



Above enter the 12-digit Parcel ID.
For example: 210630150000

PETITION TO DEDICATE LANDS IN URBAN DISTRICTS
Section 8-10.13, Revised Ordinances of Honolulu ("ROH")

Print Owner(s) Name	Telephone
Site Address	Email Address
Mailing Address	Property is: <input type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold

DEDICATED PURPOSE: Landscaping Open Space Other (describe): _____
 Public Recreation – specify: Park Playground Historical Site Campground Wildlife Refuge Scenic Point
County Zoning District: _____ For example: R-5 (residential), B-1 (business), etc.

If dedicated land is leased, **attach** a copy of the recorded lease document. The lease term must extend at least 10 years from the date of the dedication.
 Start Date of Lease: _____ Original Term of Lease: _____ (# of years)

Describe benefit to the public: _____
 If only portions of parcel are to be dedicated ("dedicated portions"), state the use of the non-dedicated area: _____

List total cost of improvements on dedicated portion and annual maintenance costs thereof (attach additional sheets if necessary):

Improvement Description	Cost of Improvement	Maintenance Description	Annual Cost of Maintenance
	\$		\$
	\$		\$
Total Improvement Cost:	\$	Total Annual Maintenance Cost:	\$

List the land area and specific use intended for the land to be dedicated as listed in ROH Sec. 8-10.13 (attach additional sheets if necessary):

Land Area	Describe Dedicated Use, Required Maintenance, and Benefit to Public
Area: _____ <input type="checkbox"/> sq.ft <input type="checkbox"/> acre	
Area: _____ <input type="checkbox"/> sq.ft <input type="checkbox"/> acre	
Total: _____ <input type="checkbox"/> sq.ft <input type="checkbox"/> acre	

Attach: (1) documentation of improvement and ongoing maintenance costs (receipts, bills of sale, etc.), (2) a plot plan illustrating the location of dedicated portions and nondedicated portions identifying all improvements, land areas of portions, and specifying intended uses; and (3) documents supporting use.

CERTIFICATION OF PETITIONER

I/We hereby petition to dedicate the urban land described above ("subject property") for open space and similar uses, and grant the right of entry thereto. I/We certify that all persons having an interest in the property have read Title 4 Subtitle 5 Real Property Taxation Urban District Open Space Land Dedication Rules and Regulations ("Rules"), have signed this petition and shall comply with the provisions of the Rules and ROH Sec. 8-10.13. I/We agree to abide by all requirements of the dedication, including posting and maintaining an approved sign in a conspicuous location on the subject property to give public notice of the dedication. I/We understand that failure to observe the restrictions on the use shall cancel the special tax assessment privilege retroactive to the date of the dedication, and that additional taxes and penalties due and owing as a result of a breach of the dedication shall be a paramount lien upon the subject property, in accordance with applicable ordinances. I/We also agree to (1) assume the responsibility for maintaining the subject property in a safe condition; (2) assume the responsibility for insuring the subject property against liability; and (3) hold harmless and indemnify the City & County of Honolulu against all claims in conjunction with the subject property.

Signature of Owner/Lessee/Petitioner _____	Print Name of Owner/Lessee/Petitioner _____	Date _____
Signature of Owner/Lessee/Petitioner _____	Print Name of Owner/Lessee/Petitioner _____	Date _____

*** attach additional forms if more than two owners/lessees ***

Complete this petition and deliver or mail (post office cancellation mark) the petition with all required supporting documentation, on or before **September 1**, preceding the tax year for which dedication is claimed:

Real Property Assessment Division
842 Bethel Street, Basement
Honolulu, HI 96813

Real Property Assessment Division
1000 Uluohia Street #206
Kapolei, HI 96707

This petition cannot be filed by facsimile transmission or via email. For a receipted copy, submit with a self-addressed stamped envelope.

Tax Year: _____	Petition #: _____	FOR OFFICIAL USE ONLY	Appraiser: _____	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved
Received By: _____	Date Received (post office cancellation mark) _____				
Total Sq Ft of Parcel: _____	Sq Ft of Dedicated Land: _____	Land % Exempt: _____	Approved Sign?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Total Improv. Value: _____	Dedicated Improv. Value: _____	% Improv. Exempt: _____	Improv. Costs Verified?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Approved Purpose:	<input type="checkbox"/> Landscaping	<input type="checkbox"/> Open Spaces	<input type="checkbox"/> Public Recreation	<input type="checkbox"/> Other: _____	

PURPOSE

Form BFS-RP-P-41B *Petition to Dedicate Lands in Urban Districts* is used to dedicate portions of taxable real property located in urban districts for landscaping, open spaces, public recreation, and other similar uses.

NOTE: Property owners who received this exemption must place and maintain a permanent sign on each of the dedicated portions. The sign(s) must be made of durable materials and permanently affixed in a prominent location on the parcel that notifies the public of the dedication. This sign must be installed within 90 days after receiving approval of the exemption. Any costs associated with placing and maintaining signage will not qualify as an improvement or as a maintenance cost for the dedicated portion(s).

