



**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  
THE MAILE TOWER  
1095 Spencer Street  
Honolulu, Hawaii

REGISTRATION NO. 73

**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.

May 21, 1965

**SPECIAL ATTENTION**

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

1. THE MAILE TOWER is a proposed leasehold condominium project consisting of twenty-four (24) dwelling units.
2. The Developer has filed the following documents or specimen documents with the Commission for examination: Notice of Intention; Master Lease; Declaration of Horizontal Property Regime; Apartment Lease; Articles of Association, Bylaws and Affidavit of Officers (Hawaii Apartment Builders Co., Inc.); Articles of Association, Bylaws and Affidavit of Officers (The Mortgage Company of Hawaii, Ltd.); Supplemental Affidavit of Officers (Hawaii Apartment Builders Co., Inc.); Bylaws of the Association of Apartment Owners; Escrow Agreement; Working Drawings, Plans and Specifications.
3. The purchaser or prospective purchaser is advised to acquaint himself with the general provisions of the Horizontal Property Act passed 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: THE MAILE TOWER**

DEVELOPER: BLACKBURN AND ASSOCIATES, a Joint Venture comprised of two Corporations (a) Hawaii Apartment Builders Co., Inc., 247 "B" Beachwalk, Honolulu, Hawaii, telephone 507361 or 932394, and (b) The Mortgage Company of Hawaii, Ltd., 404 Trustco Building, Honolulu, Hawaii, telephone 503848. Mr. Willis E. Blackburn is identified in the Notice of Intention as the manager of the project. He resides at 1584 Thurston Avenue, Honolulu, Hawaii, telephone (business) 507361, (residence) 569591.

Hawaii Apartment Builders Co., Inc. registered with the Treasury Department, Territory of Hawaii on April 30, 1959.

The Mortgage Company of Hawaii, Ltd., registered with the Treasury Department, Territory of Hawaii on November 20, 1952.

ATTORNEY REPRESENTING DEVELOPER: Hughes and Smart (Attention: Mr. J. Harold Hughes), 400 Trustco Building, Honolulu, Hawaii, Telephone 503-848.

LOCATION: At the corner of Wilder Avenue and Spencer Street at Makiki, Honolulu, Hawaii.

TAX KEY: FIRST DIVISION 2-4-16-14

ZONING: Hotel-Apartment

DESCRIPTION: The Developers hold a lease on the 11,914 square feet of land committed to the project.

The Declaration states that there will be twenty-four (24) separately designated and described leasehold estates consisting of the spaces within the perimeter walls of each of the 24 apartment units, and also the balcony lanais of all the apartment units in the residential building defined and referred to as "apartments."

There will be two apartments per floor for each of the 12 floors containing a total of twenty-four apartments; the apartments are numbered "A" and "B" on each floor; those on the first floor bear the numbers "1-A" and "1-B"; those on the second floor "2-A" and "2-B" and those on the other floors are numbered accordingly. Each apartment has ingress and egress via an interior corridor on each floor. The area in square feet of the apartments within their perimeter walls and including lanais is as follows: an apartment identified with the letter "A" - 1518.5 square feet; apartments with the letter "B" - 1406.5 square feet. Each apartment consists of the following rooms: two bedrooms, two bathrooms, one kitchen, and one living-dining area with appropriate hallways.

The Developer advises that the respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits or other utility lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements as provided. Each apartment shall be deemed to include all the walls and partitions which are not load-bearing walls within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings including plaster, paint, wallpaper and the built-in fixtures including refrigerators, stoves, garbage disposers and dishwashers.

The Notice of Intention reflects that there is to be eighteen (18) covered parking stalls and sixteen (16) open air stalls available.

COMMON ELEMENTS: The Declaration describes the Common Elements as follows: (a) the land described; (b) all foundations, columns, girders, beams, supports, bearing walls, roofs, chases, halls, corridors, garden and entrance lanais, lobbies, stairs, stairways, entrances and exit of the described building; (c) all yards, gardens and recreational areas including the swimming pool and adjacent rest room facilities; (d) all ingress and egress areas to parking spaces; (e) parking facilities for service use; (f) all tanks, pumps and ducts and other central and appurtenant installations for service including power, light, gas, cold and hot water, refuse, telephone and television; (g) all laundry facilities located within the covered space in the basement of the residential building; and (h) one automatic electric passenger elevator with elevator penthouse and appurtenant equipment.

LIMITED COMMON ELEMENTS: The Declaration advises that certain parts of the Common Elements, called and designated Limited Common Elements, are set aside and reserved for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto an exclusive easement for the use of such Limited Common Elements. The Limited Common Elements set aside and reserved are as follows: (a) parking spaces designated on the building plans, which shall be assigned and numbered as each apartment is sold and when assigned and numbered, said space or spaces shall be appurtenant to and for the exclusive use of such apartment. Each of the apartments on the top floor shall have two parking spaces and one half of the elevator loft for storage purposes and one half of the office on the first floor; (b) one storage space located in the basement of the residential building and designated on the building plans by number corresponding to the number of each apartment and shall be appurtenant to and for the exclusive use of such apartment.

INTEREST TO BE CONVEYED PURCHASER: Each apartment shall have appurtenant thereto the respective undivided interest in the Common Elements as specified and established in the Declaration for such apartment, such interest being defined and referred to as the "common interest." The common interest, the proportionate share in the profits and common expenses of the project and the proportionate representation for voting purposes in the Association of Apartment Owners established for each apartment, shall be as set forth in percentages as follows:

<u>Apartments</u>	<u>Percentage Interest</u>
1-A through 11-A	4.1666%
1-B through 11-B	4.1666%
12-A called Penthouse - A	4.1667%
12-B called Penthouse - B	4.1667%

OWNERSHIP TO TITLE: The fee in the land committed to the project is vested in Pearl B. Hadley, widow, of 824 Sunnyside, Fresno, California.

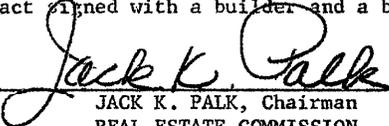
ENCUMBRANCES AGAINST LAND AND BUILDINGS: The Notice of Intention represents that there are no encumbrances. The Developer states that individual apartment leases will run from Hawaii Apartment Builders Co., Inc. and The Mortgage Company of Hawaii, Ltd. to the purchasers for a term of 65 years from January 1, 1965.

PURCHASE MONEY HANDLING: The Developer has filed a specimen copy of the Escrow Agreement to be executed in which Security Title Corporation is identified as the "Escrow" and Blackburn and Associates is identified as the "Developers."

Note: It is incumbent upon the prospective purchaser that he reads this document which establishes the procedures under which all moneys are to be received, deposited and disbursed.

MANAGEMENT AND OPERATION: The Bylaws of the Association of Apartment Owners states that the Board of Directors has the authority and is responsible for the management and operation of the project. Cooke Trust Company, Ltd. is identified in the Notice of Intention as the manager.

STATUS OF PROJECT: The Developer reports that a contract for construction is under negotiation as at the date of this Final Public Report. The Commission is advised that construction on the project will begin when not less than 50% of the condominium units are sold and contract signed with a builder and a bond posted by the contractor.

  
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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 & COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION