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

April 11, 2008

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

08OD-054

Oahu

Consent to Assign General Lease No. S-5309, Clarence T. Medeiros, Assignor, to Clarence T. Medeiros and Joanne K.E. Medeiros and Devon J. Medeiros, Assignees, Waimanalo, Koolaupoko, Oahu, Tax Map Key:(1) 4-1-013:17

APPLICANT:

Clarence T. Medeiros, as Assignor, to Clarence T. Medeiros and Joanne K.E. Medeiros and Devon J. Medeiros, Tenants in Common, whose residence and mailing address is 1423 Akamai Street, Kailua, Hawaii, 96734, hereinafter called the Assignees.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government (Crown) lands of Waimanalo situated at Waimanalo, Koolaupoko, Oahu, identified by TMK:(1) 4-1-013:17, as shown on the attached map labeled Exhibit A.

AREA:

4.134 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: YES _____ NO X _____

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CHARACTER OF USE:

General agriculture purposes. General agriculture means the cultivation and harvesting of truck, orchard flower or nursery crops, the raising and harvesting of forage crops, and the grazing and pasturing of animals other than pigs.

TERM OF LEASE:

Thirty-five (35) Years, commencing on November 1, 1993 and expiring on October 31, 2028. Last rental reopening occurred on November 1, 2003; next rental reopening is scheduled for November 1, 2013.

ANNUAL RENTAL:

\$5,500.00

CONSIDERATION:

None

RECOMMENDED PREMIUM:

\$ N/A (No consideration amount was paid)

DCCA VERIFICATION:

Assignors/Assignees are individuals and, as such, are not required to be registered with DCCA.

REMARKS:

The Board at its meeting of June 28, 1991, under agenda item F-9, approved a direct lease for general agriculture purposes to Clarence T. Medeiros under Act 237, SLH 88. The lease was for thirty-five (35) years commencing November 1, 1993 through October 31, 2028.

By way of a letter received on October 17, 2007, the Land Division was informed that due to his age and chronic health problems, Clarence Medeiros is requesting the Board's consent to assign the lease over to himself, his wife and his daughter, as Clarence T. Medeiros, Joanne K.E. Medeiros and Devon Medeiros as Tenants in common. Clarence Medeiros's wife and daughter, Joanne and Devon Medeiros have been helping with the maintenance and caring of the horses on the premises from November 1, 1993 to present.

Mr. Medeiros is in compliance with the terms and conditions of General Lease No. S-5309 in regards to the rent, liability insurance and performance bond for the subject lease. Site inspections conducted of the lease area shows that the area has been maintained in a satisfactory manner.

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The applicants 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.

Last rental reopening occurred on November 1, 2003 and the next rental reopening is scheduled for November 1, 2013. Comments from other government agencies were not applicable, due to the fact that there will be no change in the existing use of the subject property. Staff did check with the Office of Hawaiian Affairs, who stated that they had no objections to this request.

Staff has no objections to this request. There are no major issues or concerns.

RECOMMENDATION:

That the Board consent to the assignment of General Lease No. S-5309 from Clarence T. Medeiros, as Assignor, to Clarence T. Medeiros, Joanne K.E. Medeiros and Devon Medeiros, as Assignees, subject to the following:

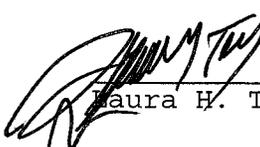
1. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the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

Respectfully Submitted,



Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:


Laura H. Thielen, Chairperson



