

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

March 24, 2016

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

PSF No.: 15HD-067

HAWAII

Sale of Remnant (Triangulation Survey Station) to Thomas C. Young and Margaret M. Young, Manowaiopae, North Hilo, Hawaii, Tax Map Key: (3) 3-6-003:034.

APPLICANT:

Thomas C. Young and Margaret M. Young, husband and wife, Tenants by the Entirety.

LEGAL REFERENCE:

Section 171-52, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Manowaiopae Homesteads situated at Manowaiopae, North Hilo, Hawaii, identified by Tax Map Key: (3) 3-6-003:034 as shown on the attached map labeled Exhibit A.

AREA:

0.060 acres (2,614 square feet), more or less.

ZONING:

State Land Use District: Agriculture
County of Hawaii CZO: A-20a

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:

YES ___ NO x

CURRENT USE STATUS:

Abandoned triangulation survey station

CONSIDERATION:

One-time lump sum payment of fair market value to be determined by independent or staff appraiser, subject to review and approval by the Chairperson.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

Not applicable.

Subject lands are to be conveyed to abutting landowner and will become privately owned land at that point.

DCCA VERIFICATION:

Not applicable. The Applicants as individuals/landowner are not required to register with DCCA.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

1. Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost;
2. Pay for an appraisal to determine the one-time payment of fair market value for the remnant;
3. Consolidate the remnant with the Applicant's abutting property through the County subdivision process;

REMARKS:

Pursuant to section 171-52, HRS, a remnant is defined as "a parcel of land economically or physically unsuitable or undesirable for development or utilization as a separate unit by reason of location, size, shape, or other characteristics." The subject parcel has been determined to be a remnant by this definition for the following reasons:

The subject parcel, which consists of 2,614 square feet, is currently landlocked. It is an abandoned Government Survey Triangulation Station (GSTS) identified as "Wilson 1", which was primarily used as a control station for the staking of the Manowaiopae Homestead. Construction of any improvements on the property would not be feasible or realistic, as it leaves only a small area to work with when considering the current county setbacks required.

Mr. Dan Akita, Licensed Land Surveyor, R. M. Towill Corporation, conducted research and field survey of the subject area. A ground survey was conducted utilizing Global Positioning Satellite (GPS) and Electronic Distance Meter (EDM) equipment and metal detector to locate the position of said GSTS marker. Based on the document research and field survey, the GSTS no longer exists within the subject lot. (Exhibit B) As a result, staff will proceed with the sale of the abandoned triangulation survey station site to Mr. Young.

Staff confirmed through the County of Hawaii, Real Property Tax Office that Thomas C. Young and Jane Young are the abutting landowners of parcel (3) 3-6-003:010. There are no other abutting landowners to the subject remnant parcel.

Thomas C. Young and Margaret M. Young 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.

On December 11, 2015, various government agencies and interest groups were solicited for comments. Upon receipt of those responses, the comments will be included into the final submittal.

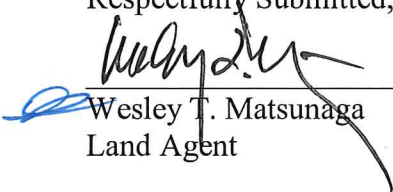
AGENCIES	COMMENTS
County of Hawaii	
Planning	No comments
Public Works	No response
State of Hawaii	
DAGS	No objections
DLNR- Historic Preservation	No response
Other Agencies/ Interest Groups:	
Office of Hawaiian Affairs	No objections

All respondents to our request for comments had no objections to the recommendation.

RECOMMENDATION: That the Board:

1. Find that the subject lands are economically or physically unsuitable or undesirable for development or utilization as a separate unit by reason of location, size, shape, or other characteristics and, therefore, by definition is a remnant pursuant to Chapter 171, HRS.
2. Authorize the subject requests to be applicable in the event of a change in the ownership of the abutting parcel described as Tax Map Key: (3) 3-6-003:010, provided the succeeding owner has not had a lease, permit, easement or other disposition of State lands terminated within the last five (5) years due to non-compliance with such terms and conditions.
3. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, 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.
4. Authorize the subdivision and consolidation of the subject remnant by the Applicant, at Applicant's cost.
5. Subject to the Applicant fulfilling all of the Applicant Requirements listed above, authorize the sale of the subject remnant to Thomas C. Young and Margaret M. Young covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current deed or grant (remnant) 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,

