

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

February 13, 2015

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

PSF No.: 15OD-004

Oahu

Consent to Assign General Lease No. S-5380, Robert S.Y. Lee, Theresia E. Lee and Charles R. Lee, Assignors, to Thomas G. Aki and Elizabeth L. Lee, Assignees, Waimanalo, Koolaupoko, Oahu, Tax Map Key: (1) 4-1-009:266.

APPLICANT:

Robert S.Y. Lee, Theresia E. Lee and Charles R. Lee, as Assignors, to Thomas G. Aki and Elizabeth L. Lee, as Tenants in Common as to undivided 70% and 30% interests in the leasehold, respectively, as Assignees.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Waimanalo situated at Waimanalo, Koolaupoko, Oahu, identified by Tax Map Key:(1) 4-1-009:266, as shown on the map labeled 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, 2005; Next rental reopening is scheduled on January 1, 2015.

ANNUAL RENTAL:

\$156.00

CONSIDERATION:

\$ 1.00

RECOMMENDED PREMIUM:

Due to the nominal consideration paid, there is no premium due to the State under the lease's assignment of lease evaluation policy.

DCCA VERIFICATION:

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.

Due to their advanced age, Robert S.Y. Lee and Theresia E. Lee submitted an application to Land Division on January 7, 2015, requesting that the lease be transferred over to their daughter, Elizabeth Lee, and her business partner, Thomas Aki.

Thomas Aki and Elizabeth Lee have over 35 years of experience in operating all aspects of the family's ranch, including pasture grazing of animals (sheep, cattle and horses), operating farm equipment, mending fences and making general repairs around the farm. Neither applicant has 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 reopening issues. No comments were solicited as there will be no change in land use.

Staff has no objections to the request.

RECOMMENDATION:

That the Board consent to the Assignment of General Lease No. S-5380 from Robert S.Y. Lee, Theresia E. Lee and Charles R. Lee, as Assignors, to Thomas Aki and Elizabeth E. Lee, as Assignees, subject to the following:

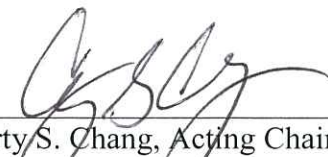
1. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the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

Respectfully Submitted,



Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



Carty S. Chang, Acting Chairperson

Formerly par 4-1-08 & 4-1-12



- 263 Hawaiian Home Lands (State Willingness) Rev. Perm. 5-3340
- 271 Hawaiian Home Lands For Rev. Perm. 146
- 279 Hawaiian Home Lands Rev. Perm. 5-5738

NOTE: Boundaries 8 to 11 inch, 13 to 47 inch, 49 to 60 inch, dropped and not shown and not to be revised.

NOTE: All parcels owned by State of Hawaii, unless otherwise noted.

NOTE: All reservoirs, flumes, ditches, siphons, pumps, pipelines, & other elements comprising the land are not shown by this map, but shown on the under the control & management of the Water Land Development Division.

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

DEPARTMENT OF TAXATION PROPERTY TECHNICAL OFFICE TAX MAPS BRANCH TAX MAP			
FIRST TAXATION DISTRICT	ZONE	SEC.	PLAT
	4	1	09
SCALE 1 IN. = 300 FT.			

EXHIBIT "A"