

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

April 26, 2024

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

Oahu

Authorize the Deregistration from Land Court, Certificate of Title No. 490,888;
Tax Map Keys: (1) 9-1-016:008, por., (1) 9-1-017:097, (1) 9-1-018:008 & 014:

- A. Lot 2543, Map 245, Land Court Application No. 1069
- B. Lot 10067-A-1, Map 1372, Land Court Application No. 1069
- C. Lot 18060, Map 1409, Land Court Application No. 1069
- D. Lot 11994-A, Map 1632, Land Court Application No. 1069

and Certificate of Title No. 908,339; Tax Map Keys: (1) 9-1-017:108 & 160:

- E. Lot 18064, Map 1410, Land Court Application No. 1069
- E. Lot 19894, Map 1667, Land Court Application No. 1069

APPLICANT:

Department of Land and Natural Resources (Department)

LEGAL AUTHORITY:

Sections 171-6 and 501-261.5, Hawaii Revised Statutes (HRS)

LOCATION & AREA:

These parcels are situated at Honouliuli, Ewa, Oahu, and further described below:

Land Court	Tax Map Key (TMK)	Acres	Exhibit
Lot 2543, Map 245, Ap. No. 1069	(1) 9-1-016:008	31.527	A
Lot 10067-A-1, Map 1372, Ap. No. 1069	(1) 9-1-017:097	36.365	B
Lot 18060, Map 1409, Ap. No. 1069	(1) 9-1-018:008	40.731	C
Lot 11994-A, Map 1632, Ap. No. 1069	(1) 9-1-018:014	59.088	D
Lot 18064, Map 1410, Ap. No. 1069	(1) 9-1-017:008	11.942	E
Lot 19894, Map 1667, Ap. No. 1069	(1) 9-1-017:160	17.905	F

BACKGROUND:

In 1936, Trustees under the Will and the Estate of James Campbell, deceased, registered portions of the Ahupuaa of Honouliuli, Ewa, Oahu, in Land Court, pursuant to Land Court Application No. 1069.

The Board of Land and Natural Resources (Board) initially approved the acquisition of over 4,000 acres in Kapolei from Campbell Estate at its July 22, 1988 meeting, under agenda item F-9. Subsequently, after lengthy negotiations, the Office of State Planning and Campbell Estate reached an agreement for the State to acquire a total of 1,236 acres. The Board ultimately approved this acquisition at its April 26, 1991 meeting, under agenda item F-13. The acquisition was intended for developing housing, public facilities, and land banking in anticipation of the growth of Oahu's master planned second city. By Final Order of Condemnation dated August 22, 1994, and Stipulated Final Judgment in Eminent Domain dated July 19, 1994, the State acquired title to 1,100 acres including the subject parcels for the sum of \$31.7 million.

Over the intervening years, lands were subdivided out from the originally acquired acreage and transferred to various State agencies including the Departments of Hawaiian Home Lands (DHHL) and Education (DOE), and the University of Hawaii (UH) as part of the ongoing development of Kapolei as Oahu's master planned second city. The Department retained the parcels described in Exhibits A-D and is in the process of developing them into a mixed-use complex to create housing and generate revenue to support the Department's mission to conserve and manage Hawaii's unique cultural, natural, and historic resources for the benefit of future generations.

In addition to the parcels retained by the Department for development, DOE holds the parcels described as Lot 18064, Map 1410, and Lot 19894, Map 1667, Land Court Application No. 1069, described in Exhibits E and F. Lot 18064 is designated for an elementary school yet to be constructed and Lot 19894 houses Honouliuli Middle School. DOE has requested that staff include its parcels in this deregistration request.

REMARKS:

The subject lots were registered in Land Court by the Estate of James Campbell. The State of Hawaii acquired the fee interest from the successor landowner by order of condemnation in 1994. For purposes of Section 501-261.5, HRS, the State is a self-insured sovereign. There is no obvious downside to deregistering the subject lots from Land Court.

The principal benefit of land registered with Land Court versus the regular system is that a landowner cannot lose title via adverse possession. The State, however, by virtue of its sovereign character, cannot lose title to land via adverse possession, irrespective of whether the land is registered in Land Court.

The downside to keeping the subject lots in Land Court is the lengthy backlog at Land Court which frequently causes delays, the need to obtain additional surveys and documents that would not be required in the regular system, and the need to navigate Land Court procedures.

