

Public Law 85-534

AN ACT

July 18, 1958
[H. R. 10347]

To amend section 73 (q) of the Hawaiian Organic Act; to approve and ratify joint resolution 32, session laws of Hawaii, 1957, authorizing the issuance of \$14,000,000 in aviation revenue bonds; to authorize certain land exchanges at Honolulu, Oahu, Territory of Hawaii, for the development of the Honolulu airport complex; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 73 (q) of the Hawaiian Organic Act (31 Stat. 141), as amended (48 U. S. C. 677), is further amended as follows:

(a) By inserting in the first sentence, after the words "all sales and other dispositions of such land shall" a comma and the following: "except as otherwise provided by the Congress,".

(b) By inserting at the end thereof the following new paragraph: "Within the meaning of this section, the management of lands set aside for public purposes may, if within the scope of authority conferred by the legislature, include the making of leases by the Hawaii Aeronautics Commission with respect to land set aside to it, on reasonable terms, for carrying out the purposes for which such land was set aside to it, such as for occupancy of land at an airport for facilities for carriers or to serve the traveling public. No such lease shall continue in effect for a longer term than fifty-five years. If, at the time of the execution of any such lease, the Governor shall have approved the same, then and in that event the Governor shall have no further authority under this or any other Act to set aside any or all of the lands subject to such lease for any other public purpose during the term of such lease."

SEC. 2. (a) Joint Resolution 32, Session Laws of Hawaii, 1957, is hereby amended by inserting in the place provided in section 137-94 thereof the public law number assigned to this Act, and by striking the words "first session,".

(b) The Territory of Hawaii, any provision of the Hawaiian Organic Act or any other Act of Congress to the contrary notwithstanding, is authorized and empowered to issue aviation revenue bonds in a sum not to exceed \$14,000,000 payable from funds derived from aviation fuel taxes and all other revenues of the Hawaii Aeronautics Commission, including rents, fees, and other charges for the purpose of providing for the construction, operation, and maintenance of airports and air navigation facilities, including acquisition of real property and interests therein, in the Territory, and for expenses incurred for engraving, printing, advertising, legal services, financial consultant's services, or otherwise, with respect to the issuance of such aviation revenue bonds. The issuance of such aviation revenue bonds shall not constitute the incurrence of an indebtedness within the meaning of the Hawaiian Organic Act, and shall not require the approval of the President of the United States.

(c) All aviation revenue bonds issued under authority of section 2 above shall be issued pursuant to legislation enacted by the legislature of the Territory which shall provide (1) that, so long as any of the bonds are outstanding, aviation fuel taxes shall be levied and collected in amounts at least sufficient to provide for the payment of the principal of the bonds and the interest thereon, as such principal and interest become due, and for such reserve funds and sinking funds as may be provided therefor; (2) that the Hawaii Aeronautics Commission or any officer or agency succeeding to its powers and duties, shall have the power to issue and sell the bonds and to expend the proceeds thereof and provide for the repayment thereof, in accordance with standards and pursuant to provisions which shall be set

Hawaii Aeronautics Commission.
Public land leases.

Aviation revenue bonds.

31 Stat. 141.
48 USC 678.

forth in such legislation; and (3) that the Hawaii Aeronautics Commission, or any officer or agency succeeding to the powers and duties of that commission, shall be continued in existence and shall retain the powers and duties set forth in such legislation, so long as any of the bonds are outstanding.

(d) Nothing in this Act shall be deemed to prevent the application of Federal funds to aid in the retirement of said bonds, to the extent now or hereafter permitted by the Acts of Congress relating to the use of such funds.

(e) As used in this Act, the term "aviation fuel taxes" shall have the same meaning as is now or hereafter ascribed to it by the laws of the Territory of Hawaii.

(f) Joint resolution 32 of the session laws of Hawaii, 1957, as amended by subsection (a) hereof, is hereby approved and ratified.

Land exchanges.
Navy.

