

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

December 10, 2021

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

Ref. No.: GLS-4956  
PSF No.: 20HD-054

HAWAII

Consent to Assign General Lease No. S-4956, Annie K. Tai See, also known as Annie Kaluhi Tai See and Annie Kaluhui Tai See, Assignor (Deceased), to Ronald David Tai See (son), Assignee, Milolii-Hoopuloa, South Kona, Hawaii, Tax Map Key: (3) 8-9-014: 001.

APPLICANTS:

Annie K. Tai See, also known as Annie Kaluhi Tai See and Annie Kaluhui Tai See, Assignor (deceased), hereinafter referred to as Annie K. Tai See, to Ronald David Tai See (son) as Assignee, with Ronald Intoi Tai See (husband) as Personal Representative of Annie K. Tai See's estate.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands, Lot 1, Milolii-Hoopuloa Houselots, Phase I, situated at Milolii and Hoopuloa, South Kona, Hawaii, identified by Tax Map Key: (3) 8-9-014: 001, as shown on the attached maps and photo labeled **Exhibit A**.

AREA:

0.1751 acre (7,627 s.f.), 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:

Solely for residential purposes as the Lessee's principal domicile.

TERM OF LEASE:

65-years, commencing on July 12, 1985 and expiring on July 11, 2050 with annual rental reopened and redetermined on the twenty-fifth (25<sup>th</sup>) and forty-fifth (45<sup>th</sup>) years of said term.

ANNUAL RENTAL:

\$480.00. Due in semi-annual installments of \$240.00 on the First Day of December and June of each year.

CONSIDERATION:

\$ 1.00.

RECOMMENDED PREMIUM:

Not applicable as the lease does not allow for a premium.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule (HAR) Sections 11-200.1-16 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemptions Type 1, Part 1, Item No. 40, where Type 1 exemptions involve "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing," and where Item No. 40 under Part 1 applies to "Leases of state land involving negligible or no expansion or change of use beyond that previously existing." The subject request is a de minimis action that will probably have minimal or no significant effect on the environment and should be declared exempt from the preparation of an environmental assessment and the requirements of § 11-200.1-16, HAR.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

1. Submit a basic homeowner's insurance or a Certificate of Liability Insurance for the property as required under the lease, within sixty (60) days of this approval.

REMARKS:

Act 62, Session Laws of Hawaii 1982, as amended by Act 83, Session Laws of Hawaii 1984, authorized the Department of Land and Natural Resources to negotiate and enter into long term leases to persons residing in Milolii who were dispossessed or displaced as a result of the 1926 volcanic eruption of Mauna Loa on the Island of Hawaii. Act 362, Session Laws of Hawaii 1987, as amended by Act 68, Session Laws of Hawaii 1989, and Act 86, Session Laws of Hawaii 1991, extended the sunset date to January 1, 1989, providing sufficient time to process Phase III of the Milolii-Hoopuloa Lots.

At its meeting of June 22, 1984, and December 28, 1984, the Board under agenda Items H-2 and F-3, as amended, respectively, authorized the disposition by direct negotiation of residential leases to eleven (11) "Grandfathered" residences at Milolii, Phase I, pursuant to Act 62, SLH 1982, as amended by Act 83, SLH 1984.

Eleven of these residences are located on State land identified by Tax Map Key: (3) 8-9-04:22, while the remaining residences is situated on Tax Map Key: (3) 8-9-14:16, which was withdrawn from Governor's Executive Order No. 2435, Portion of Park Site, Milolii and Omokaa, South Kona, Hawaii. Lot 1 was issued to Antonio Makaena Akiu and encumbered under General Lease No. S-4956.

On January 9, 2012, Antonio M. Akiu and Annie K. Tai See visited the Hawaii District Land Office to request a consent to assignment of General Lease No. S-4956, Antonio Makaena Akiu, Assignor, to Annie K. Tai See, as Assignee.

At its meeting of February 10, 2012, the Board under agenda Item D-1, approved consent to assignment of General Lease No. S-4956, Antonio Makaena Akiu, Assignor, to Annie K. Tai See, as Assignee.

