

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

March 27, 2009

Ref. No.: GLS-5139

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

HAWAII

Consent to Assign General Lease No. S-5139, Alice Win Kuahuia Gouveia,
Assignor, to Priscilla Gouveia Reyes, Assignee, Milolii-Hoopuloa, South Kona,
Hawaii, Tax Map Key: 3rd/ 8-9-14: 25.

APPLICANT:

Alice Win Kuahuia Gouveia, as Assignor, Priscilla Gouveia Reyes, married, Tenant in
Severalty, whose business and mailing address is P. O. Box 461, Honaunau, HI 96726 ,
as Assignee.

LEGAL REFERENCE:

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

LOCATION AND AREA:

Portion of Government lands of Lot 12, Phase II, Milolii-Hoopuloa Lots situated at
Hoopuloa and Milolii, South Kona, Hawaii, identified by Tax Map Key: 3rd/ 8-9-14:25,
consisting of .2296 acres, as shown on the attached map labeled Exhibit A.

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

CHARACTER OF USE:

Residential purposes.

TERM OF LEASE:

65 years, commencing on December 31, 1986 and expiring on December 30, 2051. First rental reopening is scheduled for December 31, 2011.

ANNUAL RENTAL:

\$132.00. Due in semi-annual installments of \$66.00 on the First day of January and September of every year.

CONSIDERATION:

\$10.00.

RECOMMENDED PREMIUM:

Not applicable as the lease does not allow for a premium.

DCCA VERIFICATION:

ASSIGNOR: As an individual, is not required to register with DCCA.

ASSIGNEE: As an individual, is not required to register with DCCA.

REMARKS:

Pursuant to Act 62 of the Session Laws of Hawaii 1982, as amended by Act 83, Session Laws of Hawaii 1984, and all other laws to the contrary, notwithstanding, including Chapter 171, Hawaii Revised Statutes, the Legislature of the State of Hawaii authorized the Department of Land and Natural Resources to negotiate and enter into long-term leases to persons residing in Milolii-Hoopuloa who were dispossessed or displaced as a result of the 1926 volcanic eruption of Mauna Loa on the Island of Hawaii.

At its meeting of October 24, 1986, Item F-2, the Board approved the awarding of leases for residential purposes at Milolii-Hoopuloa Lots, Phase II, Milolii-Hoopuloa, South Kona, Hawaii. A drawing of Lots was conducted on September 27, 1986, and Alice Win Kuahuia Gouveia was awarded a 65-year residential lease over Lot 12, identified as Tax Map Key: 3rd/ 8-9-14:25.

By letter dated June 1, 2005, the Legal Aid Society, on behalf of Alice Win Kuahuia Gouveia, requested consent to assignment of General Lease No. S-5139, Alice Win Kuahuia Gouveia, Assignor, to Priscilla Gouveia Reyes, Assignee. Lessee requested consent to the assignment of the lease to her daughter, Priscilla, as she would be the

person residing on the property and responsible for compliance with the lease requirements. The Legal Aid Society letter enclosed the original duly executed Assignment of General Lease No. S-5139 from Lessee to Priscilla Gouveia Reyes dated May 20, 2005. For reasons unknown, processing of the request was delayed. On March 27, 2008, Priscilla Reyes notified staff that Alice Gouveia had unexpectedly passed away on March 25, 2008.

The Milolii-Hoopuloa Advisory Committee reviewed and confirmed that Priscilla Gouveia Reyes is a qualified applicant/ assignee for a Milolii-Hopuloa Residential Lease as an heir and descendant of a refugee displaced by the 1984 volcanic eruption of Mauna Loa. Although no longer acceptable, in file is a Successor and Assignee Designation Form, which was executed by Alice Gouveia on May 20, 2005, naming Priscilla Reyes as successor to her lease and improvements.

Staff reviewed the file and reports that in the past two (2) years, rent has been current. Two notices of default were sent on 7/11/08 and 1/26/07 for failure to provide the required liability insurance. In both incidences, Lessee had the required insurance coverage, but the Insurance Agent neglected to forward a copy of the Certificate to our office. The Lessee has never been cited for any other illegal or unlawful activity on the State property.

Priscilla Gouveia Reyes 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.

The first rental reopening is scheduled for December 31, 2011. There is no outstanding rental reopening issues.

The Office of Hawaiian Affairs was not solicited for comments as this is not a new disposition or change in use.

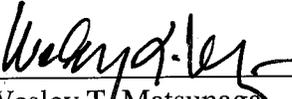
RECOMMENDATION:

That the Board consents to the assignment of General Lease No. S-5139 from Alice Win Kuahuia Gouveia, as Assignor, to Priscilla Gouveia Reyes (aka: Priscilla Reyes and Priscilla G. Reyes), as Assignee, 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,



Wesley T. Matsunaga
Land Agent *WEM*

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson *LT*

