Consent to Assign Grant of Non-Exclusive Easement No. S-4607, Richard C. Kaui Sr., Assignor, to Richard C. Kaui Sr., Scott K. Kaui Sr. and Bonnie-Jeanne A. Kaui, Assignees, Kapaa, Kawaihau (Puna), Kauai, Tax Map Key (4) 4-6-009:050.

APPLICANT:
Richard C. Kaui Sr., as Assignor, to Richard C. Kaui Sr., Scott K. Kaui Sr. and Bonnie-Jeanne A. Kaui, Married, Joint Tenants, as Assignees.

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

LOCATION:
Portion of Government lands of Kapaa situated at Kapaa, Kawaihau (Puna), Kauai, identified by Tax Map Key: (4) 4-6-009:050, as shown on the attached map labeled Exhibit A & B.

AREA:
0.36 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:
Access and Utility purposes.

TERM OF LEASE:
65 years, commencing on November 16, 1973 and expiring on November 15, 2038.

CONSIDERATION:
Not applicable.

DCCA VERIFICATION:
Not applicable. As natural persons, the Applicants are not required to register with DCCA.

REMARKS:
The Kaui family owns parcels identified as TMK: (4) 4-7-003:007 (Parcel 7) and 4-7-003:009 (Parcel 9). Richard C. Kaui Sr. resides on Parcel 9, while Scott K. Kaui Sr. and Bonnie-Jeanne A. Kaui reside on Parcel 7. There are two water pipelines that run under the State-owned parcel identified as TMK: (4) 4-6-009:050 (State Parcel 50). See Exhibit A & B. These water pipelines service the houses on Parcels 7 and 9.

Richard C. Kaui Sr. has an existing Grant of Non-Exclusive Easement, No. S-4607, for access and utility purposes over, under and across State Parcel 50. Richard C. Kaui Sr. submitted an application to add his son, Scott K. Kaui Sr., and his daughter-in-law, Bonnie-Jeanne A. Kaui, to his Easement by way of assignment. Richard C. Kaui Sr. is the Assignor and Richard C. Kaui Sr., Scott K. Kauai Sr. and Bonnie-Jeanne A. Kaui are the Assignees.

Applicants have 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.

No agency or interest groups were solicited for comments, as there will be no new disposition or change in land use.

RECOMMENDATION:
That the Board consent to the assignment of Grant of Non-Exclusive Easement No. S-4607 from Richard C. Kaui Sr., as Assignor, to Richard C. Kaui Sr., Scott K. Kaui Sr. and Bonnie-
Jeanne A. Kau, 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,

Kurt Yasutake
Land Agent

APPROVED FOR SUBMITTAL:

Suzanne D. Case, Chairperson
NON-EXCLUSIVE EASEMENT FOR UTILITY PURPOSES
(20.00 Feet Wide)
Kapa'a, Kawainahoe (Puna), Kauai, Hawaii
Scale: 1 inch = 100 feet

Exhibit B