasehold owner.

This single family home was built in 1975 as part of the Hui Koolau affordable for-sale development. Only 5 out of the 37 homes in the development remain in leasehold. The fair market value of the leased fee interest in 47-394 Keohapa Place as of July 21, 2016 was \$290,000.

A title search conducted by Title Guaranty of Hawaii on August 24, 2015, showed that this parcel was not classified as Government land previous to August 15, 1895. HHFDC conducted a public meeting on the proposed sale on August 15, 2016, at Ahuimanu Elementary School Cafeteria, Kaneohe, Hawaii, following publication of notice in the Honolulu Star-Advertiser newspaper on August 3 and 5, 2016. There was no objection to the proposed sale raised at that time.

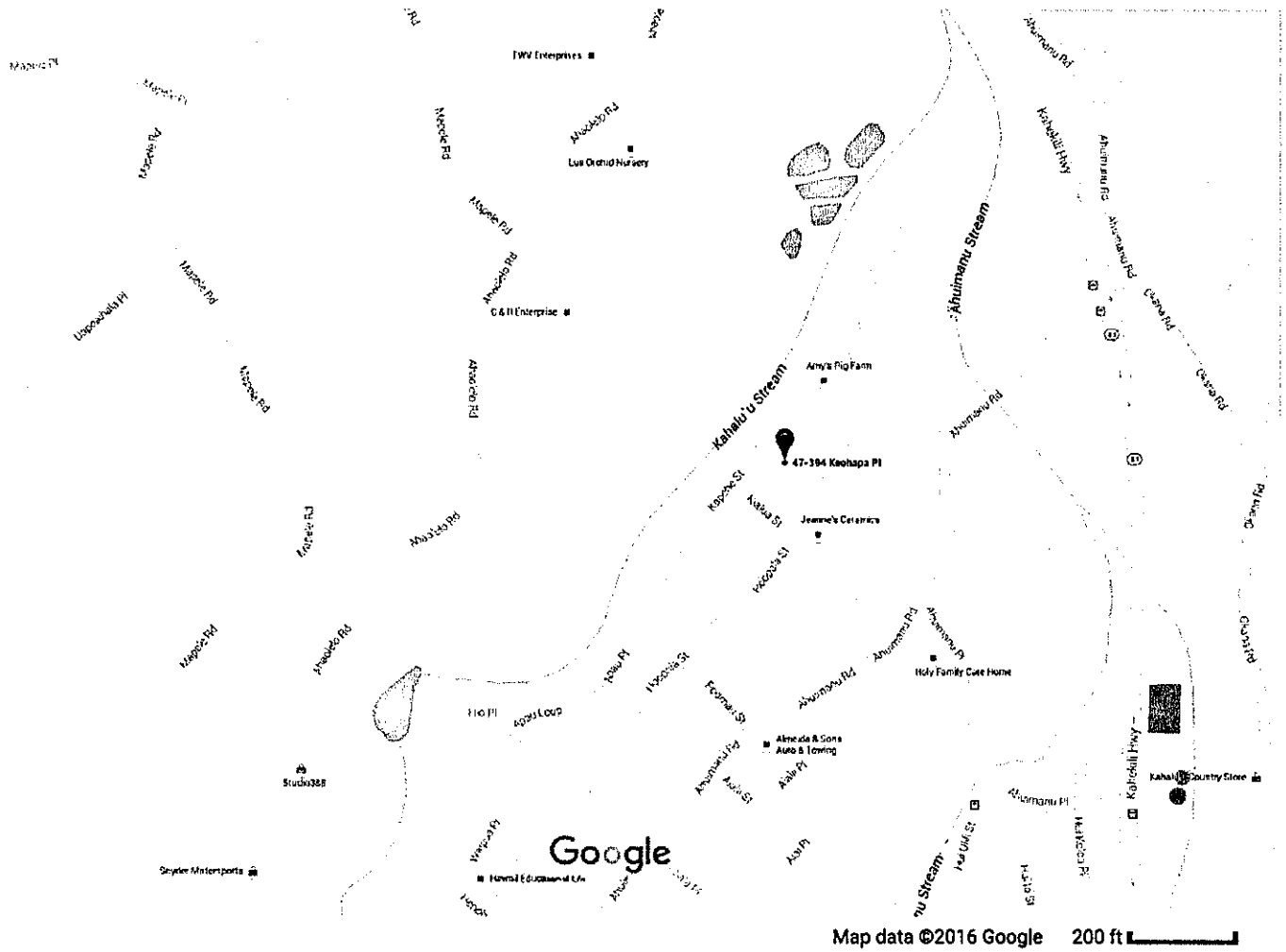
HHFDC has also worked with the Office of Hawaiian Affairs during the interim to keep them informed of these findings and intent to sell the leased fee interest in this parcel. A copy of the draft resolution was provided to OHA on October 3, 2016.

