



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
MOKULEIA BEACH COLONY
Mokuleia, Island of Oahu
Honolulu, Hawaii

REGISTRATION NO. 69

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.

April 7, 1965

SPECIAL ATTENTION

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

- (1) MOKULEIA BEACH COLONY is a proposed fee simple condominium project consisting of fifty-two (52) residential units and other improvements.
- (2) The Developer has filed the following documents or specimen documents with the Commission for examination: Notice Of Intention; Limited Partnership Agreement and Certificate; Loan Commitment Letter; Declaration Of Horizontal Property Regime and By-Laws; Preliminary Title Report; Title Insurance Policy; Reservation Agreement; Warranty Deed; Purchase Agreement; Financing Program Prospectus; Developer's Letter Exercising Option To Purchase Land Committed to the Regime; Confirmation Letter on Exercise of Option and Deed to Developer; Plot Plan and Detailed Working Drawings.

The Developer states that the above documents or specimen documents are subject to minor modifications as may be determined necessary.

- (3) The purchaser or prospective purchaser is advised to acquaint himself with the general provisions of the Horizontal Property Act (HPA) enacted by the Legislature of the State of Hawaii in 1961. This statute was amended by the Legislature in 1962 and substantially improved by 1963 and 1964 amendments.

NAME OF PROJECT: MOKULEIA BEACH COLONY

DEVELOPER: MOKULEIA ASSOCIATES, a Hawaii limited partnership -

General Partner: Mokuleia Polo Farms, Inc.
1811 Ala Moana Boulevard
Honolulu, Hawaii

Limited Partner: The LAACO Investment Corporation
413 West Seventh Street
Los Angeles, California

William W. Saunders
500 Gasco Building
1060 Bishop Street
Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: Lewis, Buck & Saunders (Attn: Mr. Charles W. Key), 500 Gasco Building, 1060 Bishop Street, Honolulu, Hawaii. Telephone 562-128.

TAX KEY: FIRST DIVISION 6-8-09-1

ZONING: Rural Protective

DESCRIPTION: The project is to be located on 6.107 acres of ocean property on the North side of Waialua-Kaena Point Road at Mokuleia, Waialua, Oahu, City and County of Honolulu, State of Hawaii. There shall be twenty-seven (27) single-story buildings constructed on the land. The buildings shall have concrete floors and shall be principally of wood and hollow tile construction. One building shall be used as an administration and service building. The remaining buildings shall be residential buildings and are designed as duplexes. Each residential building shall consist of two (2) residential units having a living area of approximately 792 square feet, consisting of a kitchen, bathroom, living and dining area, dressing room, bedroom and covered lanai. There will be space for parking sixty-eight (68) automobiles and each residential unit will be entitled to the exclusive use of one (1) parking space. All residential units shall have nonexclusive use of abutting and adjoining walkways for ingress and egress.

COMMON ELEMENTS: The Developer advises the common elements shall include: (a) the land in fee simple upon which the project is situated; (b) the interior dividing wall between two adjoining residential units; (c) the yards, grounds, gardens; walkways, recreational facilities, swimming pool and parking areas; (d) the administrative and service building for the common use of the co-owners and the use of janitors and other persons employed for the operation of the property; (e) central and appurtenant installations for services such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning and incinerators; (f) limited common elements; and (g) in general all such other devices or installations existing for or rationally of common use or necessary to the existence, upkeep and safety of the buildings and other improvements.

LIMITED COMMON ELEMENTS: Certain parts of the common elements are to be set aside and reserved for the exclusive use of certain residential units, and such units shall have appurtenant thereto an exclusive easement for the use of such limited common elements. The limited common elements are as follows:

- (a) The site of each residential unit, consisting of the land beneath and immediately adjacent to such dwelling designated on said condominium file plan, shall be appurtenant to and for the exclusive use of such unit.
- (b) One (1) parking space designated on said plans by number corresponding to the number of each residential unit shall be appurtenant to and for the exclusive use of such unit.
- (c) The interior dividing wall between two adjoining residential units shall be appurtenant to and for the common exclusive use of the two adjoining residential units.

- (d) The entry sidewalk designated on said plans and serving each of the residential units shall be appurtenant to and for the exclusive use of each such residential unit.
- (e) The courtyard designated on said plans and adjoining the residential units shall be appurtenant to and for the exclusive use of such adjoining units.
- (f) All other elements of the project which are rationally of limited common use for less than all of said units.

INTEREST TO BE CONVEYED PURCHASER: The developer advises that each of the fifty-two (52) residential unit owners will receive under his deed in fee simple:

- 1. A specific residential unit.
- 2. Exclusive use of one designated parking area.
- 3. Easement of ingress and egress.
- 4. Each purchaser will receive an undivided one-fifty-second (1/52) interest as a tenant in common in and to the common elements, including the fee simple title to the land upon which the project is located.

OWNERSHIP OF TITLE: Developer has exercised an option to purchase the fee simple title to the land. Individual deeds will be made to the purchasers of the residential units by the developer.

ENCUMBRANCES AGAINST TITLE: At the time the individual deeds are delivered to the purchasers of the residential units, the land will be subject to the following encumbrances:

- 1. That certain Grant of Easement from Do Myung Hyun and Youe Sun Hyun, et al, to The Hawaiian Electric Company, Limited, and Mutual Telephone Company, dated May 26, 1948, and recorded in the Bureau of Conveyances of the State of Hawaii in Liber 2148 at page 344.
- 2. That certain Grant of Easement dated June 1, 1948 from Oahu Railway and Land Company to The Hawaiian Electric Company, Limited, and Mutual Telephone Company, recorded as aforesaid in Liber 2142 at page 13.
- 3. That certain reservation contained in said Royal Patent Grant Number 457, to-wit: "EXCEPTING AND RESERVING to the Hawaiian Government all mineral or metallic mines of every description."
- 4. That certain reservation of the right to construct, etc., utilities as contained in that certain Deed dated May 5, 1952, recorded as aforesaid in Liber 2616 at page 202, in favor of Oahu Railway and Land Company.

PURCHASE MONEY HANDLING: An escrow agreement has been executed by the Developer and Honolulu Mortgage Co., Ltd. as Escrow Agent. All deposits received as reservations, together with all money received under purchase agreements and loan commitments, will be placed with the Escrow Agent. At such time as the deeds to the individual residential units are executed by the developer in favor of the various purchasers and delivered and recorded, money will be disbursed by the Escrow Agent to purchase the land and to provide for the construction of the improvements in accordance with the plans and specifications of Frederic S. Liang, architect, and for other engineering, legal, financing, selling, and incidental fees incurred by the Developer in connection with the project. The purchaser is advised to read the escrow agreement to obtain an understanding of how the proceeds from the sale of the residential units shall be disbursed.

MANAGEMENT AND OPERATION: A Declaration of Horizontal Property Regime, together with By-Laws of the Mokuia Beach Colony, have been prepared setting forth the

limitations on the use and ownership of the condominium residential units and provides for the method of management and operation of the project. Specimen copies of the Declaration and By-Laws will be furnished all purchasers. Bishop Trust Company, Limited, shall be the initial managing agent.

STATUS OF PROJECT: As at the date of this report no construction contract has been signed. To the best knowledge of the Commission the completion date is not ascertainable at this time.



YUKIO KASHIWA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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