



ORIGINAL

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
CASTLE SURF APARTMENTS
2937 Kalakaua Avenue
Honolulu, Hawaii

REGISTRATION NO. 77

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.

June 4, 1965

SPECIAL ATTENTION

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

1. CASTLE SURF APARTMENTS is a proposed leasehold condominium project consisting of thirty-eight (38) dwelling units. A lease having a term ending September 30, 2024, comprises the Master Lease. The Master Lease provides for fixed rents up to September 30, 1939, and the balance of the term is divided into three 10-year and a final 5-year rental periods with the rent during each period to be based on six per cent (6%) of the then market value of the land excluding the improvements as set by appraisal.
2. The Developer has filed the following documents or specimen documents with the Commission for examination: Notice of Intention; Master Lease; Amendment to Master Lease; Assignment of Master Lease; Certificate of Search; Declaration, with bylaws annexed; House Rules; Sales Deposit Contract; Apartment Lease Assignment; Escrow Agreement; Construction Contract; Performance Bond; Labor and Material Payment Bond; Plans and Specifications; Mortgage covering the Master Lease; Statement of Financing; Joint Venture Agreement.
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: CASTLE SURF APARTMENTS

DEVELOPER: The Developer is a joint venture comprised of the following persons:

Theodore Valdez
4369 Royal Place
Honolulu, Hawaii

Howard Morton Lang
629 Ulumaika
Honolulu, Hawaii

Lloyd Martin
4859 Kahala Avenue
Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: DOI, YAMADA & SHINSATO (Attn: Mr. Masato Doi),
419 First National Bank Building, Honolulu, Hawaii. Telephone 573-333.

TAX KEY: FIRST DIVISION: 3-1-32: 5

ZONING: Apartment-Hotel

DESCRIPTION: The land covered by the Master Lease committed to this project consists of two adjoining parcels of land containing an aggregate of 16,180 square feet, more particularly described in the Master Lease. The street address of the project is 2937 Kalakaua Avenue, Honolulu, Hawaii.

Castle Surf Apartments is comprised of one six (6) story building of reinforced concrete frame with concrete block filler walls, containing thirty-eight (38) apartments. There will be a basement in addition to the six stories. There will be two 2-bedroom apartments and seven 1-bedroom apartments on each of the second, third and fourth floors (each floor similar). There will be two 2-bedroom apartments and seven 1-bedroom apartments on fifth floor also, but these will be slightly smaller. There will be two 3-bedroom penthouse units on the sixth floor. There are two different types of 1-bedroom units, four different types of 2-bedroom units, and the two 3-bedroom penthouses are different; and the purchaser is advised to check carefully on the Declaration and plans for the specific unit being purchased. Each apartment has a range with oven, garbage disposal unit, washer-dryer and an undercounter dishwasher. The immediate common element to which each apartment has access is a balcony. Numbering of each apartment is as follows:

SECOND FLOOR: 21, 22, 23, 24, 25, 26, 27, 28, 29

THIRD FLOOR: 31, 32, 33, 34, 35, 36, 37, 38, 39

FOURTH FLOOR: 41, 42, 43, 44, 45, 46, 47, 48, 49

FIFTH FLOOR: 51, 52, 53, 54, 55, 56, 57, 58, 59

SIXTH FLOOR: 61, 62

There are 50 parking stalls in the project. Each apartment will have at least 1 parking stall. There are 38 lockers in the basement. The lockers will be assigned to the apartments on an exclusive basis, but there will be 2 apartments without lockers.

COMMON ELEMENTS: Common elements consist of: (a) leasehold interest in the land; (b) all foundations, columns, girders, beams, supports, bearing walls, roof, exhaust ducts, lobbies, hallways, access balconies, stairs, entrances and exits of improvements in the project; (c) parking areas, driveways, ramps and yard areas; (d) all transformer vaults, ducts, electrical equipment, wiring and other central and appurtenant installations for services, including power, light, water, refuse and telephone; (e) office on the first floor; (f) elevators with housing and appurtenant equipment, lounge, pump room, switch room, elevator lobby, and trash, storage and mailbox areas; (g) lockers in basement and water

heaters; and (h) all other common elements mentioned in the Horizontal Property Act which are actually constructed in the project.