On May 4, 2020, Annie K. Tai See submitted a request for a consent to assignment of General Lease No. S-4956, Annie K. Tai See, Assignor, to Ronald David Tai See (son), as Assignee. An Assignment of Lease, regarding the above, was also executed and notarized at this time, as shown on the attached document labeled **Exhibit B**.

On October 7, 2021, staff was notified by Ronald David Tai See that Annie K. Tai See passed on December 8, 2020, as shown on the attached certificate of death labeled **Exhibit C**.

On October 16, 2021, Staff is notified by Ronald David Tai See that Ronald Intoi Tai See is the Personal Representative of Annie K. Tai See's estate, as shown on the attached document labeled **Exhibit D**. Note: Ronald Intoi Tai See is the husband of Annie K. Tai See (deceased) and the father of Ronald David Tai See (Assignee). Because Annie K. Tai See executed an assignment of the lease prior to her death, the lease was not part of her probate estate administered by her Personal Representative. Ronald Intoi Tai See has

expressed support for the subject request pursuant to the Assignment of Lease Annie K. Tai See executed in favor of Ronald David Tai See, as shown on the attached document labeled **Exhibit E**.

All terms and conditions of lease including rent and insurance requirements are current and satisfactory. Ronald David Tai See has not had a lease, permit, easement, or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions. There are no outstanding rental or rental reopening issues. No government agencies or interest groups were solicited for comments as the assignment of this lease will not involve a new disposition or change in land use.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment as a de minimis action.
2. Consent to the assignment of General Lease No. S-4956 from Annie K. Tai See, also known as Annie Kaluhi Tai See and Annie Kaluhui Tai See, Assignor (Deceased), to Ronald David Tai See, as Assignee, subject to the following:
  - A. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
  - B. Review and approval by the Department of the Attorney General; and
  - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

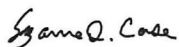
Respectfully Submitted,



Pua Ishibashi  
Land Agent

*CM*

APPROVED FOR SUBMITTAL:

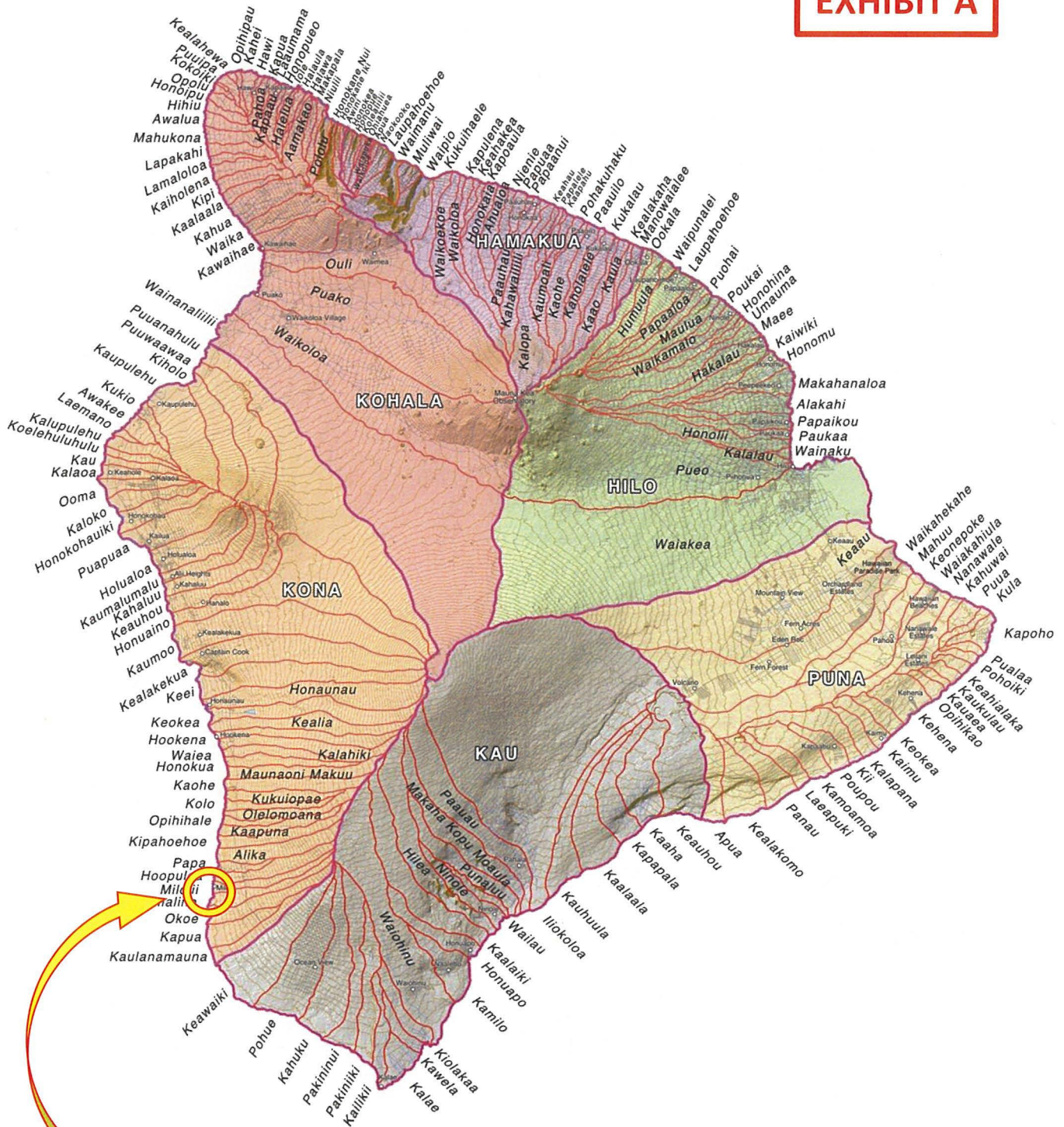


Suzanne D. Case, Chairperson

RT



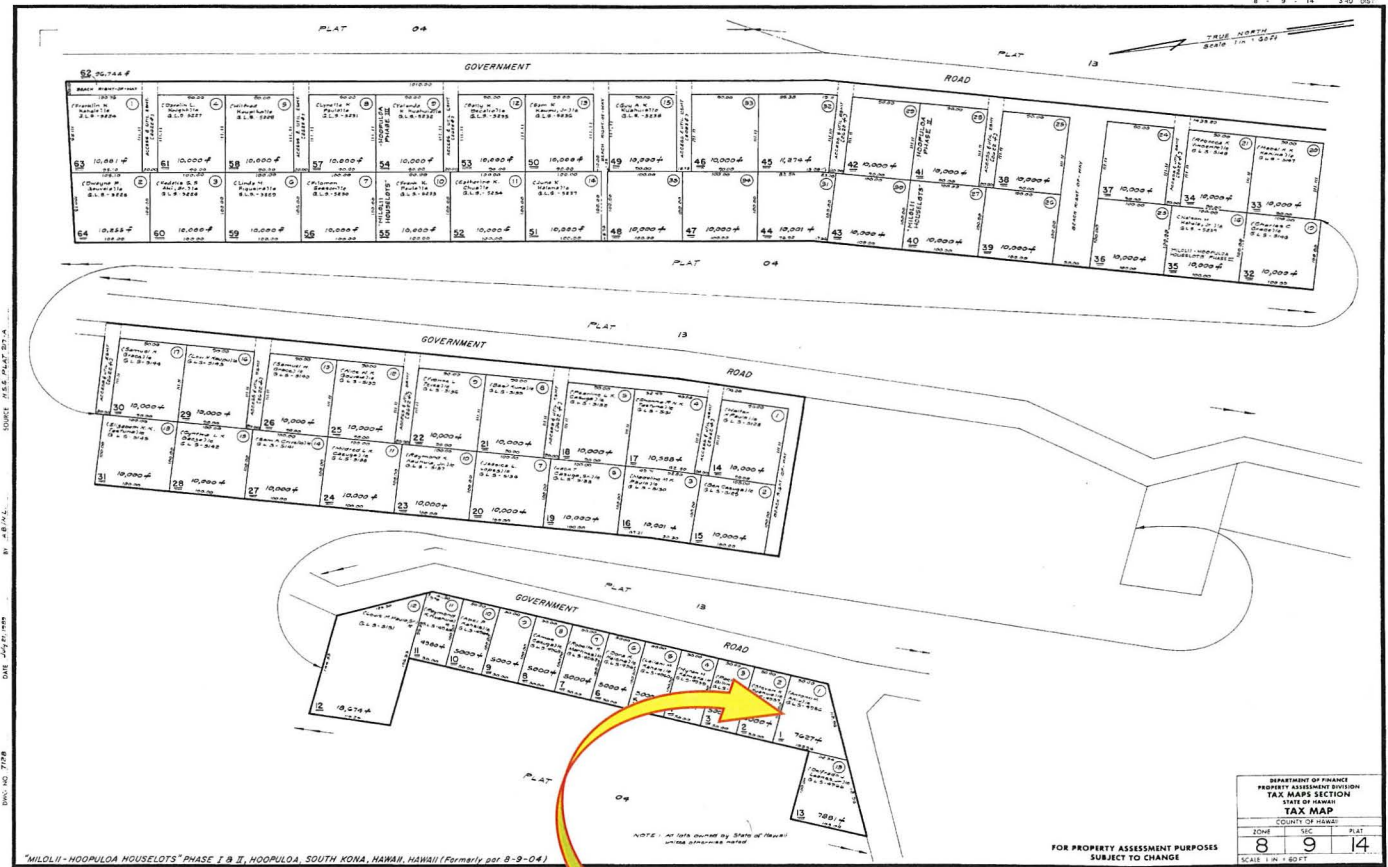
**EXHIBIT A**



**Milolii-Hoopuloa, South Kona, Hawaii.**

# EXHIBIT A

8 - 9 - 14 3:50 PM



**Tax Map Key: (3) 8-9-014:001**



**EXHIBIT A**



**Residence @ Tax Map Key: (3) 8-9-014:001**

May 4, 2020

Department of Land and Natural Resources  
Land Division  
Post Office Box 936  
Hilo, Hawaii 96721

2020 JUN -9 A 10:42  
RECEIVED  
LAND DIVISION  
HILO, HAWAII

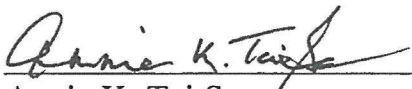
To Whom it May Concern,

Subject: Assignment of General Lease No. S-4956

Please accept this letter as my formal request to assign General Lease No. S-4956, Annie K. Tai See, Assignor/Lessee, to Ronald David Tai See, as Assignee.

For personal reasons, I wish to now assign my interest of General Lease No. S-4956 to my son, Ronald David Tai See, who currently resides on the subject property and is a qualified applicant under the provisions of Act 362, Session Laws of Hawaii 1987.

Sincerely,

  
\_\_\_\_\_  
Annie K. Tai See

Phone: [REDACTED]

Email: [REDACTED]



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

ASSIGNMENT OF GENERAL LEASE NO. **S-4956**

**KNOW ALL MEN BY THESE PRESENTS:**

**THAT**, Annie K. Tai See, whose mailing address is [REDACTED] Keaau, Hawaii 96749, hereinafter referred to as the "ASSIGNOR", for and in consideration of the sum of one dollar, (\$1.00), paid by Ronald David Tai See, whose mailing address is [REDACTED] Captain Cook, Hawaii 96704, hereinafter referred to as the "ASSIGNEE" the receipt of which sum is hereby acknowledged, and for other valuable consideration, as assigned and does hereby assign, transfer and set over unto the said Assignee, that certain indenture of the lease dated May 25, 2012, from the Board of Land and Natural Resources for and on behalf of the Government of the State of Hawaii, as Lessor, and known as General Lease No. S-4956, filed with the Bureau of Conveyances of the State of Hawaii on May 29, 2012, under Document No. Doc A-45320566A; all of her right, title and interest under and by virtue of the said lease in and to the premises therein described, being a portion of the government land known as Lot 1 of Tax Map Key: (3) 8-9-014:001, Milolii-Hoopuloa Houselots, Phase I, situate at Hoopuloa, South Kona, Hawaii, in said lease more particularly described.