The attached documents provide more information on this property:

1. A map showing the general location of Hui Koolau;
2. A photo of the property; and
3. A copy of the title report for the parcel.

Thank you for the opportunity to testify.

# Google Maps 47-394 Keohapa Pl



47-394 Keohapa Pl  
Kaneohe, HI 96744



# TITLE GUARANTY OF HAWAII, INC.

Established in 1896

August 24, 2015 (revised August 26, 2015)

LORNA KOMETANI

STATE OF HAWAII – HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION

REAL ESTATE SERVICES SECTION

677 QUEEN STREET, SUITE 300

HONOLULU, HAWAII 96813

Re: TG Order No. 201521376  
Project: HUI KOOLAU  
Unit/Lot No: 1114  
Property Address: 47-394 Keohapa Place  
TMK: (1) 4-7-055-065  
Lessee: Robert James Rupnow & Kim Weolsoon Rupnow

RECEIVED  
HAWAII HOUSING FINANCE  
DEVELOPMENT CORP  
2015 AUG 31 A 11:16

Dear Ms. Kometani,

In accordance with your request of August 11, 2015, I confirm that as of **August 15, 1895**, the subject land was held in **private ownership** by the widow and children of James Steward, deceased. James Steward having acquired the land by Deed dated June 4, 1868, recorded in the Bureau of Conveyances in Liber 18 at Page 205 from John O. Dominis, the Administrator of the Estate of Kamehameha IV.

From the date of the foregoing deed, title descends straight and unbroken to HAWAII HOUSING AUTHORITY, a public body and a body corporate and politic of the State of Hawaii, by Deed of Hawaii Rural Housing Development Corporation, a Hawaii non-profit corporation, dated July 15, 1975, filed as Land Court Document No. 728634.

The corporate name of HAWAII HOUSING AUTHORITY was changed to HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII as set forth in Land Court Order No. 131893 filed June 25, 1998.

The corporate name of HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII was changed to HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION as set forth in Land Court Order No. 166725 filed June 30, 2006 and Land Court Order No. 171023 filed February 6, 2007.

Lorna Kometani

August 24, 2015 (revised August 26, 2015)

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Please be informed that liability for any actual loss incurred by reason of any incorrectness herein is limited to the lesser of \$3,500.00 or two times the amount paid for this product.

Should you have any follow-up questions or comments, please contact me; I can be reached directly by phone at (808) 533-5834, by fax at (808) 533-5870 or by email at [cuahinui@tghawaii.com](mailto:cuahinui@tghawaii.com).

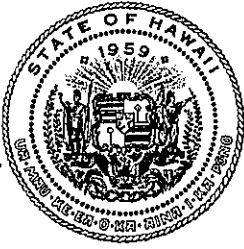
Yours truly,



Colleen H. Uahinui

Lead Senior Title Abstractor

Historic Title Services



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

DAVID Y. IGE  
GOVERNOR

LUIS P. SALAVERIA  
DIRECTOR

MARY ALICE EVANS  
DEPUTY DIRECTOR

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Statement of  
**LUIS P. SALAVERIA**  
Director

Department of Business, Economic Development, and Tourism  
before the  
**SENATE COMMITTEE ON HOUSING**

