

S.C.R. NO. 13

JAN 24 2019

SENATE CONCURRENT RESOLUTION

APPROVING THE TRANSFER OF THE LEASED FEE INTEREST IN A PORTION
OF 610 COOKE STREET, HONOLULU, HAWAII, TO THE CITY AND
COUNTY OF HONOLULU.

1 WHEREAS, section 171-64.7, Hawaii Revised Statutes,
2 requires the prior approval of the Legislature by concurrent
3 resolution to sell certain state lands in fee simple; and
4

5 WHEREAS, section 171-64.7(c), Hawaii Revised Statutes,
6 states that "[t]he concurrent resolution shall contain the
7 following information:

- 8 (1) The specific location and size in square feet or in
9 other precise measure of the parcels of land to be
10 sold or given;
- 11 (2) The appraisal value of the land to be sold or given;
- 12 (3) The names of all appraisers performing appraisals of
13 the land to be sold or given;
- 14 (4) The date of the appraisal valuation;
- 15 (5) The purpose for which the land is being sold or given;
- 16 (6) A detailed summary of any development plans for the
17 land to be sold or given; and
- 18 (7) A statement of whether the land is, or is not, land
19 that was classed as government or crown lands previous
20 to August 15, 1895, or was acquired by the State in
21 exchange for such lands, and a detailed explanation of
22 how the state department or agency made this
23 determination.

24 A draft of the concurrent resolution for the prior approval
25 of a sale or gift of land shall also be submitted to the office
26 of Hawaiian affairs at least three months prior to the convening
27 of a regular or special session of the legislature to allow the
28 office to determine whether the land was classed as government
29 or crown lands previous to August 15, 1895, or was acquired by
30 the State in exchange for such lands"; and
31

1 WHEREAS, pursuant to section 171-64.7(e), Hawaii Revised
2 Statutes, prior to finalizing any proposal for the sale or gift
3 of lands and prior to the submission of the concurrent
4 resolution to the Legislature, an informational briefing on the
5 proposed sale or gift of lands shall be held in the community
6 where the land to be sold or given is located; and
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8 WHEREAS, the Hawaii Housing Finance and Development
9 Corporation (the "Corporation") desires to transfer the fee
10 interest in a portion of 610 Cooke Street, Honolulu, Hawaii, and
11 provides the following information pursuant to section 171-64.7,
12 Hawaii Revised Statutes:

- 13 (1) The parcel is a portion of the site of Na Lei Hulu
14 Kupuna Senior Apartments, identified as a 6,937 square
15 foot parcel, TMK No. 1-2-1-051:004;
- 16 (2) The fee interest in this parcel was appraised to have
17 a fair market value of \$210,000;
- 18 (3) The parcel was appraised by Medusky & Co., Inc.;
- 19 (4) The appraisal valuation date is April 15, 2018;
- 20 (5) The primary purpose for the proposed transfer of this
21 parcel is as part of a land exchange with the City and
22 County of Honolulu for their fee interest in a portion
23 of Coral Street between Pohukaina Street and
24 Halekauwila Street, Honolulu, Hawaii, to facilitate
25 roadway access to HHFDC's planned mixed-use
26 development at 690 Pohukaina Street, Honolulu, Hawaii;
- 27 (6) The conveyance will be subject to the existing sub-
28 lease to Na Lei Hulu Kupuna Senior Rentals, LP, and
29 will not affect existing rental operations; and
- 30 (7) As of August 15, 1895, title to a portion of this
31 parcel, identified as Parcel 6B-1, Government Remnant,
32 was held by the Territory of Hawaii, and title to the
33 remainder of the parcel was covered by Royal Patent
34 Number 4483, Land Commission Award Number 7712, Apana
35 6, Number 1, held by the Trustees Under the Will and
36 of the Estate of Bernice Pauahi Bishop, Deceased, as
37 devised by the Last Will and Testament of Bernice
38 Pauahi Bishop probated in the Supreme Court of the
39 Hawaiian Islands in Probate Number 2425; and this was
40 determined by a search of the title records by Title
41 Guaranty of Hawaii on January 2, 2018; and