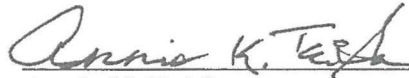
**TO HAVE AND TO HOLD**, the same unto the said Assignee, her successors and permitted assigns, from and after the date hereof, for and during the remaining term of said General Lease, and the right and privileges in and under said lease, subject always to the rents, covenants, and provisions therein contained and on the part of the Assignee to be kept, observed and performed; and to the consent of the Board of Land and Natural Resources being hereto attached.

**AND**, the said Assignee aforesaid, for and in consideration of the execution of this instrument of assignment from the Assignor to the Assignee, hereby accepts

the said assignment and transfer of said General Lease and does hereby undertake and agree with the Assignor, and the said State of Hawaii, that said Assignee will pay the rent reserved in said lease and keep, observe and perform all of the terms, covenants and conditions therein to be kept, observed and performed.

**IN WITNESS WHEREOF**, the said Assignor and Assignee have caused this instrument to be executed this 8 day of May, 2020.

**ASSIGNOR:**

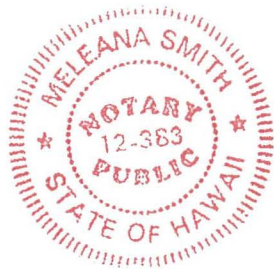
  
Annie K. Tai See

**ASSIGNEE:**

  
Ronald David Tai See

STATE OF HAWAII )  
 ) SS.  
COUNTY OF HAWAII )

On this 8 day of May, 2020, before me personally appeared ANNIE K. TAI SEE, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her own free act and deed.



Meleana Smith

Notary Public, State of Hawaii

My commission expires: 12-09-2020

Date of Notarized Document: May 8, 2020

Number of Pages: 5

Doc. Description: ASSIGNMENT OF GENERAL LEASE NO. S-4956

Printed Name of Notary: Meleana Smith

Meleana Smith 5/8/2020  
Notary's Signature Date

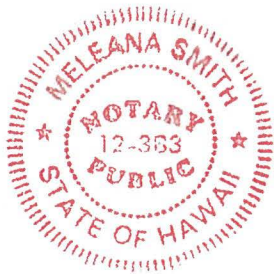
(Notary's Official Stamp or Seal)

NOTARY CERTIFICATION



STATE OF HAWAII )  
 ) SS.  
COUNTY OF HAWAII )

On this 8 day of May, 2020, before me personally appeared **RONALD DAVID TAI SEE**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his own free act and deed.



Meleana Smith

Notary Public, State of Hawaii

My commission expires: 12-09-2020

Date of Notarized Document: May 8, 2020

Number of Pages: 5

Doc. Description: ASSIGNMENT OF GENERAL LEASE NO. S-4956

Printed Name of Notary: Meleana Smith

Meleana Smith

Notary's Signature

5/8/2020

Date

(Notary's Official Stamp or Seal)

**NOTARY CERTIFICATION**

CERTIFICATE OF DEATH

STATE OF HAWAII  
DEPARTMENT OF HEALTH



CERTIFICATE NO. 151 2020 - 011236

**EXHIBIT C**

AKA: ANNIE KALUHI TAISEE

Name of Decedent  
ANNIE KALUHI TAI SEE

City, Town or Location of Death  
Hilo

County of Death  
HAWAII

Island of Death  
HAWAII

Actual or Presumed Date of Death    Actual or Presumed Time of Death  
December 08, 2020    5:30 AM

Date of Birth  
[REDACTED]

Age at Death  
[REDACTED] YEAR(s)

Sex    Race  
FEMALE    Hawaiian

Citizenship  
UNITED STATES

Ever in Armed Forces?  
NO

Social Security Number    Marital Status  
[REDACTED]    MARRIED

Surviving Spouse (If Wife, Name Prior to First Marriage)  
Ronald Intoi Tai See

Father's Name  
Albert Pi

Mother's Name (Prior to First Marriage)  
Annie Kuanoni Paauhau

Disposition  
CREMATION    Cemetery/Crematory: DODO MORTUARY, INC.  
Date: December 11, 2020    Location: Hilo, HI 96720  
Permit #: 246797    Funeral Home: DODO MORTUARY