INSTRUCTIONS

1. **Complete** BFS-RP-P-41B *Petition to Dedicate Lands in Urban Districts*
 - Enter Parcel ID (Tax Map Key), name and contact information for each owner or lessee, site address, mailing address, and indicate whether the property interest being dedicated is fee simple or leasehold
 - Indicate Dedicated Purpose, Use Ordinance Zoning, and whether property is leased; if applicable, provide lease information
 - Describe the benefit to the public and, if applicable, state the use of all non-dedicated portions of the parcel
 - Provide information regarding improvement and ongoing maintenance costs and describe land areas of dedicated portions, dedicated uses, required maintenance, and benefit to public for each portion
 - All owners and/or lessees must carefully read the Certification then print name, sign, and date
2. **Attach** required documentation:
 - Recorded lease document (if property is leased)
 - Documentation of improvement and ongoing maintenance costs (receipts, bills of sale, etc.; signage costs and property taxes are not allowable expenses)
 - Plot plan showing parcel boundaries and illustrating the location of each dedicated and non-dedicated portion and identifying all improvements, areas of portions, and intended uses
 - Documents supporting use of dedicated portions and other documents requested by the Real Property Assessment Division to support the request for exemption from real property taxes
 - Proof of liability insurance
3. **Deliver** or mail via USPS the petition form with supporting documentation to one of the following addresses on or before September 1 preceding the tax year for which you are claiming this exemption:

Real Property Assessment Division
842 Bethel Street, Basement
Honolulu, HI 96813
Telephone: (808) 768-3799

Real Property Assessment Division
1000 Uluohia Street #206
Kapolei, HI 96707
Telephone: (808) 768-3799

Any change in facts affecting an exemption must be reported within 30 days. Failure to report by November 1st preceding the tax year in which the owner or the property no longer qualifies for the exemption, will result in the imposition of a penalty and may result in the levy of taxes due on the property, and additional penalties and/or interest on past due amounts. Please refer to the ordinance pertaining to a specific exemption for more information.

This petition cannot be filed by facsimile transmission or via email. For a receipted copy, submit with a self addressed stamped envelope. Additional petition forms are available at the Real Property Assessment Division, Satellite City Halls, and the City and County of Honolulu's website at www.realpropertyhonolulu.com.

ORDINANCE

Sec. 8-10.13 Exemption--Dedicated lands in urban districts.

- (a) Portions of taxable real property which are dedicated and approved by the director of finance as provided for by this section shall be exempted in determining and assessing the value of such taxable real property.
 - (b) Any owner of taxable real property in an urban district desiring to dedicate a portion or portions thereof for landscaping, open spaces, public recreation and other similar uses shall petition the director of finance stating the exact area of the land to be dedicated and that the land is not within the setback and open space requirements of applicable zoning and building code laws and ordinances, and that the land shall be used, improved and maintained in accordance with and for the sole purpose for which it was dedicated, except that land within a historic district may be so dedicated without regard to the setback and open space requirements of applicable zoning and building code laws and ordinances. The director shall make a finding as to whether the use to which such land will be dedicated has a benefit to the public at least equal to the value of the real property taxes for such land. Such finding shall be measured by the cost of improvements, the continuing maintenance thereof, and such other factors as the director may deem pertinent. If the director finds that the public benefit is at least equal to the value of real property taxes for such land, the director shall approve the petition and declare such land to be dedicated land.
 - (c) The approval of the petition by the director shall constitute a forfeiture on the part of the owner of any right to change the use of the owner's land for a minimum period of 10 years, automatically renewable indefinitely, subject to cancellation by either the owner or the director upon five years' notice at any time after the end of the fifth year.
 - (d) Failure of the owner to observe the restrictions on the use, improvement, and maintenance of the owner's land shall cancel the special tax exemption privilege retroactive to the date of the original dedication, and all differences in the amount of taxes that were paid and those that would have been due from the assessment of the tax exempted portion of the owner's land shall be payable together with interest of five percent a year from the respective dates that these payments would have been due. Failure to observe the restrictions on the use means failure for a period of over 12 consecutive months to use, improve and maintain the land in the manner requested in the petition or any overt act changing the use for any period. Nothing in this paragraph shall preclude the county from pursuing any other remedy to enforce the covenant on the use of the land.
 - (e) The director shall prescribe the form of the petition. The petition shall be filed with the director by September 1st of any calendar year and shall be approved or disapproved by October 31st of such year. If approved, the exemption based upon the use requested in the dedication shall be effective July 1st of the following tax year.
 - (f) The owner may appeal any disapproved petition as in the case of an appeal from an assessment.
 - (g) The director shall make and adopt necessary rules and regulations including such rules and regulations governing minimum areas which may be dedicated for the improvement and maintenance of such areas.
 - (h) "Landscaping" means lands which are improved by landscape architecture, cultivated plantings or gardening.
 - (i) "Open spaces" means lands which are open to the public for pedestrian use and momentary repose, relaxation and contemplation.
 - (j) "Public recreation" refers to lands which may be used by the public as parks, playgrounds, historical sites, campgrounds, wildlife refuges, scenic sites, and other similar uses.
 - (k) "Owner" includes lessees of real property whose lease term extends at least 10 years from January 1st following the filing of the petition.
- (Sec. 8-10.13, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 95-15)