

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawaii 96813

July 22, 2009

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

(Kauai)

Consent to Assign General Lease No. SP-161, Waiyee
Carmen Wong and Samuel R. Blair, Assignor, to Daniel
Hempey and Patricia Hempey, Assignee

APPLICANT:

Waiyee Carmen Wong and Samuel R. Blair, Assignor, to
Daniel Hempey and Patricia Hempey, Assignee.

LEGAL REFERENCE:

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

LOCATION:

Lot 51, Waimea (Kona), Kauai, Tax Map Key: (4)1-4-003:017,
as shown on the attached map labeled Exhibit A.

AREA:

.58 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

CHARACTER OF USE:

Recreation - residence.

ITEM E13

TERM OF LEASE:

20 years, commencing January 1, 2009, and expiring on December 31, 2029. There is one rental reopening scheduled after ten years.

ANNUAL RENTAL:

\$6300.00.

CONSIDERATION:

\$1.00.

RECOMMENDED PREMIUM:

None.

DCCA VERIFICATION:

N/A because all persons involved are individuals and not required to register with DCCA.

APPLICANT REQUIREMENTS:

Applicant/assignee shall prepare and submit fully executed assignment of lease.

REMARKS:

Waiyee Carmen Wong and Samuel R. Blair held the previous lease covering the property.

Act 223 (2008) and board action directed staff to negotiate new leases with existing permit holders so the new lease was issued to Waiyee Carmen Wong and Samuel R. Blair who now wish to assign to Daniel Hempey and Patricia Hempey.

Lessee is in compliance with all lease terms and conditions. There have been no prior defaults.

Assignee 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.

Rent re-opening is not scheduled until after the first ten years of the lease. There are no outstanding rental reopening issues.

RECOMMENDATION:

That the Board consent to the assignment of General Lease No. SP-161 from Waiyee Carmen Wong and Samuel R. Blair, Assignor, to Daniel Hempey and Patricia Hempey, Assignee, subject to the following:

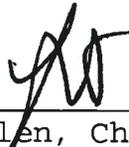
1. No premium to be charged;
2. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
3. Review and approval by the Department of the Attorney General; and
4. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

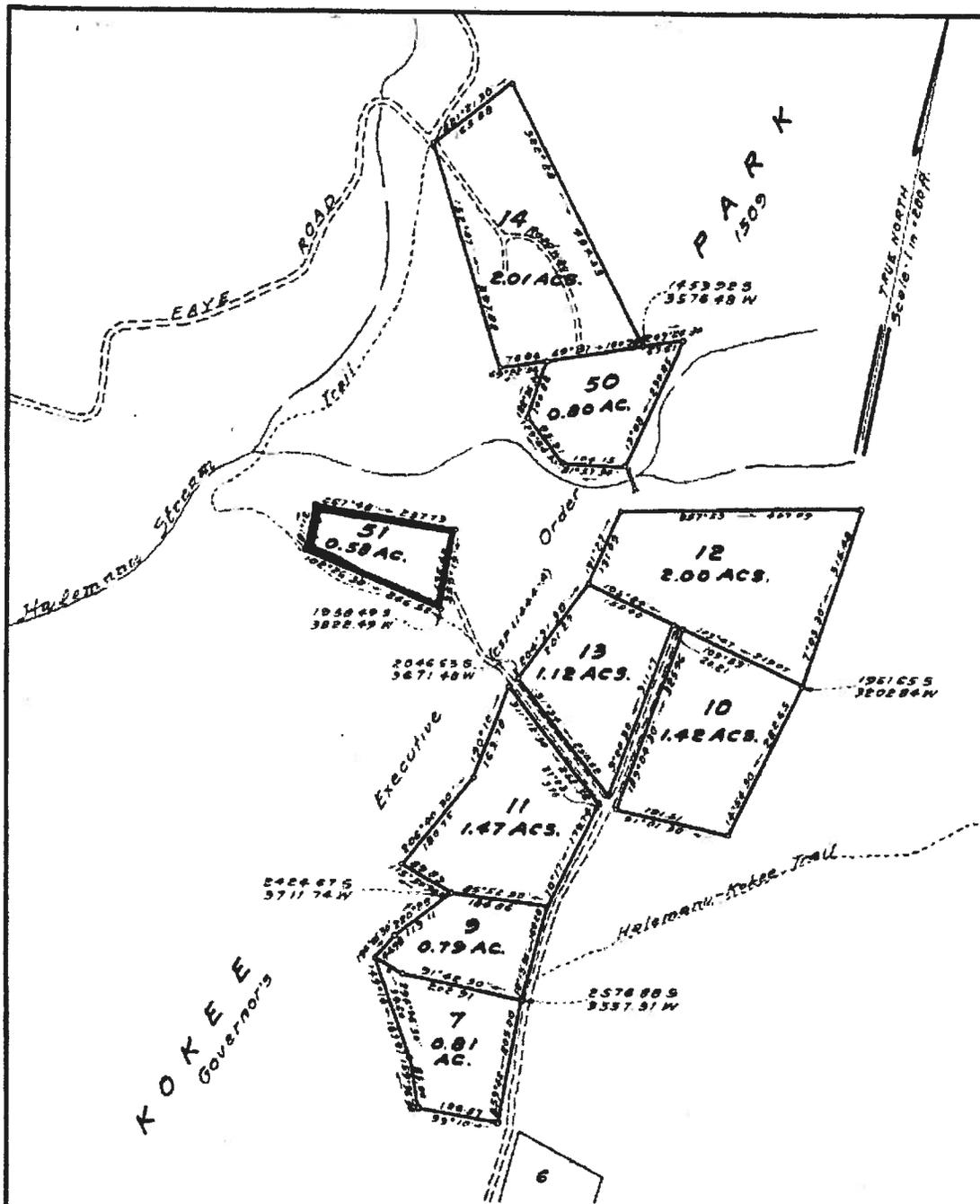


Daniel S. Quinn
State Parks Administrator

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



KOKEE CAMP SITE LOTS
LOTS 7, 9, 10, 11, 12, 13, 14, 50 AND 51
 Waimea, (Kona) Kauai, Hawaii.
 Scale: 1 inch = 200 feet

EXHIBIT A

JOB K-3886
 C. BK

All corners marked with pipes
 Coordinates referred to KOKEE'S

TAX MAP 1-4-04
 KAUI FILE
 FOLDER 3

SURVEY DIVISION
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
 STATE OF HAWAII

Sheet 3 of 7 Sheets

AT Nov 2, 1968

SAMUEL R. BLAIR
W. CARMEN WONG
Mailing Address: 2107 SW MARKET ST DR
PORTLAND, OR 97201
Telephone: (808) 647-0539
Fax: (808) 441-9966

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DEPT OF LAND &
NATURAL RESOURCES

April 30, 2009

Dan Quinn, Director State Parks,
Department of Land and Natural Resources,
Division of State Parks,
1151 Punchbowl Street, Room 310,
Honolulu, Hawai`i 96813

RE: Samuel Blair and Waiyee Carmen Wong
Kokee Cabin Lease TMK 4/1-4-003:017

Dear Mr. Quinn:

We would like to assign the above-mentioned lease to Daniel Hempey and Patricia Hempey. The consideration for this proposed transfer is one dollar plus the Hempeys' agreement to assume all obligations pursuant to the lease.

If this is acceptable, please place the matter of this assignment on the next Land Board agenda for approval.

Sincerely yours,


Samuel Blair



Waiyee Carmen Wong