BILL048(26)
Testimony

MISC. COMM. 342

COUNCIL

COUNCIL Meeting

Meeting Date: Aug 12, 2026 @ 10:00 AM

Support: 0

Oppose: 0

I wish to comment: 1

Name:	Email:	Zip:
Awapuhi Kalauli	awapuhikalauli@gmail.com	96720
Representing:	Position:	Submitted:
Self	I wish to comment	Aug 11, 2026 @ 08:20 PM

REQUEST TO PROTECT UNDVIDED INTERESTS AND LINEAL HEIRS

Bill 48 (2026) — Proposed Amendments Relating to Condemnation

Dear Chair Waters and Members of the Honolulu City Council,

I respectfully request that Bill 48 (2026) be amended to expressly recognize and provide notice to persons who hold undivided interests, including interests derived through inheritance, Land Commission Awards, Royal Patents, or other historical title interests, even when those persons are not individually identified as the current record owner.

This is particularly important for Hawaii properties with historical title deriving from Land Commission Awards and Royal Patents. HRS §172-11 recognizes that a patent issued upon a Land Commission Award may inure to the benefit of the heirs and assigns of the original award holder.

In the property interests at issue here, the applicable historical documents establish undivided interests held by family members/heirs. These interests should not be disregarded simply because the modern Tax Map Key or current record title does not list every individual holder by name.

Furthermore, HRS §101-20 expressly recognizes the interests of an “owner or claimant” in condemnation proceedings. Accordingly, the notice provision in Bill 48 should not be limited to “every owner and lessee of record.”

Requested amendment:

> *“every owner and lessee of record, and every known or reasonably ascertainable person holding an undivided interest, heirship interest, successor interest, or other legal or equitable interest or claim in the property.”*

The City should also be required to make reasonable efforts to identify and notify such persons when the City's records or available historical land records provide notice that these interests exist.

Where a person holds an undivided interest in property, that person is not merely a member of the public who may have an opinion about the condemnation. They are a person whose property interest may be directly affected by the government's exercise of eminent domain.

For that reason, I respectfully request that Bill 48 provide explicit notice protections for these individuals and ensure that persons with legally recognized undivided interests are not excluded from notice solely because their interests are not individually reflected on the current record title.

Thank you for your consideration and for protecting the property rights and due-process interests of Hawaii families.

Respectfully,

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[Contact Information]