



**REAL ESTATE COMMISSION**  
PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES  
STATE OF HAWAII  
424 SO. BERETANIA STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

**FINAL  
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)  
PUBLIC REPORT**

on  
MOILIILI GARDENS  
2760 Kahoaloha Lane  
Honolulu, Hawaii

REGISTRATION NO. 61

**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.

March 25, 1965

SPECIAL ATTENTION

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

1. MOILIILI GARDENS is a proposed leasehold condominium project consisting of fifty-four (54) dwelling units.
2. The Developer has filed the following documents or specimen documents with the Commission for examination: Notice of Intention; Certificate of Title; Master Lease and subsequent Assignments of Master Lease; Declaration of Submission to Horizontal Property Regime, including Bylaws; Apartment Lease Assignment; Mortgage covering Master Lease; Additional security Mortgage covering fee; Statement of Financing; Sales Deposit Contract; Escrow Agreement; Building Agreement; Plans and Specifications for Unit I; Preliminary Plot and Floor Plans for Unit II; Bond for Unit I; House Rules; Statement re Required Documents; and Management Contract; Note and Second Mortgage.
3. 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: MOILIILI GARDENS

DEVELOPER: JUTARO SOTOMURA, whose address is 2025 Ilikai, 1777 Ala Moana Boulevard, Honolulu. His place of business is 1212 Kaunualii Street, Honolulu, Telephone 814885.

ATTORNEY REPRESENTING DEVELOPER: Masato Doi, 419 First National Bank Bldg., Honolulu, Hawaii, Phone 573338.

TAX KEY: FIRST DIVISION: 2-7-17:31

ZONING: Apartment/Business

DESCRIPTION: The land covered by the Master Lease committed to the project is that certain parcel of land situate at Moiliili, Honolulu, City and County of Honolulu, State of Hawaii, containing an area of 43,195 square feet, more particularly described in the Master Lease. The street address of the project is 2760 Kahoaloha Lane, Honolulu, Hawaii.

Moiliili Gardens is comprised of two buildings. UNIT I has already been constructed. UNIT II will be constructed upon sufficient pre-sales being made to cover the cost of the project. Until sufficient pre-sales are made, all moneys paid by purchasers will be held in escrow and not be released.

UNIT I is a three-story building covering ground space of about 11,600 square feet, and containing 12 apartments on the first floor and 13 apartments on each of the second and third floors (or a total of 38 apartments). UNIT II is a five-story building covering ground space of about 3,190 square feet, the ground floor being set aside for parking and the second, third, fourth and fifth floors each having 4 apartments (or a total of 16 apartments). Neither building will have a basement, and both buildings will be constructed principally of hollow tile. UNIT I will have 35 2-bedroom apartments, each of approximately 672 square feet in area, and 3 3-bedroom apartments, each of approximately 1080 square feet in area. In UNIT II, there will be 16 2-bedroom apartments, each of approximately 698 square feet in area. Each 2-bedroom apartment will contain 2 bedrooms, a living room, bathroom and kitchen. Each 3-bedroom apartment will contain 3 bedrooms, 2 bathrooms, kitchen and living room and dining area. The immediate common elements to which each apartment has access is, in the case of UNIT I, a concrete walkway or lanai, and in the case of UNIT II, a hallway or corridor. The numbering of each apartment shall be as follows:

UNIT I:

First floor: 101, 102, 103, 104, 105, 106, 107, 108, 109,  
110, 111, 112

Second floor: 201, 202, 203, 204, 205, 206, 207, 208, 209,  
210, 211, 212, 213

Third floor: 301, 302, 303, 304, 305, 306, 307, 308, 309,  
310, 311, 312, 313

UNIT II:

First floor: parking (no apartments)

Second floor: 1, 2, 3, 4

Third floor: 5, 6, 7, 8

Fourth floor: 9, 10, 11, 12

Fifth floor: 13, 14, 15, 16

There is one parking space designated by number corresponding to the number of each apartment which is a limited common element to and for the exclusive use of such apartment.