SEC. 3. The Secretary of the Navy is authorized to convey without reimbursement, to the Territory of Hawaii, all of the right, title, and interest of the United States in and to those portions of the former naval air facility, Honolulu, and the general supply depot, Damon Tract, naval supply center, Pearl Harbor, comprising an area of 77 acres, more or less, and described as follows:

LAND SITUATE AT MOANALUA, HONOLULU, OAHU, TERRITORY OF HAWAII

Being lot 35, area 12.973 acres, as shown on map 77, and lot 36-B, area 63.678 acres, as shown on map 144, said maps having been filed with the assistant registrar of the land court of the Territory of Hawaii in land court application numbered 1074 of the trustees under the will and of the estate of Samuel M. Damon, deceased. Said lot 35 being the land described in transfer certificate of title numbered 38090, and lot 36-B being a portion of the land described in transfer certificate of title numbered 38094, both issued to the United States of America.

Together with any or all improvements or utilities thereon or used in connection therewith.

Air Force.

SEC. 4. The Secretary of the Air Force is authorized to convey without reimbursement, to the Territory of Hawaii, all of the right, title, and interest of the United States in and to that portion of Hickam Air Force Base, Honolulu, comprising an area of 170 acres, more or less, and described as follows:

A PORTION OF HICKAM AIR FORCE BASE

Being a portion of Hickam Field, United States Military Reservation (portion of parcel III, final order of condemnation, United States of America civil numbered 289 dated April 9, 1935). Being also a portion of R. P. 7858 land commission award 7715 Apana 2 to Lot Kamehameha and a portion of grant 4776 to Samuel M. Damon.

LAND SITUATE AT MOANALUA, HONOLULU, OAHU, TERRITORY OF HAWAII

Beginning at the northeast corner of this piece of land, on the west side of John Rodgers-Keehi Lagoon Access Road, Hawaii project DA-NR 10-B (1), and on the south side of lot C-4-B-1, map 136 of land court application 1074, the true azimuth and distance from the southeast corner of said lot C-4-B-1 being 97 degrees 20 minutes 15.99 feet, and the coordinates of said point of beginning referred to Government survey triangulation station "Salt Lake" being 10,524.00 feet south and 5,894.95 feet west, thence running by azimuths measured clockwise from true south:

SOUTH

1. 00 degrees 00 minutes 626.01 feet along lot C-6, map 74 of land court application 1074, along Territorial law numbered 17194;

2. 00 degrees 00 minutes 563.79 feet along lot 36, map 77 of land court application 1074, along United States civil numbered 527;

3. 349 degrees 19 minutes 24 seconds 3,178.18 feet along present Honolulu International Airport, Governor's executive order numbered 1016;

4. 90 degrees 03 minutes 20 seconds 1,922.84 feet along the remainder of Hickam Air Force Base to a pipe;

5. 180 degrees 03 minutes 20 seconds 1,760.25 feet along same to a spike in pavement;

6. 90 degrees 03 minutes 20 seconds 400.00 feet along same to a pipe;

7. 180 degrees 03 minutes 20 seconds 1,908.49 feet along same to a spike in pavement;

8. 276 degrees 29 minutes 450.90 feet along same to a spike in pavement;

9. 186 degrees 29 minutes 851.01 feet along same;

10. 277 degrees 20 minutes 1,196.15 feet along lot C-4-B-1, map 136 of land court application 1074, along United States civil numbered 436 to the point of beginning and containing an area of 170.990 acres.

Together with any or all improvements or utilities thereon or used in connection therewith.

SEC. 5. The Governor of the Territory of Hawaii is authorized to convey without reimbursement to the United States all of the right, title, and interest of the Territory of Hawaii in and to that portion of the Honolulu International Airport, comprising an area of 174 acres, more or less, and described as follows:

Conveyance to
U. S.

