

MAR 02 2023

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# SENATE RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HAUULA, KOOLAULOA, OAHU, FOR THE EXISTING RIPRAP REVETMENT, RAMP, AND ROCK GROIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

1           WHEREAS, portions of the existing riprap revetment, ramp,  
2 and rock groin fronting the property identified as Tax Map Key:  
3 (1) 5-3-008:seaward of 012, Hauula, Koolauloa, Oahu, were placed  
4 on state submerged lands; and

5  
6           WHEREAS, around April 2022, the Department of Land and  
7 Natural Resources' Office of Conservation and Coastal Lands  
8 worked with the property owners, Steven Ernest MacBride and  
9 Valerie Jean MacBride, trustees of the Steven and Valerie  
10 MacBride Revocable Trust dated October 30, 2018, to resolve the  
11 encroachment; and

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13           WHEREAS, the Office of Conservation and Coastal Lands  
14 indicated they had no objection to a non-exclusive easement to  
15 resolve the encroachment; and

16  
17           WHEREAS, at its meeting of August 26, 2022, under agenda  
18 item D-5, the Board of Land and Natural Resources approved a  
19 grant of a 25-year non-exclusive easement to resolve the riprap  
20 revetment, ramp, and rock groin encroachment, and a  
21 non-exclusive easement to run with the land and inure to the  
22 benefit of the abutting real property; and

23  
24           WHEREAS, the total encroachment area was determined to be  
25 1,900 square feet, more or less, subject to review and approval  
26 by the Department of Accounting and General Services, Survey  
27 Division; and

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29           WHEREAS, the grantee has agreed to pay the State the fair  
30 market value of the non-exclusive easement as consideration of  
31 the use of public lands to be determined by an independent  
32 appraisal; and



# S.R. NO. 22

1           WHEREAS, section 171-53, Hawaii Revised Statutes, requires  
2 the prior approval of the Governor and prior authorization of  
3 the Legislature by concurrent resolution to lease state  
4 submerged lands; now, therefore,  
5

6           BE IT RESOLVED by the Senate of the Thirty-second  
7 Legislature of the State of Hawaii, Regular Session of 2023,  
8 that the Board of Land and Natural Resources is hereby  
9 authorized to issue a term, nonexclusive easement covering a  
10 portion of state submerged lands fronting the property  
11 identified as Tax Map Key: (1) 5-3-008:seaward of 012, Hauula,  
12 Koolauloa, Oahu, for the existing riprap revetment, ramp, and  
13 rock groin, and for use, repair, and maintenance of the existing  
14 improvements constructed thereon pursuant to section 171-53,  
15 Hawaii Revised Statutes; and  
16

17           BE IT FURTHER RESOLVED that a certified copy of this  
18 Resolution be transmitted to the Chairperson of the Board of  
19 Land and Natural Resources.  
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21  
22

OFFERED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'B. L.', is written over a horizontal line.