This request represents a continuation of a larger initiative to deregister lands formerly owned by the Estate of James Campbell from Land Court to expedite planned development in Kapolei. At its meeting of October 24, 2022, under Agenda Item M-15, the Board considered and approved a similar request from DHHL to deregister the parcels transferred to it as noted above.

To accelerate the Department's development process, staff is requesting that the Board authorize the deregistration from Land Court of the lots listed below as noted on Certificate of Title Nos. 490,888 and 908,339.

RECOMMENDATION: That the Board:

1. Authorize the deregistration of Certificate of Title No. 490,888:
 - A. Lot 2543, Map 245, Land Court Application No. 1069
 - B. Lot 10067-A-1, Map 1372, Land Court Application No. 1069
 - C. Lot 18060, Map 1409, Land Court Application No. 1069
 - D. Lot 11994-A, Map 1632, Land Court Application No. 1069

and Certificate of Title No. 908,339

- E. Lot 18064, Map 1410, Land Court Application No. 1069
- F. Lot 19894, Map 1667, Land Court Application No. 1069

Respectfully Submitted,

Luke Sarvis

RT

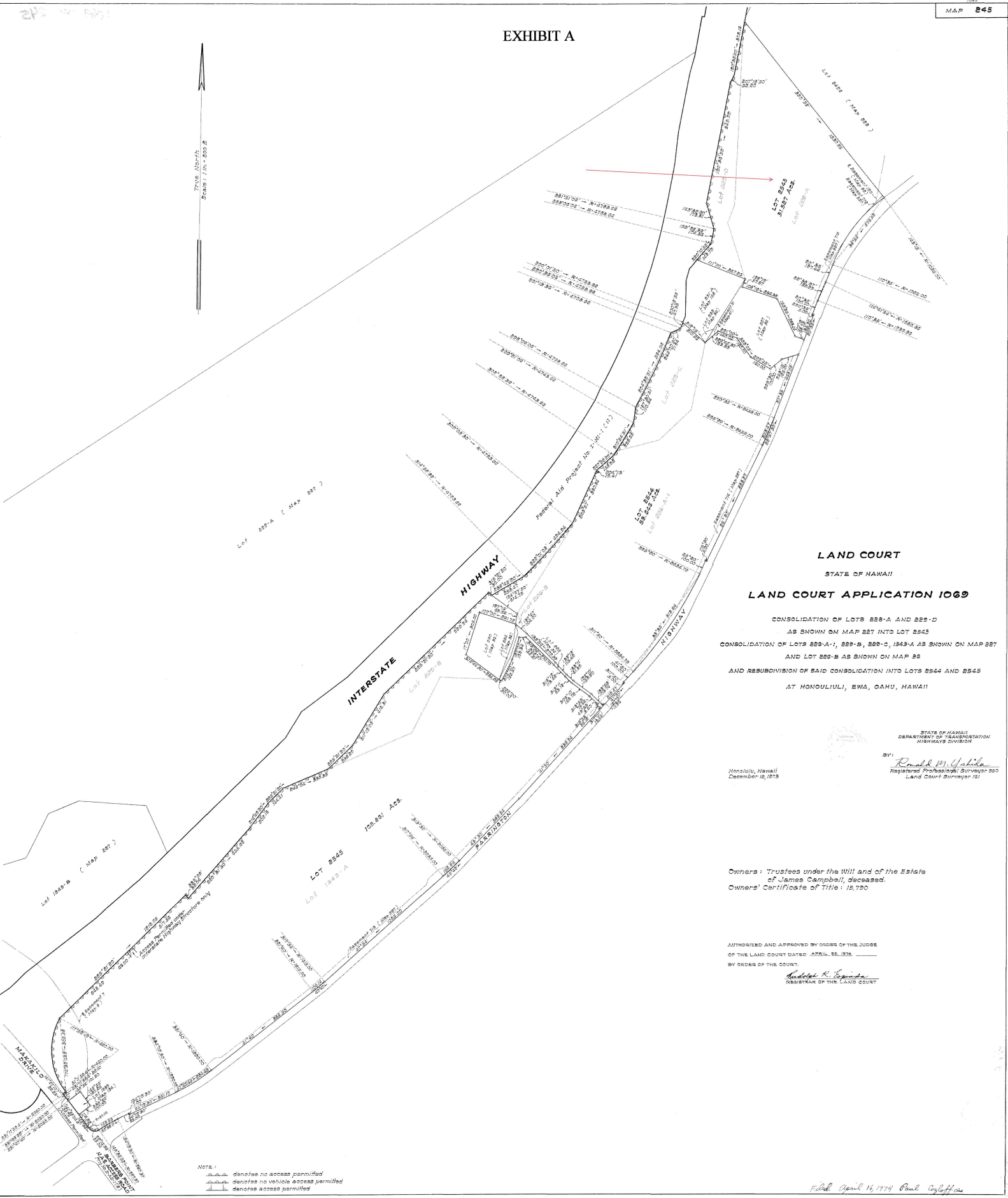
Luke J. Sarvis
Project Development Specialist