LIMITED COMMON ELEMENTS: Certain parts of the common elements are reserved for the exclusive use of those apartments to which they are appurtenant and are called limited common elements. Limited common elements are: (a) parking stalls: there are 50 parking spaces, numbered from 1 to 50, and one or more parking spaces shall be assigned to a designated apartment under an apartment lease, and such parking space or spaces shall be appurtenant to and for the exclusive use of such apartment; (b) locker rooms: there are 36 locker rooms in the basement, numbered 1 to 36, and a particular locker room shall be assigned to a designated apartment under an apartment lease, and such locker room shall be appurtenant to and for the exclusive use of such apartment; (c) each recessed entry hallway adjoining an apartment shall be appurtenant to and for the exclusive use of such apartment which it adjoins.

INTEREST TO BE CONVEYED TO PURCHASER: Each apartment purchaser will receive a leasehold interest in the apartment and a common interest in the common elements, subject to the reserved use as to limited common elements. The common interest appurtenant to each apartment for all purposes, including voting, is as follows:

TYPE A 1-bedroom unit: 2.2%
TYPE B 1-bedroom unit: 2.1%
TYPE C MAKAI 2-bedroom unit: 4.2%
TYPE D MAUKA 2-bedroom unit: 3.2%
FIFTH FLOOR MAKAI 2-bedroom unit: 4.2%
FIFTH FLOOR MAUKA 2-bedroom unit: 3.2%
SIXTH FLOOR MAKAI PENTHOUSE: 5.0%
SIXTH FLOOR MAUKA PENTHOUSE: 4.5%

OWNERSHIP: Fee title to the two parcels of land in the project is owned by Lulu Hale McNamarra, widow. Her agent is Hawaii Trust Company, Limited.

The fee owner leased the two parcels to Alfred Bloomingdale, Russell Lee Newling and Howard Morton Lang by lease dated September 25, 1959, filed in the Office of the Assistant Registrar of the Land Court as Document No. 244549 and noted on Transfer Certificate of Title No. 96,720, which lease was amended by Document No. 353419, the lease as amended being called the "Master Lease." The Master Lease was assigned to the Developer by assignment dated February 1, 1965 and filed as Document No. 356139.

ENCUMBRANCES AGAINST PROPERTY SUBMITTED TO REGIME: In the Notice of Intention, the Developer describes the following encumbrances:

1. Mortgage dated January 11, 1960 in favor of Hawaiian Trust Company, Limited, on the fee and the lessor's interest in the Master Lease, filed as Document No. 252372;
2. Mortgage dated May 7, 1965, in favor of First National Bank of Hawaii, covering the Master Lease and filed as Document No. 360,625;
3. real property taxes for the year 1965.

PURCHASE MONEY HANDLING: An Escrow Agreement has been executed between First National Bank of Hawaii, as "Escrow Agent" and the Developer, as "Seller", dated April 14, 1965. This escrow agreement sets forth the duties and responsibilities of the escrow agent in receiving, holding and disbursing funds.

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

MANAGEMENT AND OPERATION: The bylaws of the Association of Apartment Owners gives the Board of Directors authority to manage and control the project.

A Managing Agent must be employed, and initially, the Developer has contracted with Hawaiian Trust Company, Limited, to be the Managing Agent for period of 1 year, by Property Management Agreement dated May 17, 1965.

STATUS OF PROJECT: The Developer advises that as of this date, the building has been only nominally started. The contractor on the project is Quality Pacific, Ltd., and the architect is A. W. Sturgis. The estimated completion date is February, 1966.


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