STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

September 14, 2018

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

File No. 10555(H)

Issuance of Land Patent in Confirmation of All of Land Commission Award No. 4096 to S. Kaaloa, situate at Kukuihaele, District of Hamakua, Island of Hawaii Tax Map Key: (3) 4-8-008:018.

APPLICANT:


LEGAL REFERENCE:

Section 171-23, Hawaii Revised Statutes, as amended,
Sections 172-11 and 12, Hawaii Revised Statutes, as amended,
Section 182-2, Hawaii Revised Statutes, as amended and Section 664-5, Hawaii Revised Statutes, as amended.

LOCATION:

The applicants’ property is comprised of a portion of Land Commission Award No.4096 to S. Kaaloa, situate at Kukuihaele, District of Hamakua, Island of Hawaii, containing an area of 20,336 square feet, more or less, as shown on the map attached hereto as Exhibit A.

DCCA VERIFICATION:

Not Applicable. The applicant owners of TMK: (3) 4-8-008:018 are not businesses, and thus they are not required to register with the Department of Commerce and Consumer Affairs.

APPLICANT REQUIREMENTS:

The Applicant has provided a copy of Land Commission Award 4096 dated August 18, 1850, with the original survey map and description attached thereto. (See Exhibit B)
REMARKS:

In accordance with the Act of August 6, 1850, Land Commission Award 4096 adjudicated a fee simple title, free and clear of commutation to S. Kaaloa, in and to his kuleana claim at Kukuihaele.

Staff abstractor has confirmed that no commutation is due and that no patent has been issued in confirmation of Land Commission Award 4096.

Although no commutation is due, the patent issued in confirmation of the whole of Land Commission Award 4096 to S. Kaaloa will evidence that the government’s right to commutation therein is relinquished.

Comments were requested from the Office of Hawaiian Affairs (OHA), however OHA provided no comment by the suspense date.

RECOMMENDATION:

Staff recommends that the Board consent to the issuance of a Land Patent in Confirmation of the subject Land Commission Award No. 4096 to S. Kaaloa subject to the following:

1. The terms and conditions as prescribed by law upon the issuance of Land Patents in confirmation of Land Commission Awards, as may be amended from time to time;

2. Review and approval by the Department of the Attorney General; and

3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State of Hawaii.

Respectfully Submitted,

E. Mahoe Collins
State Abstractor

APPROVED FOR SUBMITTAL:

Suzanne D. Case, Chairperson