APPROVED FOR SUBMITTAL:



Dawn N.S. Chang, Chairperson

EXHIBIT A



LAND COURT
STATE OF HAWAII
LAND COURT APPLICATION 1069

CONSOLIDATION OF LOTS 228-A AND 228-D
AS SHOWN ON MAP 227 INTO LOT 2245
CONSOLIDATION OF LOTS 228-A-1, 228-B, 228-C, 1243-A AS SHOWN ON MAP 227
AND LOT 228-B AS SHOWN ON MAP 26
AND RESUBDIVISION OF SAID CONSOLIDATION INTO LOTS 2545 AND 2545
AT HONOLULU, EWA, OAHU, HAWAII

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
BY: *Ronald M. Yehle*
Registered Professional Surveyor No. 120
Land Court Surveyor 121
Honolulu, Hawaii
December 18, 1978

Owners: Trustees under the Will and of the Estate
of James Campbell, deceased.
Owners' Certificate of Title: 15,790

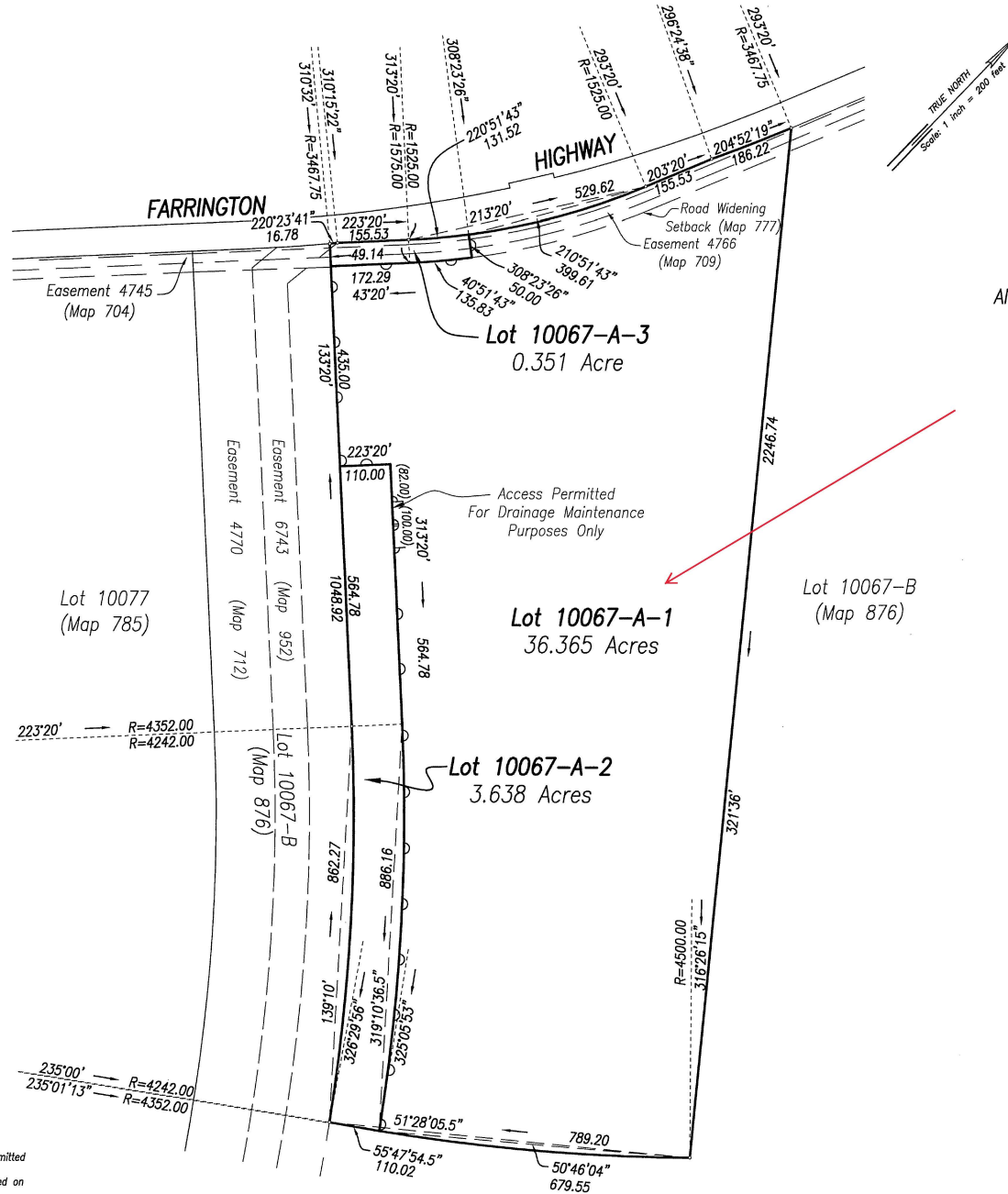
AUTHORIZED AND APPROVED BY ORDER OF THE JUDGE
OF THE LAND COURT DATED APRIL 22, 1979
BY ORDER OF THE COURT:
Richard K. Toppin
REGISTERAR OF THE LAND COURT