Thursday, March 9, 2017  
2:45 PM  
State Capitol, Conference Room #225

In consideration of

- SCR 19 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-529  
INOAOLE STREET, WAIMANALO, HAWAII;**
- SCR 20 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-648  
INOAOLE STREET, WAIMANALO, HAWAII;**
- SCR 21 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-652  
INOAOLE STREET, WAIMANALO, HAWAII;**
- SCR 22 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-659  
INOAOLE STREET, WAIMANALO, HAWAII;**
- SCR 23 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-1362  
WAIKALOA STREET, WAIMANALO, HAWAII;**
- SCR 24 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-029  
KUAHELANI AVENUE, NO. 128, MILILANI, HAWAII;**
- SCR 25 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-946  
MEHEULA PARKWAY, NO. 264, MILILANI, HAWAII;**
- SCR 26 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-946  
MEHEULA PARKWAY, NO. 363, MILILANI, HAWAII;**
- SCR 27 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-950  
MEHEULA PARKWAY, NO. 367, MILILANI, HAWAII; and**
- SCR 28 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 47-394  
KEOHAPA PLACE, KANEOHE, HAWAII.**

Chair Espero, Vice Chair Harimoto and members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) **supports** SCR19 through SCR 28, all part of the Administration's legislative package. HHFDC is seeking legislative approval to sell the leased fee interest in these homes to their respective leasehold owners. HHFDC has met all statutory prerequisites to request approval of the sale of these parcels.

Accordingly, DBEDT respectfully requests that the Committee pass these concurrent resolutions. Thank you for the opportunity to testify.



**SCR28**  
**APPROVING THE SALE OF THE LEASED FEE INTEREST IN 47-394 KEOHAPA PLACE,**  
**KANEOHE, HAWAII**  
Senate Committee on Housing

March 14, 2017

2:45 p.m.

Conference Room 225

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on SCR28, which approves the sale of the leased fee interest in a single-family home in the Hui Ko'olau affordable housing project. **This parcel does not appear to be "ceded" land and OHA does not oppose the sale of this parcel.**

SCR28 was offered for consideration by the Legislature in accordance with Act 176, Session Laws of Hawai'i (SLH) 2009, and Act 169, SLH 2011, as amended. Act 176 requires a two-thirds majority approval by both houses of the Legislature before any specific lands controlled by the state can be sold. In addition, state departments must prepare and submit legislative resolutions containing detailed information regarding their anticipated land transactions, and share these resolutions with OHA at least three months prior to the opening of the legislative session. See HRS §§ 171-64.7(c). This three months' detailed notice provides OHA with sufficient time to ensure that the contemplated sale is fair, equitable, and in the best interests of the state.

The language of SCR28 was provided to OHA in compliance with the three month notice requirement for the proposed disposition of public lands. This allowed OHA to independently confirm that the parcel being proposed for sale is not comprised of "ceded" lands.

Accordingly, OHA does not oppose the proposed sale in SCR28. Mahalo for the opportunity to testify on this measure.



Senator Will Espero, Chair  
Senator Breene Harimoto, Vice Chair  
Senate Committee on Housing

Testimony of Jame K. Schaedel

Tuesday, March 14, 2017

**Comments** on Senate Concurrent Resolution No. 28 – Approving the Sale of the Leased Fee Interest in 47-394 Keohapa Place, Kaneohe, Hawaii

**WRITTEN TESTIMONY ONLY**

Thank you for the opportunity to offer comments on Senate Concurrent Resolution No. 28 which would approve the sale of “the leased fee interest” of a portion of lands previously owned by the Estate of Kamehameha IV to a private citizen.

I am skeptical that John Owen Dominis, consort of Queen Liliuokalani, would have the authority to deed land to a private citizen in the year 1868.

I offer this testimony as a private citizen.

I am reluctant to support the sale of the leased fee interest of this parcel. I respectfully request that the Committee defer this resolution, and compel the Hawaii Housing Finance and Development Corporation to submit documents lawfully executed by King Kamehameha IV that clearly designate John Owen Dominis as the Administrator/Executor of the King’s Estate.

Respectfully,

Jame K. Schaedel