

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

January 11, 2019

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

PSF No.: GL 5380

Oahu

Consent to Assign General Lease No. S-5380, Elizabeth L. Lee and Thomas G. Aki, Assignors, to Thomas G. Aki, Assignee, Waimanalo, Koolau-poko, Oahu, Tax Map Key: (1) 4-1-009:266.

APPLICANT:

Elizabeth L. Lee and Thomas G. Aki, as Assignors, to Thomas G. Aki, as Assignee.

LEGAL REFERENCE:

Section 171-36(a) (5), Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Waimanalo, Koolau-poko, Oahu, identified by Tax Map Key:(1) 4-1-009:266, as shown on the map attached as **Exhibit A**.

AREA:

31.17 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: No

CHARACTER OF USE:

Pasture purposes.

TERM OF LEASE:

35 years, commencing on January 1, 1995 and expiring on December 31, 2030. Last rental reopening occurred on January 1, 2015; Next rental reopening is scheduled on January 1, 2025.

ANNUAL RENTAL:

\$2,120.00

CONSIDERATION:

\$ 1.00

RECOMMENDED PREMIUM:

Not applicable, due to nominal consideration.

DCCA VERIFICATION:

Individuals, not applicable.

REMARKS:

At its meeting of June 28, 1991, under item F-8, the Board of Land and Natural Resources authorized a direct lease under General Lease No. S-5380, for thirty-five (35) years to Robert S.Y. Lee and Theresia E. Lee commencing on January 1, 1995 for pasture purposes. Subsequently, at its meeting of August 26, 1996, under item D-2, the Board consented to the assignment of General Lease No. S-5380 from Robert S.Y. Lee and Theresia E. Lee, Assignors, to Robert S.Y. Lee, Theresia E. Lee and Charles R. Lee, Assignees.

In 2015, the previous lessees requested that the lease be transferred over to their daughter, Elizabeth Lee, and her domestic partner, Thomas Aki, as to a 30% and 70% undivided interest respectively.

Recently, Ms. Lee requested her 30% interest in the lease be transferred to Mr. Thomas Aki, which will result in the entire 100% interest of the subject lease under Mr. Aki.

There are no outstanding rental reopening or lease compliance issues. No comments were solicited, other than Department of Agriculture, as there will be no change in land use.


The subject lease is scheduled to be transferred to the Department of Agriculture (“DOA”) pursuant to Act 90, Session Laws of Hawaii 2003. Staff is regularly meeting with staff at DOA regarding the transfer, which also involves other leases, under the program. DOA does not have any objections to the subject request.

RECOMMENDATION:

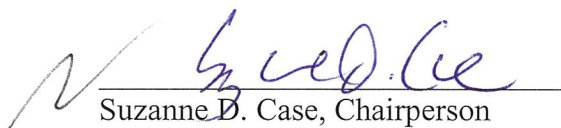
That the Board consent to the assignment of General Lease No. S-5380 from Elizabeth E. Lee and Thomas Aki as Assignors, to Thomas G. Aki, as Assignee, subject to the following:

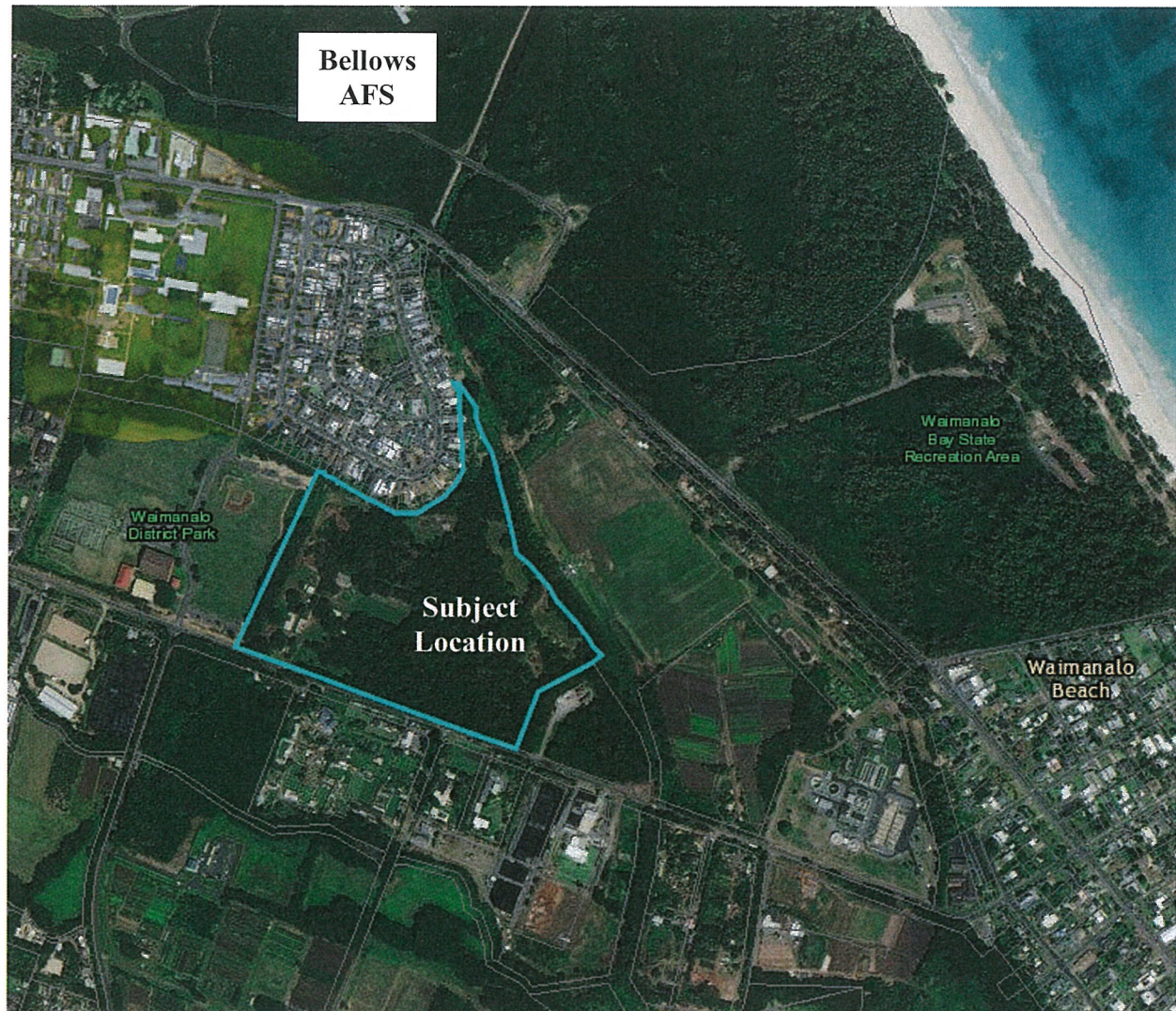
1. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson



TMK (1) 4-1-009:266

EXHIBIT A