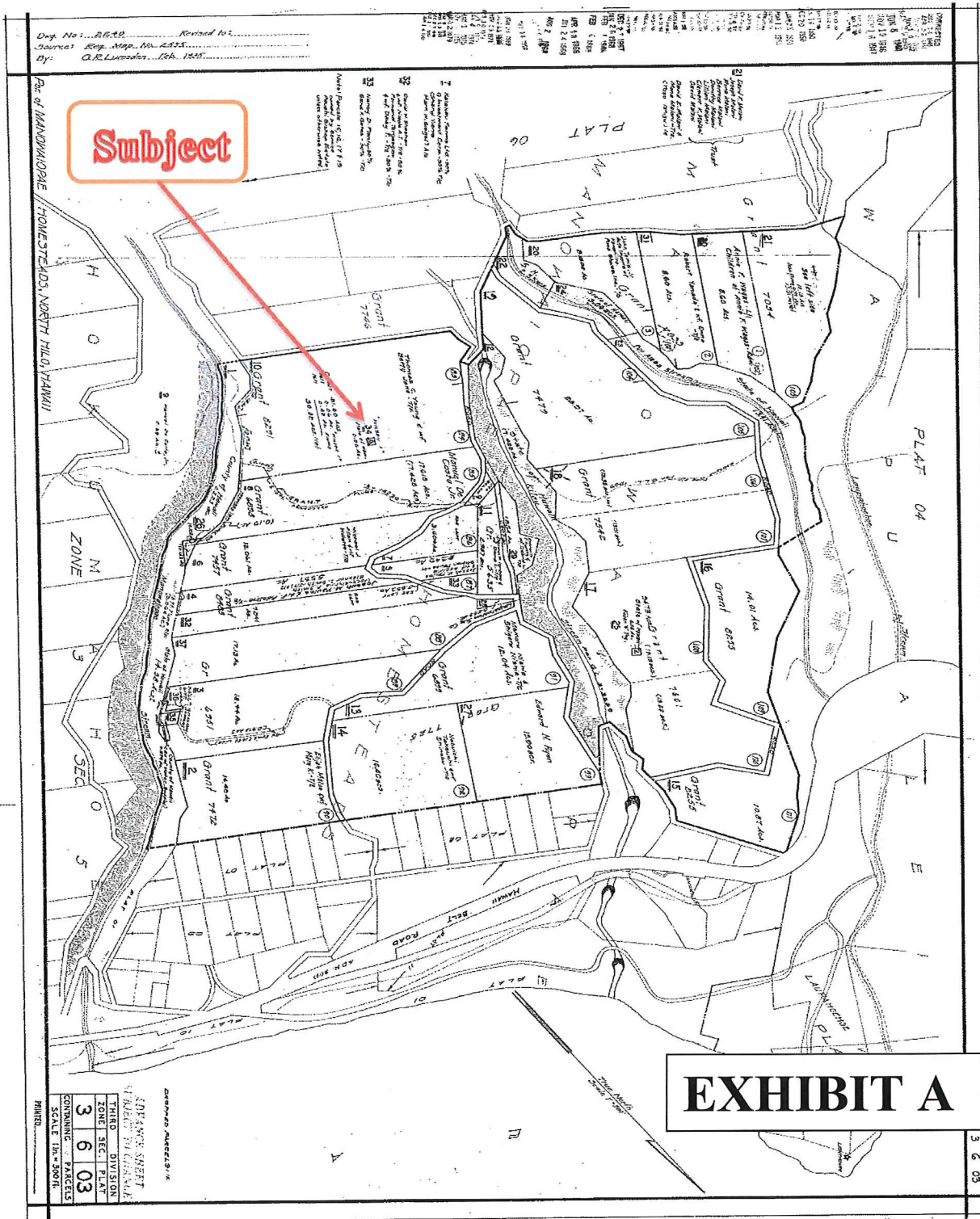


Wesley T. Matsunaga
Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson



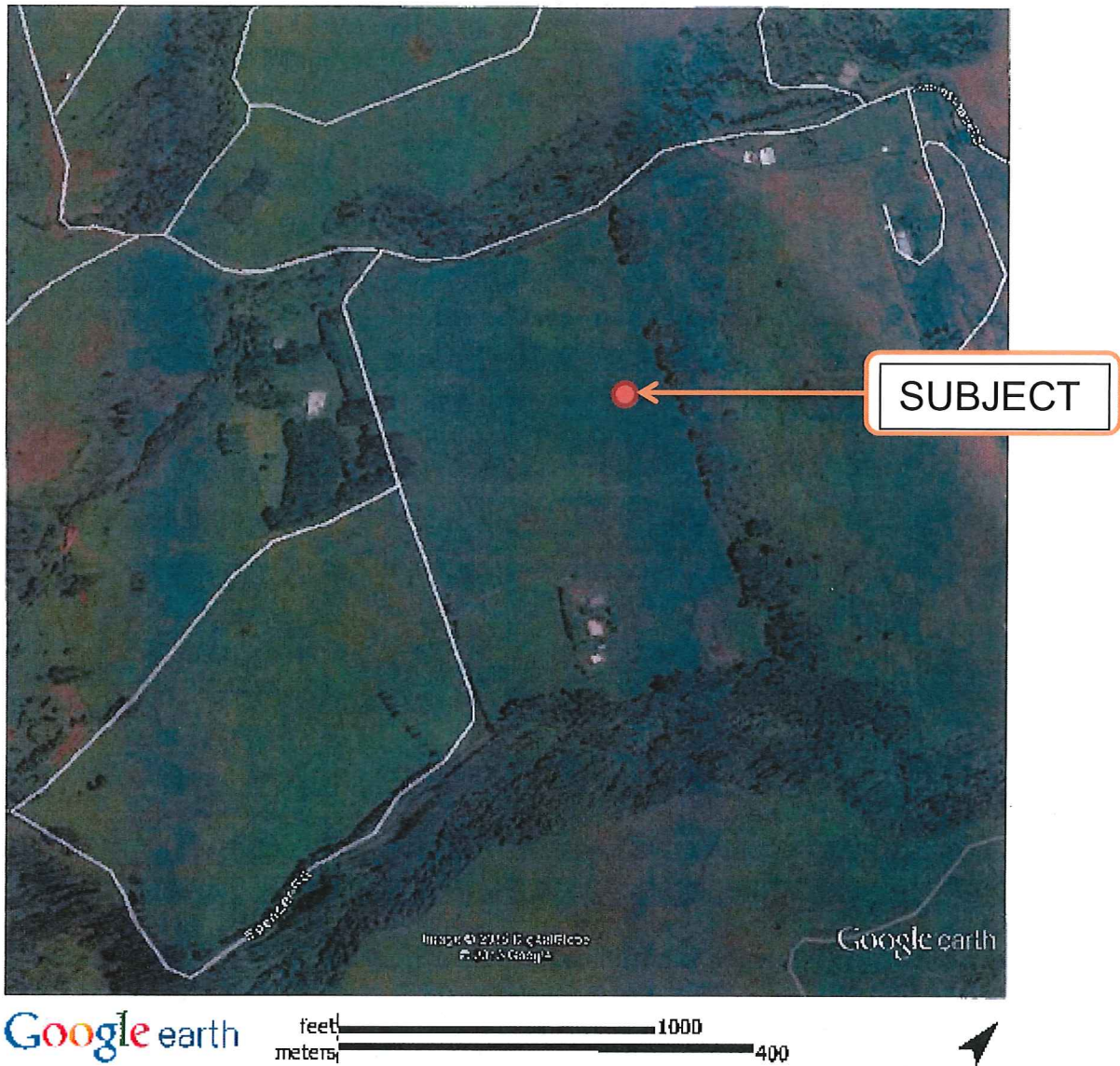


EXHIBIT A

2024 North King Street
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eMail rmtovill@hawaii.rr.com



R. M. TOWILL CORPORATION
SINCE 1930

Planning
Engineering
Environmental Services
Photogrammetry
Surveying
Project and Construction Management

November 16, 2015

Mr. Gordon C. Heit
District Land Agent
Land Division -- Hawai'i Island District Office -- Hilo
Department of Land and Natural Resources
State of Hawaii
75 Aupuni Street, Room 204
Hilo, Hawaii 96720

RECEIVED
LAND DIVISION
HILO, HAWAII
2015 NOV 18 A 10:12

Dear Mr. Heit:

**Status of Government Survey Triangulation Station "Wilson 1"
Affecting Lot 84 of Manowaiopae Homesteads
North Hilo, Hawaii, Hawaii
Tax Map Key: (3) 3-6-003: por. 010**

The R. M. Towill Corporation (RMTC) has been retained by the owners of the subject lot to conduct a record research of Government Survey Triangulation Station (GSTS) "Wilson 1" (a 3-inch pipe in concrete).

Copies of Field Book No. 868 and Registered Map 2555, entitled "Manowaiopae Homesteads" and Land Grant 8291 were obtained from the State Survey Office and the Bureau of Conveyances. A ground survey was conducted utilizing Global Positioning Satellite (GPS) and Electronic Distance Meter (EDM) equipment and metal detector to locate the position of said GSTS marker. Based on the document research and field survey, the GSTS no longer exist within the subject lot. Enclosed are photographs of the site for your use.

We respectfully request your concurrence with our determination. In this regard, the owners would like to purchase Remnant Parcel 34 having an area of 0.057 acre.

Your favorable consideration is appreciated.

Should you have any questions, please contact the undersigned at (808) 842-1133.

R. M. TOWILL CORPORATION

Dan L.M. Akita

Dan L.M. Akita
Licensed Professional Land Surveyor
Certificate Number 12749
Enclosures

EXHIBIT B

Field Location of Government Survey Triangulation Station "Wilson 1"



Date of Photographs: October 28, 2015

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EXHIBIT B