



REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
313 SO. BERETANIA ST.
P. O. BOX 3469
Honolulu 1, Hawaii

FINAL
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT

on
WAIPIO GARDENS APARTMENTS
Waimakua Drive, Kipapa, Waipio
City and County of Honolulu
State of Hawaii

REGISTRATION NO. 32

IMPORTANT — Read This Report Before Buying

This Report Is Not an Approval or Disapproval of This Condominium Project

It reflects information obtained by the Real Estate Commission in its investigation of the project. This report, based on a principle of disclosure, is issued by the Commission for the purpose of preventing fraud, misrepresentation or deceit.

The developer shall not enter into a binding contract or agreement for the sale of any unit in a Condominium Project until

- (1) A copy of this Report has been given to the prospective purchaser.
- (2) The latter has been given an opportunity to read same, and,
- (3) His receipt taken therefor.

November 5, 1964

SPECIAL ATTENTION

Particular attention of the purchaser or prospective purchaser is directed to the following:

1. WAIPIO GARDENS APARTMENTS is a proposed fee simple, registered system (Land Court), condominium project consisting of sixty-eight (68) dwelling units.
2. Since the issuance of the Commission's Preliminary Report under Registration No. 32, dated May 1, 1964, on this Horizontal Property Regime project, the Developer has prepared and submitted additional information in support of the original Notice of Intention filed April 6, 1964. This FINAL PUBLIC REPORT supersedes the May 1, 1964 report and is the document the Developer must give to all purchasers or prospective purchasers of apartments.
3. The Developer's counsel has submitted the following documents or specimen documents with the Commission for examination: Declaration of Horizontal Property Regime and Declaration of By-Laws; Mortgage; Transfer Certificate of Title; Escrow Agreement; Sales Contract; Deed; Standard Form Building Contract; Building Plans and Specifications; Certification of Architect; Declaration of Covenants, Conditions, Restrictions and By-Laws; Estimate of Monthly Maintenance Charges; Statement of Program of Financing and Land Court Order Granting Petition to Record Condominium Map No. 197.

4. The purchaser or prospective purchaser is advised to acquaint himself with the general provisions of the Horizontal Property Act enacted by the Legislature of the State of Hawaii in 1961. This statute was amended by the Legislature in 1962, and again in 1963 and 1964.

NAME OF PROJECT: WAIPIO GARDENS APARTMENTS.

DEVELOPER: MAUNAHALE DEVELOPMENT CORPORATION, 195 South King Street, Honolulu, Hawaii, Phone 58212.

Mun On Chun - President - 195 So.King Street, Honolulu, Hawaii
Clifford Yee - Vice President - 195 So.King Street, Honolulu, Hawaii
Daniel B. T. Lau - Secretary-Treasurer - 195 So.King Street, Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: Fong, Miho, Choy and Robinson
(Attention: Mr. Edward Y. C. Chun), Fourth Floor, Finance Factors Building, 195 South King Street, Honolulu, Hawaii, Phone 562-271.

LOCATION: Near Kipapa at the western end of Waimakua Drive in Waipio, District of Ewa, City and County of Honolulu, State of Hawaii. The property is situated close to Waihou Street, the collector street from Kamehameha Highway, the main arterial thoroughfare. The project abuts the setback lines of Kamehameha Highway and an established course of a drainage ditch. Access and egress is from Waimakua Street or Waihou Street.

TAX KEY: FIRST DIVISION 9-5-09:2

DESCRIPTION: The Developer advises that the proposed building site consists of 89,070 square feet. The seventeen (17) buildings to be constructed on the land committed to the project shall each be two stories in height and each shall contain two (2) apartments on the first floor and two (2) apartments on the second floor. The total number of dwelling units in WAIPIO GARDENS APARTMENTS is sixty-eight (68) and the buildings and apartments shall be principally constructed of hollow tile concrete blocks with precast prestressed concrete roof and floor slabs.