Certifier: DOUGLAS DO PRIVATE PHYSICIAN

Date Certified: December 8, 2020

Original Date Certified: December 8, 2020

Date Pronounced Dead: December 8, 2020

Time Pronounced Dead: 6:05 AM

Cause of Death:  
a. [REDACTED]  
b. [REDACTED]

Part II. ACUTE RENAL FAILURE

Manner of Death: NATURAL CAUSES

Date Filed by State Registrar: December 10, 2020

OHSM 1 2 (Rev 1/2013)    This copy serves as prima facie evidence of the fact of death in any court proceeding. [HRS 338-13(b), 338-19]    1275542

**ANY ALTERATIONS INVALIDATE THIS CERTIFICATE**

MICHAEL J. MATSUKAWA, 1885  
75-5751 Kuakini Highway, Room 201  
Kailua-Kona, Hawaii 96740  
Telephone (808) 329-1385

Attorney for Applicant

Electronically Filed  
THIRD CIRCUIT  
3CLP-21-0000220  
11-AUG-2021  
04:06 PM  
Dkt. 22 LOA

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

THE ESTATE	)	P. No. 3CLP-21-0000220
	)	(Kona) (Informal)
	)	
OF	)	
	)	LETTERS OF ADMINISTRATION
	)	
ANNIE KALUHUI TAI SEE	)	
	)	
Deceased.	)	
_____	)	

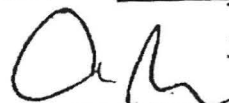
LETTERS OF ADMINISTRATION

RONALD TAI SEE is informally appointed Personal Representative of the Estate of the decedent.

LIMITATION ON POWERS: None

These Letters of Administration shall expire three years from the date hereof, unless renewed by the Court for good cause.

Dated at Hilo, Hawaii:           AUG 11 2021          

  
 \_\_\_\_\_  
**LESTER D. OSHIRO**  
 CLERK OF THE ABOVE-ENTITLED COURT



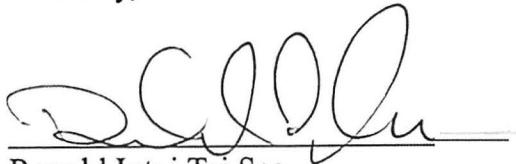
November 9, 2021

Land Division of Department of Land and Natural Resources  
Post Office Box 936  
Hilo, Hawaii 96721

Dear Pua Ishibashi,

Please accept this letter as my formal support to assign General Lease No. S-4956 to Ronald David Tai See. I am the personal representative for my wife's, Annie K. Tai See, estate and I would like to fulfill my wife's wishes to assign her interest of General Lease No. S-4956 to our son, Ronald David Tai See.

Sincerely,

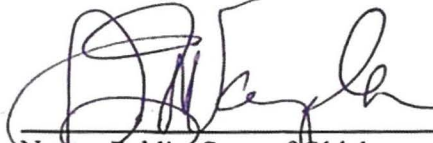
A handwritten signature in black ink, appearing to read 'Ronald Intoi Tai See', written over a horizontal line.

Ronald Intoi Tai See

P.O. Box 145  
Keaau, Hawaii 96749

STATE OF Oklahoma )  
 ) SS.  
COUNTY OF Cotton )

On this 10<sup>th</sup> day of November, 2021, before me personally appeared **RONALD INTOI TAI SEE**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that **he** executed the same as **his** own free act and deed.

  
\_\_\_\_\_  
Notary Public, State of Oklahoma

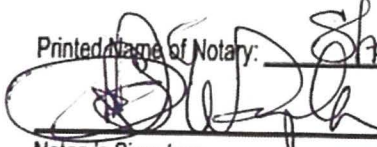
My commission expires: 04/13/2025

Date of Notarized Document: 11-10-2021

Number of Pages: 2

Doc. Description: ASSIGNMENT OF GENERAL LEASE NO. S-4956

Printed Name of Notary: Sherry Wampler

  
\_\_\_\_\_  
Notary's Signature

11-10-2021  
Date

(Notary's Official Stamp or Seal)

### NOTARY CERTIFICATION

SHERRY WAMPLER  
NOTARY PUBLIC - STATE OF OKLAHOMA  
MY COMMISSION EXPIRES April 13, 2025  
COMMISSION # 05003587