COMMON ELEMENTS: The common elements consist of: (a) leasehold interest in the land; (b) all foundations, columns, girders, beams, supports, bearing walls, roof, chases, lobbies, hallways, stairs, entrances and exits of the buildings; (c) driveways, yard and refuse areas, and parking areas not set aside and reserved for the exclusive use of designated apartments; (d) all ducts, electrical equipment, wiring and other central and appurtenant installations for services, including power, light, water and telephone; (e) elevator and swimming pool; (f) all common elements mentioned in the Horizontal Property Act which are actually constructed in the project.

LIMITED COMMON ELEMENTS: The limited common elements consist of: (a) one parking space designated by number corresponding to the number of each apartment; (b) such of the common elements which are rationally related only to a single building as against the other building in the project.

INTEREST TO BE CONVEYED TO PURCHASER: Each apartment shall have appurtenant thereto an undivided percentage interest in the common elements, such interest being defined and referred to as the "common interest". The common interest, the proportionate shares in the profits and common expenses of the project and the proportionate representation for voting purposes in the Association of Apartment Owners of the project, shall be in said percentage for each apartment. The common interest for each apartment is as follows:

Each 2-bedroom apartment (which has approximately 672 square feet in area) in UNIT I.....	1.8133%
Each 2-bedroom apartment (which has approximately 698 square feet in area) in UNIT II.....	1.8463%
Each 3-bedroom apartment (which has approximately 1080 square feet in area) in UNIT I.....	2.3313%

OWNERSHIP: Fee title to the land in the project is owned by Abraham Piianaia. The fee owner leased the land to Joseph Sotomura by lease dated October 31, 1963 and recorded in the Bureau of Conveyances in Liber 4625, Page 501, said lease being referred to as the "Master Lease". The Master Lease was assigned to United Pacific Industries, Inc., by assignment dated February 12, 1964 and recorded as aforesaid in Liber 4710, Page 89; and was subsequently assigned to the Developer by assignment dated July 31, 1964 and recorded as aforesaid in Liber 4806, page 588.

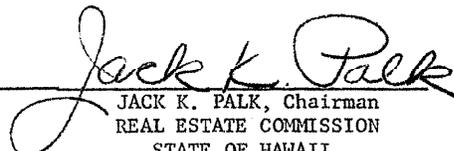
ENCUMBRANCES AGAINST PROPERTY SUBMITTED TO REGIME: In the Notice of Intention, the Developer describes the following encumbrance: (a) Mortgage covering the Master Lease, in favor of International Savings and Loan Association, dated March 17, 1964, and recorded as aforesaid in Liber 4710, Page 95; (b) Additional security mortgage in favor of the same mortgagee (International Savings and Loan Association) dated March 17, 1964 and recorded as aforesaid in Liber 4710, Page 102.

PURCHASE MONEY HANDLING: An Escrow Agreement has been executed between International Savings and Loan Association, as "Escrow Agent" and the Developer, as "Seller". This escrow arrangement sets forth the duties and responsibilities of the escrow agent in receiving, holding and disbursing of funds:

Note: It is incumbent upon the purchaser that he reads this Escrow Agreement which establishes how the proceeds from the sale of dwelling units are placed in trust, as well as the retention and disbursement of the trust fund.

MANAGEMENT AND OPERATION: The bylaws of the Association of Apartment Owners gives the Board of Directors authority to manage and control the project. Initially, the Developer has contracted with D & S Pacific, Ltd., a Hawaii corporation, to be the managing agent.

STATUS OF PROJECT: The Developer advises that as of this date, UNIT I has been completed, and that UNIT II will not be started until and unless sufficient funds are obtained by way of pre-sales to complete the construction of UNIT II as well as pay off the Mortgage which is now an encumbrance on the property submitted into the regime.

  
JACK K. PALK, Chairman  
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