The boundary line of each apartment in the buildings shall be the exterior of doors, windows and the frames thereof, and the interior of unfinished surfaces of the perimeter walls, bearing walls, floors, and ceiling, including the paint, wallpaper, tile, enamel, stain or other finishing on such interior surfaces, and the air space encompassed within said boundary line, together with fixtures and other such improvements located within said boundary line, except that, with respect to apartments 11B, 11C, 13B and 13C, the boundary line shall extend to the exterior of the lanai railing and the lanai floor excluding, however, the area of approximately 23.75 square feet outlined in red on floor plans of the building filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii simultaneously with the filing of this Declaration, said floor plans to be hereinafter referred to as Condominium Map No. 197 which said area of approximately 23.75 square feet including the air space above the same shall be a common element. The buildings shall contain the following apartments:

- (a) Buildings 1 through 10, 12 and 14 through 17 shall each contain two (2) first floor apartments, numbered A and D, and two (2) second floor apartments numbered B and C, as shown on Condominium Map No. 197. Each of said apartments shall contain a living room, two (2) bedrooms, bath, and kitchen-dining room of an aggregate floor area of 681.8 square feet, more or less;
- (b) Buildings 11 and 13 shall each contain ground floor apartments as described in subparagraph (a), above, and shown on said Condominium Map No. 197. Each of the second floor apartments, in addition to the rooms as described in subparagraph(a), above, contain a lanai as shown on Condominium Map No. 197 which lanai shall contain an area of approximately 131.7 square feet, more or less;
- (c) Each of said apartments shall be numbered A, B, C or D which number shall be prefixed with the building number. Each ground

floor apartment shall have access directly onto a concrete walkway which shall be a common element, and each second floor apartment shall have access onto a stairway landing and stairway which shall likewise be common elements.

The Developer states in the Notice of Intention that each apartment will be equipped with a four burner range with oven, stainless steel sink, disposal, undercounter water heater, kitchen cabinet and cupboards, plastic laminated counters and all utility connections, specifically including utility connections for washer-dryer combination within each apartment.

COMMON ELEMENTS: The common elements shall be comprised of the following:

- (a) The roads, sidewalks, parking areas, landscaping, yards and gardens on the land above described, together with the land above described.
- (b) The foundations, columns, girders, beams, supports, main walls, roofs, utility panels, ducts, stairways, and in general all such other portions of the land and improvements not specifically designated as apartments and which are intended for common use, and all other devices or installations existing for or rationally of common use or necessary to the existence, upkeep and safety of the horizontal property regime.

LIMITED COMMON ELEMENTS: There are no limited common elements in the Notice of Intention as filed.

INTEREST TO BE CONVEYED PURCHASER: The Declaration of Horizontal Property Regime states that the common interest in the common elements appertaining to each apartment and its owner for all purposes, including voting, shall be one-sixty eighth (1/60th) common interest.

ENCUMBRANCES AGAINST TITLE: In the Notice of Intention, the Developer advises that the proposed land site with other lands, is subject to a mortgage in favor of Finance Factors, Limited, to secure a loan of \$70,000 and a contractual obligation to advance an additional sum of \$580,000 as more fully set out in the letter memorandum of September 28, 1964 filed with the Commission. The Mortgagee has agreed to release the mortgage on the proposed site plan upon substitution of mortgage securing construction loan.

OWNERSHIP TO TITLE: The Notice of Intention states that the fee is vested in MAUNAHALE DEVELOPMENT CORPORATION. A reproduction of the Transfer Certificate of Title No. 92,373 (Book 924, Page 289) under registration date June 27, 1963 has been filed with the Commission showing the Developer as the owner of the land.

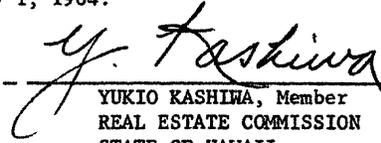
PURCHASE MONEY HANDLING: An Escrow Agreement has been executed between the Liberty Bank of Honolulu as the "Escrow" and MAUNAHALE DEVELOPMENT CORPORATION as the "Seller."

Note: It is incumbent upon the purchaser and prospective purchaser before executing the Sales Contract to read and understand the Escrow Agreement in order to determine the arrangement under which the proceeds from the sale of a dwelling unit are placed in trust, as well as the retention and disbursement of the trust fund.

MANAGEMENT OF THE PROJECT: The proposed Declaration of Covenants, Conditions, Restrictions and By-Laws gives authority to the Board of Directors to employ the services of a firm or person to manage the project. Waipio Terrace, Ltd., a Hawaii corporation, has been nominated by the Developer with the power of substitution vested in the Board of Directors of the Association of Co-Owners.

STATUS OF PROJECT: The Developer reports that the project is 30% completed as of the date of this report.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 32 dated May 1, 1964.



YUKIO KASHIWA, Member
REAL ESTATE COMMISSION
STATE OF HAWAII

cc: DEPARTMENT OF TAXATION
DEPARTMENT OF REGULATORY AGENCIES
(Business Registration Division)
BUREAU OF CONVEYANCES
PLANNING DEPARTMENT, CITY AND COUNTY
OF HONOLULU
FEDERAL HOUSING ADMINISTRATION