LAND SITUATE AT MOANALUA, HONOLULU, OAHU, TERRITORY OF HAWAII

Being a portion of the Honolulu International (formerly John Rodgers) Airport as described in and set aside by the Governor of the Territory of Hawaii by executive order numbered 1016, and being also a portion of the land as described in and title transferred to the Territory of Hawaii by Presidential Executive Order Numbered 10121.

3 C F R, 1949-
1953 Comp., p.311.

Beginning at the westerly corner of this tract of land, being also a point in common on the converging boundaries of Hickam Field and Fort Kamehameha Military Reservations, the coordinates of said point of beginning referred to Government survey triangulation station "Salt Lake" being 16,874.10 feet south and 5,896.30 feet west, and running by azimuths measured clockwise from true south:

1. 228 degrees 49 minutes 0.35 foot along Hickam Field, United States Military Reservation (United States civil numbered 289), being along parcel 2 of proposed Navy seadrome area;

2. 244 degrees 22 minutes 33.00 feet along same;

3. 231 degrees 55 minutes 30 seconds 298.50 feet along same;

4. 222 degrees 20 minutes 30 seconds 401.40 feet along same;

5. 212 degrees 53 minutes 139.80 feet along same;

6. 207 degrees 57 minutes 30 seconds 222.80 feet along same;

7. 201 degrees 40 minutes 104.87 feet along same;

8. 233 degrees 00 minutes 878.84 feet along the remainder of Honolulu International Airport, being a portion of reclaimed lands transferred to the Territory of Hawaii by Presidential Executive Order Numbered 10121;

9. 270 degrees 00 minutes 3,607.69 feet along same, along the remainder of area 3 as reserved for purposes of the United States of America in Presidential Executive Order Numbered 10121, to high-

water mark at seaplane docking basin; thence along the seaplane docking basin and seaplane runway "A" following along highwater mark for the next three courses the direct azimuth and distance between points at said highwater mark being:

10. 52 degrees 30 minutes 1,871.69 feet;
11. 16 degrees 00 minutes 767.64 feet;
12. 52 degrees 59 minutes 05 seconds 1,722.70 feet;

13. 110 degrees 00 minutes 414.47 feet along the remainder of Honolulu International Airport; along the remainder of Moanalua fishery (Territory of Hawaii final order of condemnation law numbered 16653) to a point on the easterly boundary of Fort Kamehameha United States Military Reservation;

14. 216 degrees 30 minutes 421.10 feet along Fort Kamehameha United States Military Reservation, and along area 9 of the United States Naval Reservation;

15. 163 degrees 00 minutes 260.00 feet along area 9 of the United States Naval Reservation (formerly portion of Fort Kamehameha United States Military Reservation);

16. 105 degrees 44 minutes 1,607.00 feet along same, and along Fort Kamehameha United States Military Reservation;

17. 143 degrees 45 minutes 389.25 feet along Fort Kamehameha United States Military Reservation to the point of beginning and containing an area of 174 acres, more or less.

Together with access thereto and easements for utilities to be used in connection therewith.

Conveyance to
U. S.

SEC. 6. The Governor of the Territory of Hawaii is authorized to convey without reimbursement to the United States all of the right, title, and interest which the Territory may have in and to those portions of the Halawa and Moanalua fisheries, and the submerged lands subjacent thereto, comprising an area of 156 acres, more or less, and described as follows:

Being a portion of Moanalua fishery (Governor's executive order numbered 1016) and a portion of Halawa fishery.

