

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of State Parks  
Honolulu, Hawaii 96813

June 23, 2017

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Kaua'i

Forfeiture of General Lease No. SP0451, Vanice M. Aranio and Kathy M.I. Ragraola,  
Lessees, Kōke'e State Park, Waimea (Kona), Kaua'i, Tax Map Key: (4) 1-4-004:007.

PURPOSE:

Forfeiture of General Lease No. SP0451, Vanice M. Aranio and Kathy M.I. Ragraola, Lessees,

LEGAL REFERENCE:

Section 171-39 Hawaii Revised Statutes, as amended.

LOCATION:

Lot 41, Kōke'e Campsites Lots, Kōke'e State Park, Waimea (Kona), Kaua'i, identified by Tax  
Map Key: (4) 1-4-004 Parcel 007, as shown on the attached property description and map  
labeled Exhibit A.

AREA:

.62 acres, more or less.

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES \_\_ NO X

CURRENT USE STATUS:

Encumbered by General Lease No. SP0451 to Vanice M. Aranio and Kathy M.I. Ragraola,  
Lessees, and encumbered by Governor's Executive Order No. 2209.

**ITEM E-1**

CHARACTER OF USE:

Recreation - residence.

LEASE TERM:

Twenty (20) years commencing on January 1, 2012 through December 31, 2031.

ANNUAL RENTAL:

\$4,200 per annum.

REMARKS:

Vanice M. Aranio and Kathy M.I. Ragragola, are Lessees of General Lease No. SP0451 effective January 1, 2012 covering Lot 41 in Kōke'e State Park. The term of the lease is for 20 years, which will expire on December 31, 2031.

On March 23, 2017, the Chairperson issued a Notice of Default as follows:

Pursuant to the authority granted the Chairperson by the Board of Land and Natural Resources at its meeting of January 11, 1980, and the breach provision contained in General Lease SP-0451. Vanice M. Aranio and Kathy M.I. Ragragola, Lessees, were served a Notice of Default dated March 23, 2017 by certified mail and regular mail for the following: A copy of the Notice of Default letter was also posted on the dwelling by DOCARE on April 4, 2017.

Failure to pay rent for 2017, due on January 1, 2017 as well as late fees. The total now due to the State for rent and late fees is \$12,250.00.

Failure to post required liability insurance certificate.

Said notice dated March 23, 2017, was not accepted by Lessees, DOCARE posted a copy of the Notice of Default on April 4, 2017, which provided Lessees a 30 day period to cure the default rent and a 60 day period to provide a liability insurance certificate. No response from Lessees of any kind was received. Rent for 2017 including late fees is currently \$12,250.00, have not been received, and no other evidence of insurance pursuant to the lease has been received by the State. Late fees of \$50.00 per month continue to accrue.

Lot 41 was inspected by State Park staff on April 6, 2017 and was found to be in disrepair and not up to the standards as described in the Kokee Design Guidelines. Specifically, the structures did not appear to be maintained and the landscaping was overgrown. Overall, Lot 41 displaced a general sense of neglect.

This cure period for the failure to pay rent expired on April 23, 2017 and the cure period for the failure to post the required liability insurance certificate expired on May 23, 2017, as of the date of this submittal, the breaches have not been cured.

RECOMMENDATION: That the Board:

1. Authorize the cancellation of General Lease No. SP0451 in the manner specified by law;
2. Authorize the retention of all sums heretofore paid or pledged under General Lease No. SP0451 to be applied to any past due amounts;
3. Terminate the lease and all rights of Lessee and all obligations of the Lessor effective as of June 23, 2017 provided that any and all obligations of the Lessee which have accrued to said effective date or which are stated in the lease to survive termination shall endure past such termination date until duly fulfilled, and further provided that Lessor reserves all other rights and claims allowed by law; and,
4. Authorize the Department of the Attorney General, the Department of Land and Natural Resources, or their agents to collect all monies due the State of Hawai'i under General Lease No. SP0451 and to pursue all other rights and remedies as appropriate.

Respectfully Submitted,



CURT A. COTTRELL  
State Parks Administrator

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE, Chairperson  
Attachment

Exhibit A - Description of the Premises



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES  
HONOLULU

C.S.P. No. KAUAI FILE  
FOLDER 3

November 2, 1966

KOKEE CAMP SITE LOTS

LOT 41

Waimea (Kona), Kauai, Hawaii

Being a portion of Kokee Park  
(Governor's Executive Order 1509)

Beginning at a pipe at the southeast corner of this lot, the southwest corner of Lot 43 of Kokee Camp Site Lots, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KOKEE" being 2102.11 feet North and 2033.62 feet East, as shown on H.S.S. Plat 3096, thence running by azimuths measured clockwise from True South:-

1. 68° 55' 30" 207.62 feet along the remainder of Kokee Park (Governor's Executive Order 1509) to a pipe;
2. 170° 26' 30" 168.85 feet along the remainder of Kokee Park (Governor's Executive Order 1509) to a pipe;
3. 231° 43' 94.45 feet along the remainder of Kokee Park (Governor's Executive Order 1509) to a pipe;
4. 315° 31' 30" 210.74 feet along Lot 43 of Kokee Camp Site Lots to the point of beginning and containing an AREA OF 0.62 ACRE.

