HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. 25-134

RESOLUTION

AUTHORIZING A CIVIL ACTION TO TAKE POSSESSION OF 3808 PAKI AVENUE, HONOLULU HAWAII

WHEREAS, the City and County of Honolulu ("City") acquired the real property located at Lot 17, Park Avenue Tract, File Plan 132 Kapahulu-Kaneloa, Honolulu, Oahu, Hawaii, TMK 3-1-026-014, 3808 Paki Ave. (the "Property") on October 28, 1991 for the purpose of expanding Kapi'olani Regional Park; and

WHEREAS, the terms of the City's acquisition of the Property and deed in favor of the City reserved the right to Grantor Genevive L. Kaeo ("Mrs. Kaeo") to use the Property for her personal residence until her demise; and

WHEREAS, the City granted Mr. Burton H. McKeen ("McKeen") an exclusive and personal right to rent the Property from the City subject to his survival of Kaeo; and

WHEREAS, the death records of the Department of Health indicate that McKeen expired on March 13, 1997 and Mrs. Kaeo expired on December 25, 1997;

WHEREAS, in 1998, the Propety was encumbered with Kapi'olani Park Trust restriction that it be used for public park and recreational purposes and not for private residential use;

WHEREAS, the City has a right to possession and control of the Property; and

WHEREAS, Queenie Kaeo, Kalani P. Kaeo, and Keoni K. Kaeo (collectively, the "Kaeos") currently occupy the Property over the City's objections and do not pay rent to the City; and

WHEREAS, the Property has become distressed through the overgrowth of vegetation, which may present a hazard to neighboring properties and the public; and

WHEREAS, having satisfied the terms of the grant of conveyance to Mrs. Kaeo and its agreement to McKeen, the City desires to fulfill the original purpose of the acquisition to expand Kapi'olani Regional Park and make the property available for public park and recreational purposes; and

(T – 8/2023)

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RESOLUTION

WHEREAS, in order to gain possession and control over the property in a lawful and orderly manner, it is necessary to bring an action for ejectment against the Kaeos and any other person occupying the property without the City's consent; andNOW, THEREFORE, BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu that:

The Corporation Counsel is hereby authorized to bring an action against the Kaeos and any other person occupying the property without the City's consent in the Courts of the State of Hawai'i to obtain any and all relief necessary to put the City in possession and control of the Property; and

The Corporation Counsel is hereby authorized to do any and all acts necessary to carry out the provisions of this resolution; and

Copies of this resolution will be transmitted to the Director of the Department of Parks and Recreation, and the Department of the Corporation Counsel.

INTRODUCED BY:

_____ (br)

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DATE OF INTRODUCTION: _____

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APR 30 2025
Honolulu, Hawai'i

_____
Councilmembers

(T – 8/2023)

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

CERTIFICATE

RESOLUTION 25-134

Introduced:	04/30/25	By:	SCOTT Y. NISHIMOTO - BY REQUEST	Committee:	INTERNATIONAL & LEGAL AFFAIRS (ILA)

Title: AUTHORIZING A CIVIL ACTION TO TAKE POSSESSION OF 3808 PAKI AVENUE, HONOLULU HAWAII.

Voting Legend: * = Aye w/Reservations

04/30/25	ILA	Reported out for adoption. CR-170 8 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, WATERS, WEYER 1 ABSENT: TUPOLA
04/30/25	INTRO	Introduced.
05/14/25	CCL	Committee report and Resolution were adopted. 9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

fc GLEN I. TAKAHASHI, CITY CLERK

TOMMY WATERS, CHAIR AND PRESIDING OFFICER