



SCR14

APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA STREET, NO. 204, HONOLULU, HAWAII

Senate Committee on Water and Land

February 21, 2018

2:45 p.m.

Room 224

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on SCR14, which would approve the sale of the leased fee interest in an apartment unit in the Puna Malu condominium. **This parcel does not appear to be “ceded” land and OHA does not oppose the sale of this parcel.**

HCR7 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 public lands controlled by the state can be sold. In addition, pursuant to Act 169, 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 determine, among other things, whether the lands contemplated for sale are “ceded”; OHA generally opposes any sale or alienation of “ceded” lands, pending the resolution of Native Hawaiian people’s unrelinquished claims to the “ceded” lands corpus.

The language of SCR14 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 SCR14. Mahalo for the opportunity to testify on this measure.



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 WATER AND LAND

February 21, 2018 at 2:45 p.m.
State Capitol, Room 224

In consideration of

S.C.R. 14

**APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA
STREET, NO. 204, HONOLULU, HAWAII.**

The HHFDC supports S.C.R. 14. HHFDC is seeking legislative approval to sell the leased fee interest in this condominium unit to its leasehold owner. This unit was built in 1971 as part of the Puana Malu condominium. Only 3 units out of the 24 total units in the condominium remain in leasehold. The fair market value of the leased fee interest in 2949 Ala Ilima Street No. 204, as of June 1, 2017 was \$74,400.

A title search conducted by Title Guaranty of Hawaii on July 27, 2017, showed that this parcel was classified as private land previous to August 15, 1895. HHFDC conducted a public meeting on the proposed sale on August 8, 2017, at Aliamanu Middle School, Classroom #C-2, Honolulu, Hawaii, following publication of notice in the Honolulu Star-Advertiser newspaper on August 1 and 3, 2017. 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 September 29, 2017.

The attached documents provide more information on this property:

1. A map showing the general location of Puana Malu;
2. A photo of the property; and
3. A copy of the title report for the unit.

Thank you for the opportunity to testify.



2949 Ala Ilima St

Puana Malu Unit No. 204



Map data ©2017 Google United States 200 ft



2949 Ala Ilima St

Honolulu, HI 96818



At this location

Elite town car service

Limousine Service · 2949 Ala Ilima St #604





TITLE GUARANTY OF HAWAII, INC.

Established in 1896

July 27, 2017

ELAINE GOMA
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. 201734941
Project: PUANA MALU
Unit/Lot No: 204
Property Address: 2949 Ala Ilima Street #204, Honolulu, Hawaii 96818
TMK: (1) 1-1-061-002 HPR 0004
Lessee: GUO QUAN RUAN, husband of Xiao Mei Huang,
XIAO MEI HUANG, wife of Guo Quan Ruan, and
TIAN RONG RUAN, unmarried, as Joint Tenants

Dear Ms. Goma,

In accordance with your request of July 18, 2017, I confirm that as of **August 15, 1895**, title to the subject land was held in **private ownership** by SAMUEL M DAMON, who acquired title to Apana 2 of Royal Patent 7858, Land Commission Award Number 7715 (Ahupuaa of Moanalua) as a devisee under the Will of Bernice Pauahi Bishop, deceased, in Probate Number 2425, filed in the First Judicial Circuit.

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 K. NAGATA, LTD., a Hawaii corporation, and K. N., INCORPORATED, a Hawaii corporation, dated October 10, 1974, filed as Land Court Document No. 701168.

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.

Elaine Goma

July 27, 2017

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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.

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.

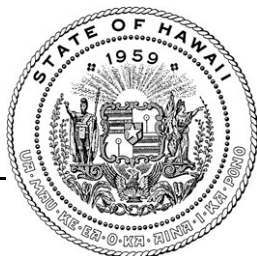
Yours truly,



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

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
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Statement of
LUIS P. SALAVERIA
Director
Department of Business, Economic Development and Tourism
before the
SENATE COMMITTEE ON WATER AND LAND
Wednesday, February 21, 2018
2:45 p.m.
State Capitol, Conference Room 224

in consideration of
**SCR 14 APPROVING THE SALE OF THE LEASED FEE INTEREST IN
2949 ALA ILIMA STREET, NO. 204, HONOLULU HAWAII;**
and
**SCR 15 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-1373
HAUNAUKOI STREET, WAIMANALO, HAWAII.**

Chair Rhoads, Vice Chair Gabbard and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) **supports** SCR 14 and SCR 15, part of the Administration's legislative package. HHFDC is seeking legislative approval to sell the leased fee interest in two homes to their respective leasehold owners.

HHFDC has met all statutory prerequisites to request approval of the sale of these homes. Accordingly, DBEDT respectfully requests that the Committee pass these concurrent resolutions.

Thank you for the opportunity to offer support on these Concurrent Resolutions.

SCR-14

Submitted on: 2/17/2018 10:27:14 PM

Testimony for WTL on 2/21/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Testifying for Ho'omanapono Political Action Committee (HPAC)	Oppose	Yes

Comments:

We STRONGLY OPPOSE this resolution. This appears to be an issue that was quietly done, but more importantly, may run afoul of the law regarding CROWN LANDS! The way the resolution is written, gives the impression that Lot Kamehameha was just an average "Joe" who owned "private property". In fact, **Kamehameha V** (1830–1872), born as **Lot KapuĀ• iwa**, reigned as the fifth [monarch](#) of the [Kingdom of Hawai'i](#) from 1863 to 1872. His motto was "Onipa'a": immovable, firm, steadfast or determined; he worked diligently for his people and kingdom and was described as the last great traditional chief. His full Hawaiian name prior to his succession was **Lota KapuĀ• iwa Kalanimakua Ali'iĀ• Iani Kalanikupuapa'Ā«kalaninui**.property". Therefore, this piece of property is NOT Kuleana lands, but, is CROWN LANDS. As such, this land is subject to HRS 171! We humbly request that this committee defer or hold this bill.

SCR-14

Submitted on: 2/16/2018 4:28:20 PM

Testimony for WTL on 2/21/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Yufan Yang		Support	No

Comments:

My name is Yufan Yang and I am assisting the owners of the subject property located at 2949 Ala Ilima Street #204 Honolulu, HI 96818 on their testimony in support of SCR14. The Owners came to the United State in 2008 and English is their second language. With their hard work, they finally able to bought their first american dream home in 2014. They hoping to pass this measure, so one day they can pass the property to their children and grandchild. We are hereby in support of the approval for the sale of the leased fee interest of SCR14. Thank you so much!