Filed April 16, 1979 Paul C. [unclear]

EXHIBIT B

1069

MAP 1372



LAND COURT STATE OF HAWAII LAND COURT APPLICATION 1069

SUBDIVISION OF LOT 10067-A AS SHOWN ON MAP 876
INTO LOTS 10067-A-1, 10067-A-2 AND 10067-A-3
AND DESIGNATION OF RESTRICTION OF VEHICLE ACCESS RIGHTS
AFFECTING LOT 10067-A-1
AT HONOLULULI, EWA, OAHU, HAWAII

420 Waiakamilo Road, Suite 411
Honolulu, Hawaii 96817
October 2, 2007



R.M. TOWILL CORPORATION
Ryan M. Suzuki 4/30/08
Ryan M. Suzuki Expiration Date
Licensed Professional Land Surveyor
Certificate Number 10059
Land Court Certificate Number 180

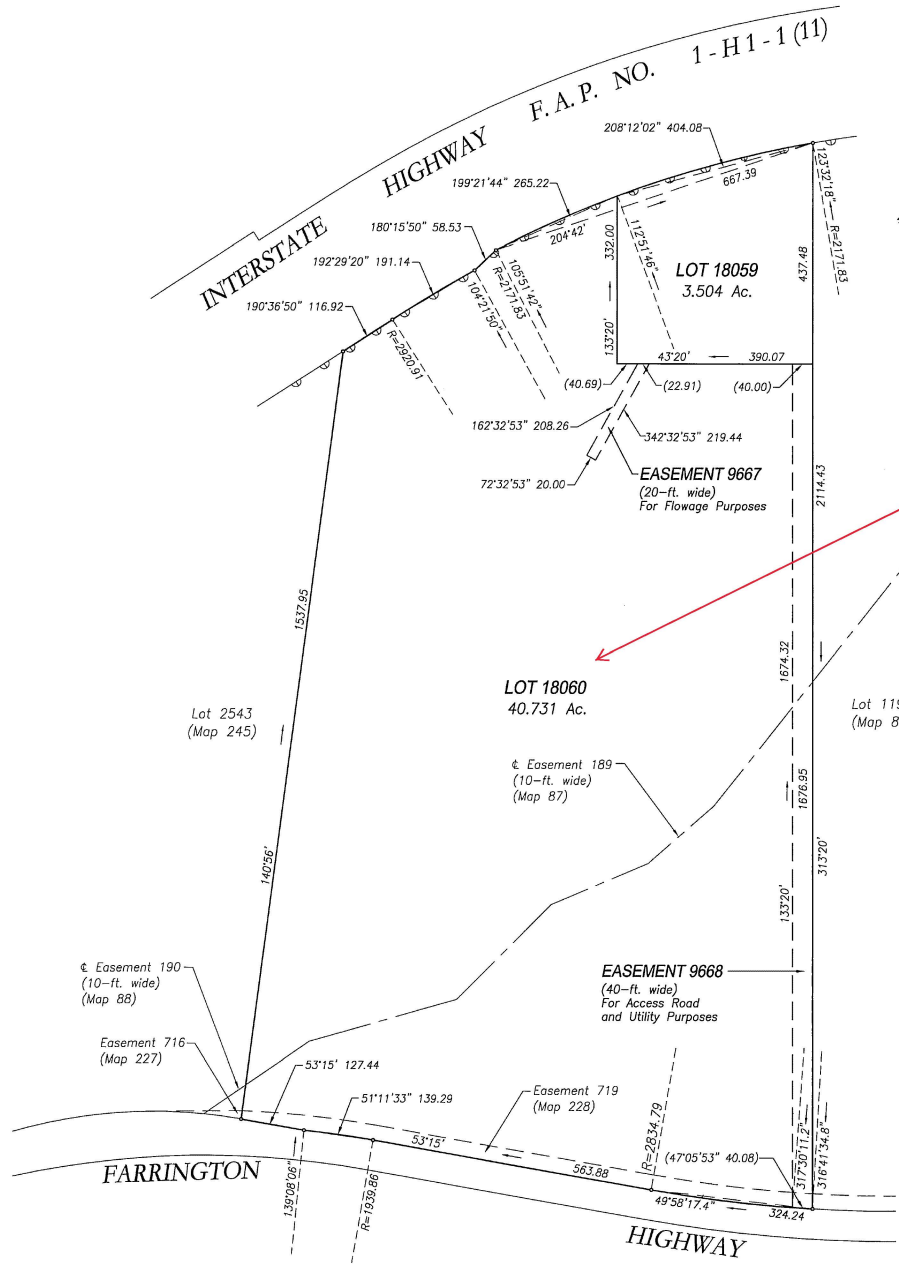
OWNER: STATE OF HAWAII
TRANSFER CERTIFICATE OF TITLE: 490,888

AUTHORIZED AND APPROVED BY ORDER OF THE JUDGE
OF THE LAND COURT DATED DECEMBER 20, 2007
BY ORDER OF THE COURT.

Patricia Hanawine
REGISTRAR OF THE COURT

Filed: November 20, 2007 by P. Duchmanukula, Clerk