EXCEPTING AND RESERVING to the State of Hawaii, its successors and assigns, a dirt roadway, over and across the above-described Lot 41 as shown on plan attached hereto and made a part hereof.

SURVEY DIVISION  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
STATE OF HAWAII

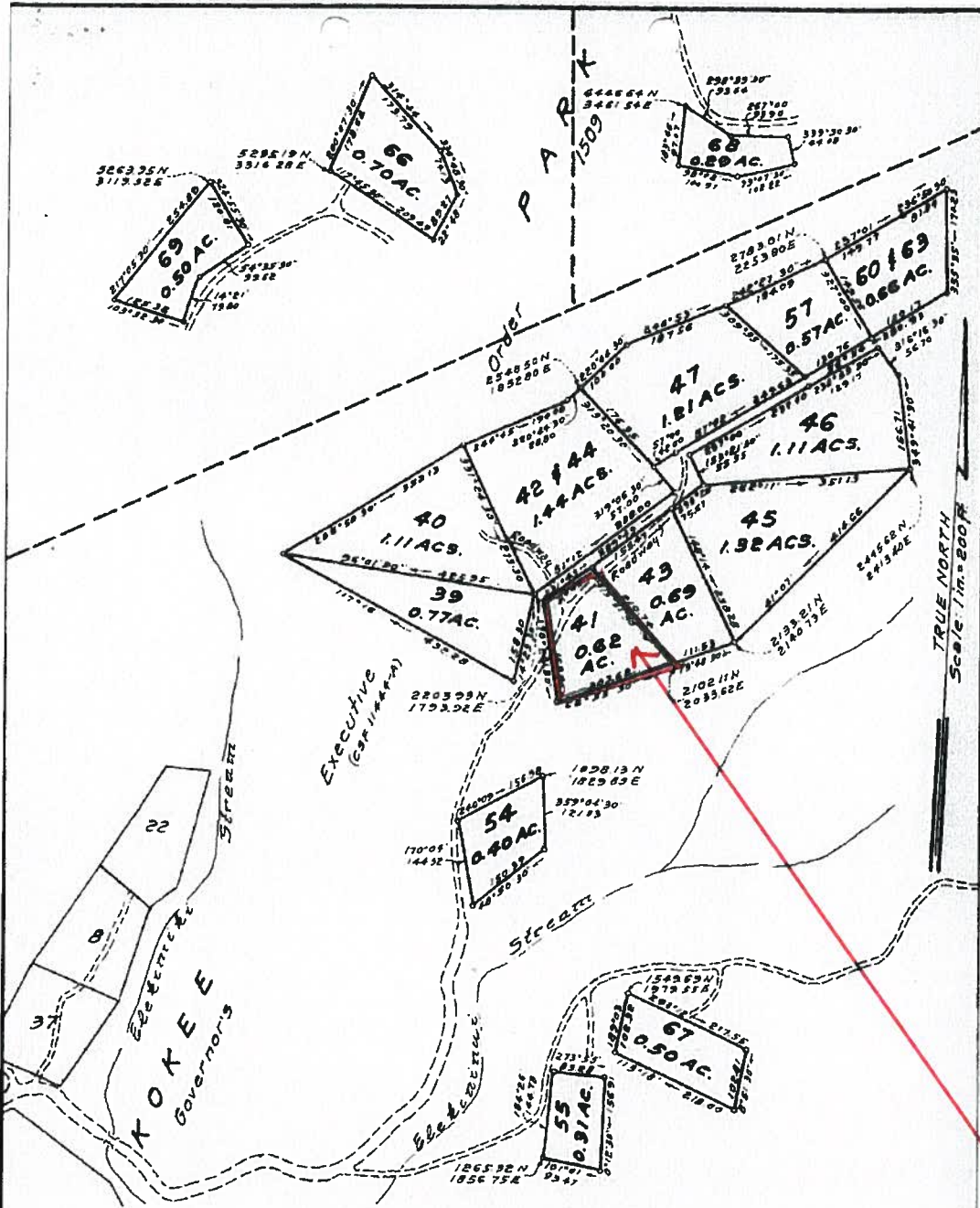
Compiled from maps by  
Henry Sumida and Associates,  
Inc. and Govt. Survey Records.

By: Akira Taga  
Akira Taga  
Land Surveyor

2M Closure Area Contd. J. Christal  
.0105 0.013E 0.621' 0.0000'

**EXHIBIT "A"**

Exhibit B - Map



**KOKEE CAMP SITE LOTS**  
**LOTS 39, 40, 41, 42, 44, 43, 45, 46, 47,**  
**54, 55, 57, 60, 63, 66, 67, 68 AND 69**

Waimea, (Kona) Kauai, Hawaii  
 Scale: 1 inch = 200 feet

**EXHIBIT "B"**

All corners marked with pipes  
 Coordinates referred to 'KOKEE'D'

JOB K-3626  
 C. BK

TAX MAP 1-4-04  
 KAUAI FILE  
 FOLDER 3

SURVEY DIVISION  
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
**STATE OF HAWAII**

A.T. Nov. 2, 1966