SITUATE AT MOANALUA, HONOLULU, AND HALAWA, EWA, OAHU,
TERRITORY OF HAWAII

Beginning at the northeasterly corner of this piece of land, on the easterly side of Fort Kamehameha Military Reservation, the coordinates of said point of beginning referred to Government survey triangulation station "Salt Lake" being 18,210.90 feet south and 4,293.81 feet west, thence running by azimuths measured clockwise from true south:

1. 290 degrees 00 minutes 414.49 feet along the remainder of Moanalua fishery (Governor's executive order numbered 1016);

2. 52 degrees 59 minutes 05 seconds 2,503.69 feet along same;

3. 110 degrees 00 minutes 7,986.50 feet along same;

4. 110 degrees 00 minutes 957.00 feet along the remainder of Halawa fishery; thence along shoreline, along Fort Kamehameha Military Reservation for the next nineteen courses, the direct azimuths and distances from point to point along said shoreline being:

5. 270 degrees 35 minutes 20 seconds 225.02 feet;

6. 280 degrees 05 minutes 40 seconds 290.85 feet;

7. 257 degrees 50 minutes 239.14 feet;

8. 243 degrees 05 minutes 142.51 feet;

9. 233 degrees 12 minutes 92.13 feet to Kumumau;

10. 268 degrees 46 minutes 1,342.70 feet;

11. 285 degrees 45 minutes 1,560.00 feet;

12. 301 degrees 53 minutes 1,208.00 feet;

13. 287 degrees 00 minutes 30 seconds 311.80 feet;
14. 290 degrees 41 minutes 980.80 feet;
15. 298 degrees 23 minutes 30 seconds 797.00 feet;
16. 293 degrees 26 minutes 768.70 feet;
17. 318 degrees 40 minutes 498.20 feet;
18. 278 degrees 48 minutes 494.10 feet;
19. 268 degrees 30 minutes 568.80 feet;
20. 256 degrees 00 minutes 360.00 feet;
21. 187 degrees 00 minutes 235.00 feet;
22. 232 degrees 00 minutes 790.00 feet;
23. 216 degrees 30 minutes 318.90 feet to the point of beginning and containing an area of 156.844 acres, more or less.

Together with access thereto and easements for utilities to be used in connection therewith.

SEC. 7. The Governor of the Territory of Hawaii is authorized to convey without reimbursement to the United States all of the right, title, and interest which the Territory may have in and to those portions of the Halawa and Moanalua fisheries, and the submerged lands subjacent thereto, comprising an area of 344 acres, more or less, and described as follows:

Conveyance to
U. S.

Being a strip of land 1,000 feet wide and 15,000 feet long, and being a portion of Moanalua fishery (Governor's executive order numbered 1016) and a portion of Halawa fishery.

Situated offshore at Moanalua, District of Honolulu, and Halawa, District of Ewa, Oahu, Territory of Hawaii. Beginning at the most easterly corner of this piece of land, on the southeasterly side and offshore of Fort Kamehameha Military Reservation, the true azimuth and distance from the most southerly corner of proposed Navy sea-plane base being 329 degrees 35 minutes 51 seconds 4,029.15 feet, the coordinates of said point of beginning referred to Government survey triangulation station "Salt Lake" being 21,827.76 feet south and 1,865.30 feet west, thence running by azimuths measured clockwise from true south:

1. 19 degrees 00 minutes 1,000.00 feet along the remainder of Moanalua fishery (Governor's executive order numbered 1016);
2. 109 degrees 00 minutes 15,000.00 feet along same and along the remainder of Halawa fishery;
3. 199 degrees 00 minutes 1,000.00 feet along the remainder of Halawa fishery;
4. 289 degrees 00 minutes 15,000.00 feet along same and along the remainder of Moanalua fishery (Governor's executive order numbered 1016) to the point of beginning and containing an area of 344.353 acres.

Approved July 18, 1958.

Public Law 85-535

AN ACT

To amend an Act extending the authorized taking area for public building construction under the Public Buildings Act of 1926, as amended, to exclude therefrom the area within E and F Streets and Nineteenth Street and Virginia Avenue Northwest, in the District of Columbia.

July 18, 1958
[S. 2109]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 31, 1938 (ch. 58 (52 Stat. 149)) is amended by deleting, following the term "squares", the numbers "122, 104, 81, 58".

40 USC 341 note.

Approved July 18, 1958.