Notes:
--- Denotes No Vehicle Access Permitted
--- Denotes Limited Access as noted on plan



LAND COURT
STATE OF HAWAII
LAND COURT APPLICATION 1069
SUBDIVISION OF LOT 11992
AS SHOWN ON MAP 874
INTO LOT 18059 AND LOT 18060
AND DESIGNATION OF EASEMENTS 9667 AND 9668
AFFECTING LOT 18060
AT HONOLULUI, EWA, OAHU, HAWAII

735 Bishop Street, Suite 330
Honolulu, Hawaii 96813
September 19, 2006



ACE LAND SURVEYING LLC
Kevin K. Kea
Kevin K. Kea
Licensed Professional
Land Surveyor
Certificate No. 10928
Land Court
Certificate No. 286

OWNER: STATE OF HAWAII, by its Board of Land and Natural Resources
TRANSFER CERTIFICATE OF TITLE: 490,888

AUTHORIZED AND APPROVED BY ORDER OF THE JUDGE
OF THE LAND COURT DATED SEPTEMBER 10, 2008
BY ORDER OF THE COURT.

Patience Hanawahine
REGISTRAR OF THE LAND COURT

NOTES:
AREA OF EASEMENTS:
EASEMENT 9667 = 0.088 AC.
EASEMENT 9668 = 1.539 AC.

