

LAND COURT DEREGISTRATION

EFFECTIVE JULY 1, 2021, **ACT 187, SESSION LAWS OF HAWAII 2021** (FORMERLY HOUSE BILL 244) MADE CHANGES TO THE FOLLOWING HAWAII REVISED STATUTES AS THEY PERTAIN TO LAND COURT DEREGISTRATION:

Section 501-261.5, Hawaii Revised Statutes

Summary of significant changes include:

1. To deregister land under this chapter, the registered owner of the fee interest in registered land shall submit to the assistant registrar a plan of the parcel or parcels sought to be deregistered that includes a map and description prepared by a licensed professional surveyor in accordance with sections 502-17, 502-18, and 502-19 (“file plan”).
2. Upon satisfactory submission of the documents required, the assistant registrar shall refer the map and description of the parcel or parcels sought to be deregistered to the state land surveyor in the department of accounting and general services for approval after being checked as to form and mathematical correctness but not on the ground.
3. The assistant registrar shall transmit the notation of the recordation and cancellation of the certificate of title to the registrar of the land court and the state land surveyor.
4. Deregistration of registered land shall not include the undivided interest in the land unless the undivided interests represent all of the remaining registered interest in the land.

Section 502-17, Hawaii Revised Statutes

Summary of significant changes include:

1. If the land sought to be registered as a file plan is deregistered pursuant to part II of chapter 501, the plan shall contain:
 - (A) the former land court application or consolidation number;
 - (B) the former land court map number;
 - (C) the former land court lot number; and
 - (D) The document numbers of the canceled certificate of title.
2. If the land sought to be registered as a file plan is being deregistered pursuant to part II of chapter 501, no monuments are required to be placed on the land and need not be indicated on the plan.

3. If the land sought to be registered as a file plan is being deregistered pursuant to part II of chapter 501, no county certified plat map is required to be submitted or filed with the plan.

Section 502-18, Hawaii Revised Statutes

Summary of significant changes include:

1. If the land sought to be registered as a file plan is being deregistered pursuant to part II of chapter 501, the metes and bounds description shall be dated and signed by the licensed professional surveyor making the plan, or under whose supervision the plan was made.
2. If the land sought to be registered as a file plan is being deregistered pursuant to part II of chapter 501, the outside corners of the tract need not be substantially marked by monuments in the ground.
3. Any lands being deregistered pursuant to part II of chapter 501 shall not subdivide or consolidate when registering as a file plan, and only contiguous parcels shall be shown on the same plan.

PLEASE NOTE: The above described items are not intended to be a comprehensive list of the changes enacted by Act 187. For a complete report, please see the text of Act 187, Session Laws of Hawaii 2021.