1 WHEREAS, pursuant to section 5(f) of the Admission Act,
2 "the development of farm and home ownership on as widespread a
3 basis as possible for the making of public improvement" is an
4 expressly authorized purpose of the ceded lands inventory; and
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6 WHEREAS, the Corporation duly submitted a draft of the
7 Concurrent Resolution to the Office of Hawaiian Affairs on
8 September 28, 2018, more than three months prior to the opening
9 date of the Regular Session of 2019; and
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11 WHEREAS, the Corporation duly conducted a public
12 informational briefing on the dedication of this parcel on
13 July 19, 2018, at the HHFDC Boardroom, 677 Queen Street, Suite
14 300, Honolulu, Hawaii, following publication of notice of the
15 briefing in The Honolulu Star-Advertiser newspaper on June 28,
16 2018, and July 12, 2018; and
17

18 WHEREAS, relevant public comments made at the public
19 informational briefing questioned did not object to the proposed
20 transfer of the leased fee interest in this parcel to the City
21 and County of Honolulu; now, therefore,
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23 BE IT RESOLVED by the Senate of the Thirtieth Legislature
24 of the State of Hawaii, Regular Session of 2019, the House of
25 Representatives concurring, that the transfer of the leased fee
26 interest in a portion of 610 Cooke Street, Honolulu, Hawaii, TMK
27 No. 1-2-1-051:004, to the City and County of Honolulu is hereby
28 approved; and
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30 BE IT FURTHER RESOLVED that a certified copy of this
31 Concurrent Resolution be transmitted to the Executive Director
32 of the Corporation.
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34
35

36 OFFERED BY: 
37 BY REQUEST

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: CONCURRENT RESOLUTION APPROVING THE TRANSFER OF THE LEASED FEE INTEREST IN A PORTION OF 610 COOKE STREET, HONOLULU, HAWAII, TO THE CITY AND COUNTY OF HONOLULU.

PURPOSE: To seek the prior approval of the Legislature by concurrent resolution of the transfer of a portion of 610 Cooke Street, Honolulu, Hawaii, TMK No. 1-2-1-051:004, to the City and County of Honolulu.

MEANS: Concurrent resolution pursuant to section 171-64.7, Hawaii Revised Statutes.

JUSTIFICATION: The Hawaii Housing Finance and Development Corporation (HHFDC) is seeking legislative approval to transfer a portion of 610 Cooke Street, Honolulu, Hawaii, to the City and County of Honolulu (the City). Approval of this proposed transfer is a prerequisite to a planned land exchange between HHFDC and the City in which HHFDC would ultimately obtain a portion of Coral Street between Pohukaina Street and Halekauwila Street to facilitate roadway access to HHFDC's planned mixed-use development at 690 Pohukaina Street, Honolulu, Hawaii.

This parcel is a 6,937 square foot portion of the site of the Na Lei Hulu Kupuna Senior Apartments. Na Lei Hulu Kupuna Apartments, located on 610 Cooke Street, Honolulu, Hawaii, is comprised of the subject parcel and another parcel already owned by the City.

The fair market value of the subject parcel was determined to be \$210,000 as of April 15, 2018, by HHFDC's appraiser, Medusky & Co., Inc.

A title search conducted by Title Guaranty of Hawaii on January 2, 2018, determined that as of August 15, 1895, title to a portion of this parcel, identified as Parcel 6B-1, Government Remnant, was held by the Territory of Hawaii, and title to the remainder of the parcel was by Royal Patent Number 4483, Land Commission Award Number 7712, Apana 6, Number 1, held by the Trustees Under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, as devised by the Last Will and Testament of Bernice Pauahi Bishop probated in the Supreme Court of the Hawaiian Islands in Probate Number 2425.

HHFDC conducted a public meeting on the proposed transfer on July 19, 2018, at the HHFDC Boardroom, 677 Queen Street, Suite 300, Honolulu, Hawaii, following publication of notice in The Honolulu Star-Advertiser newspaper on June 28, 2018, and July 12, 2018.

Relevant public comments made at the public informational briefing did not object to the transfer of the parcel to the City, since the transfer would not affect the current use of the parcel for Na Lei Hulu Kupuna Senior Apartments.

HHFDC has also worked closely with the Office of Hawaiian Affairs during the interim to keep them informed of these findings and our intent to transfer this parcel to the City.

Impact on the public: Minimal.

Impact on the department and other agencies: Minimal.

GENERAL FUND: None.
OTHER FUNDS: None.
PPBS PROGRAM DESIGNATION: BED 160.

OTHER AFFECTED

AGENCIES:

Hawaii Community Development Authority;
Office of Hawaiian Affairs.

EFFECTIVE DATE:

Upon adoption.