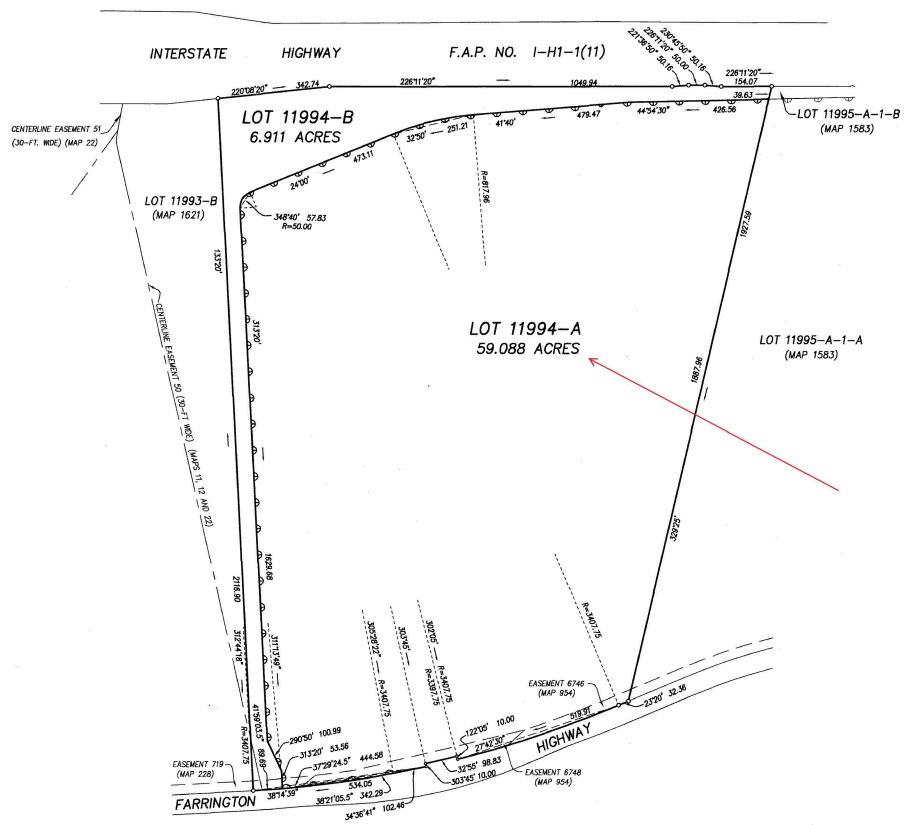
--- DENOTES NO ACCESS PERMITTED.

filed May 6, 2008
Janis' Ahivoma,
clerk

EXHIBIT D

LAND COURT
 STATE OF HAWAII
 LAND COURT APPLICATION 1069

SUBDIVISION OF LOT 11994
 AS SHOWN ON MAP 874
 INTO LOTS 11994-A AND 11994-B
 AND CANCELLATION OF A PORTION OF
 RESTRICTION OF ACCESS RIGHTS
 AFFECTING LOT 2496 AS SHOWN ON MAP 228
 AND DESIGNATION OF RESTRICTION OF
 ACCESS RIGHTS AFFECTING LOT 11994-A
 AT HONOULIULI, EWA, OAHU, HAWAII



R.M. TOWILL CORPORATION
 Dian L.M. Anita, License No. 12749, Exp. Date 4/30/26
 Licensed Professional Land Surveyor
 Certificate Number 12749
 Land Court Certificate Number 312

3224 North King Street, Suite 200
 Honolulu, Hawaii 96817
 March 11, 2011

OWNER: STATE OF HAWAII
 TRANSFER CERTIFICATE OF TITLE: 490,888

AUTHORIZED AND APPROVED BY ORDER OF THE JUDGE
 OF THE LAND COURT DATED JANUARY 28, 2015
 BY ORDER OF THE COURT.

Ferran Henautine
 REGISTRAR OF THE LAND COURT

NOTES:
 --- DENOTES NO ACCESS PERMITTED
 --- DENOTES NO VEHICLE ACCESS PERMITTED

Filed December 2, 2014
Jenny Buioma,
clerk

EXHIBIT E

LAND COURT
 STATE OF HAWAII
LAND COURT APPLICATION 1069
 SUBDIVISION OF LOT 17850
 AS SHOWN ON MAP 1375
 INTO LOTS 18061 TO 18066, INCLUSIVE
 AND DESIGNATION OF EASEMENT ~~9669~~
 AFFECTING LOT 18066
 AT HONOLULU, EWA, OAHU, HAWAII

735 Bishop Street, Suite 330
 Honolulu, Hawaii 96813
 December 28, 2007



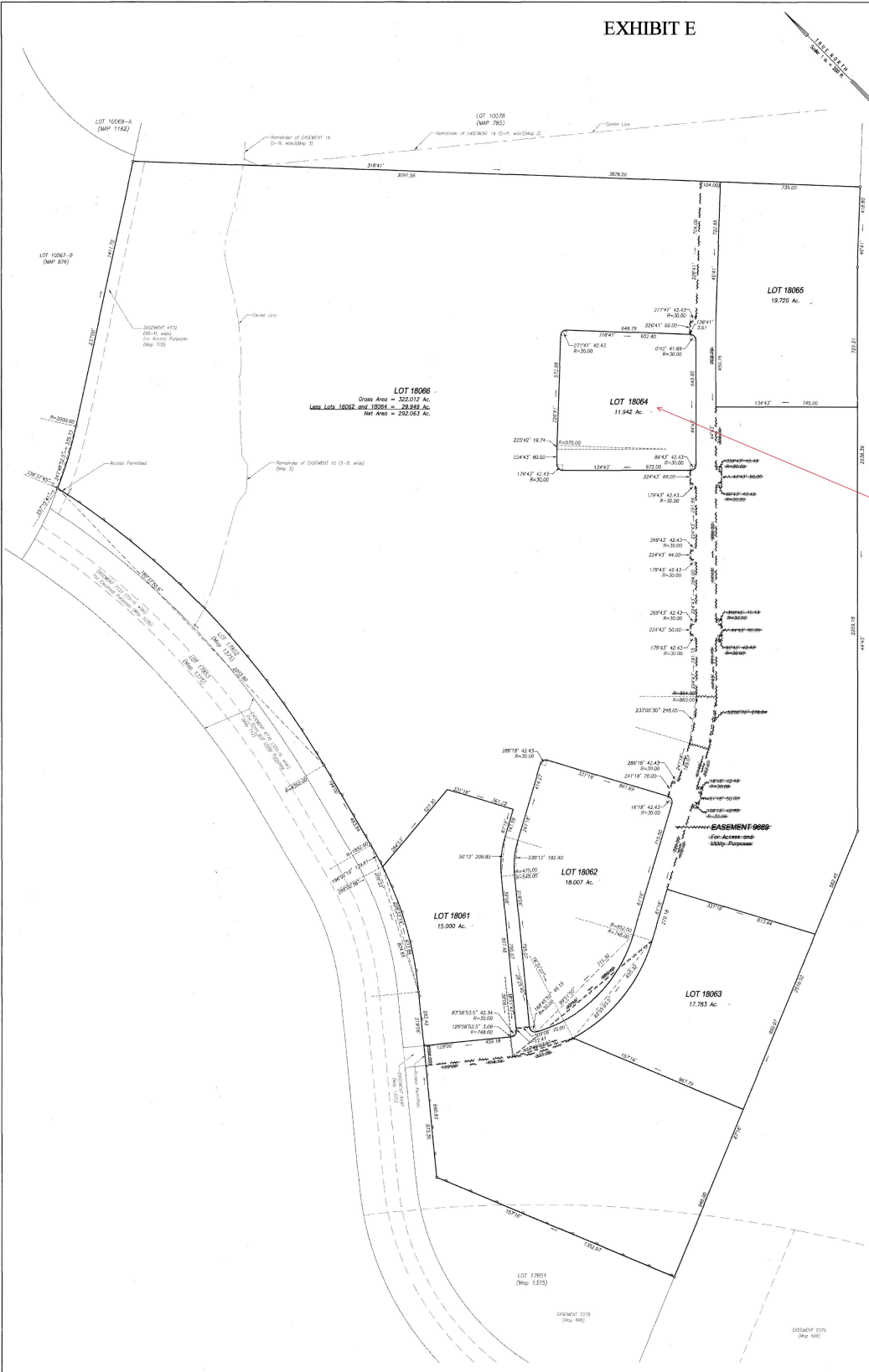
ACE LAND SURVEYING, LLC
 K. K. K.
 Licensed Professional
 Land Surveyor
 Certificate No. 1028
 Land Court
 Certificate No. 285

OWNER: STATE OF HAWAII, by its Board of Land and Natural Resources
 TRANSFER CERTIFICATE OF TITLE: 908,339

AUTHORIZED AND APPROVED BY ORDER OF THE JUDGE
 OF THE LAND COURT DATED SEPTEMBER 11, 2008
 BY ORDER OF THE COURT

[Signature]
 DEPUTY
 REGISTRAR OF THE LAND COURT

Easement 9669 as shown hereon has been
 cancelled by Order of the Judge of the Land
 Court dated July 27, 2017.
 Honolulu, Hawaii
 July 27, 2017
[Signature]
 State Land Surveyor



NOTES:
 Denotes no vehicular access permitted
 Denotes access permitted
 AREA OF EASEMENT 9669 = 13,341 ac.

filed May 14, 2008
[Signature]
 Clerk

EXHIBIT F

