



REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
313 SO. BERETANIA ST.
P. O. BOX 3449
Honolulu 1, Hawaii

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

on
THE ALA MAR
2233, 2235, 2237, 2239 Ala Wai Boulevard
Honolulu, Hawaii

REGISTRATION NO. 102

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 but may only take reservations therefore after

- (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.

October 29, 1965

SPECIAL ATTENTION

A comprehensive reading of the Report by prospective purchasers is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the prospective purchaser is particularly directed to the following:

1. THE ALA MAR is a proposed leasehold condominium project consisting of one hundred thirty-eight (138) dwelling units.
2. The Developer has filed the following documents or specimen documents with the Commission for examination: Notice of Intention; Statement Describing Building and Land; Declaration of Horizontal Property Regime; Declaration of Covenants, Conditions, Restrictions and By-Laws of Association of Apartment Owners; Four (4) Transfer Certificates of Title; Deposit Receipt Offer and Acceptance Contract; Exchange Agreement; Four (4) Leases; Declaration of Trust; Development Agreement; Statement of Program of Financing Building; Joint Venture Agreement; Lender's Letter of Committal; Illustrative Statement of Costs and Financing; Letter of Contract to Construct Building; General Contract Specifications; Location Map of Building Site; Proposed House Rules for Operation of Project; Reservation Agreement, Escrow Agreement (Executed); Apartment Lease; Preliminary Drawings and Plans; and Advertising and Promotional Brochures; Copy and Related Graphic Matter as required under Condominium Rules and Regulations.
3. The Developer, complying with the Commission's Supplementary Filing requirements of July 23, 1965, has submitted a statement showing the expected costs involved in completing the project.

4. The Developer, in receiving this Preliminary Public Report, is cognizant of the Commission's requirement that construction of the building shall not commence until satisfactory evidence is presented to this regulatory body that there are sufficient funds to cover all costs involved in completing the project.
5. The prospective purchaser is advised to acquaint himself with the provisions of Chapter 170A, Revised Laws of Hawaii, as amended, which relates to Horizontal Property Regimes.

NAME OF PROJECT: THE ALA MAR

DEVELOPER: Under a Joint Venture Agreement submitted to the Commission as part of the Notice of Intention, the Developer is identified as ALAN P. KRUSE & ASSOCIATES. The joint venturers are as follows:

Alan P. Kruse Individual	2500 Kalakaua Avenue Honolulu, Hawaii Telephone: 638-484
Waimea Bay Tropical Gardens, Incorporated (A Hawaiian Corporation)	2500 Kalakaua Avenue Honolulu, Hawaii Telephone: 638-484
Donald Woodrum Individual	720 Kapiolani Boulevard Honolulu, Hawaii Telephone: 563-481

ATTORNEY REPRESENTING DEVELOPER: MOORE, SILBERMAN & SCHULZE, (Attention: Mr. Richard P. Schulze, Jr.), Suite 1220, Ala Moana Building, 1441 Kapiolani Blvd., Honolulu, Hawaii. Telephone: 996-444.

LOCATION: The land committed to the project, comprised of 18,868 square feet, is located on the southerly side of Ala Wai Boulevard, where it is joined by Seaside Avenue, at Waikiki, Honolulu, Island of Oahu, Hawaii.

TAX KEY: FIRST DIVISION 2-6-20 lots 33, 53, 54, 58

ZONING: Apartment-hotel

DESCRIPTION: Two building shall be constructed on said lands, referred to hereafter as "Apartment Building." and the "Recreation Building."

Apartment Building: The Apartment Building is an eighteen-story concrete, glass and aluminum building consisting of three parking levels (0, 1st and 2nd floors) and fifteen levels of apartments (3rd through 18th floors - 13th floor is omitted).

The 1st floor of parking will be located six feet below the street level; the 2nd floor of parking will have an elevation of plus three (+3) feet above the surrounding ground level. These two floors will be on all four parcels constituting the lands herein. The building lobby, entrance foyer, office and restroom for the building, and mail boxes will also be on the second level.

The third floor of parking will be limited to the three parcels of land fronting on the Ala Wai and will be directly above the second floor of parking, or what will be known as the first floor of the building.

There will be 120 parking stalls located on these three levels of parking, and each of the parking spaces will be identified with an arabic numeral. These parking stalls will be offered for sale to the purchasers of apartments in the building, or will be rented to purchasers of apartments in the building.

The next twelve floors of the building will all be identical as to the floor plan and will actually be numbered floors 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 and 15. Each of these floors will have one extra large two-bedroom two-bath apartment, one two-bedroom one and one-half bath apartment, four one-bedroom one-bath apartments, and five studio apartments on each floor.

The numbering of apartments on each of these floors will commence with the large two-bedroom two-bath apartment which is located on the mauka/ewa corner of the building, which will be numbered "01". The adjoining studio unit located on the Diamond Head side of "01" and fronting the Ala Wai Boulevard shall be numbered "02". "03" shall be the one-bedroom one-bath apartment Diamond Head side of and adjacent to apartment "02" and fronting the Ala Wai Boulevard. The balance of apartments on the floor shall be numbered in numerical sequence, with the last unit being "11" which will be the studio unit on the ewa side of the building and directly makai of apartment "01".

The next three floors of the building will have penthouse apartments and will be numbered as floors 16, 17, and 18. On floor 16 there will be three two-bedroom two and one-half bath penthouses named "Pikake", "Plumeria" and "White Ginger". On floors 17 and 18 there will be three apartments, each of which will be split level with living room, kitchen and dining room on the 17th floor, and sleeping quarters on the 18th floor. These three units will be named "Tree Fern", "Woodrose", and "Mountain Orchid".

The square footage of each of the eleven apartments from the third floor through the 15th floor, and the six penthouses are as follows:

<u>"01" (Two-Bedroom Two-Bath Apartment)</u>	
Inside Area	765.61
Lanai Area	<u>176.00</u>
Total Square Footage in Unit 941.61	
<u>"02" (Studio Apartment)</u>	
Inside Area	349.28
Lanai Area	<u>44.00</u>
Total Square Footage in Unit 393.28	
<u>"03" (One-Bedroom One-Bath Apartment)</u>	
Inside Area	423.00
Lanai Area	<u>76.00</u>
Total Square Footage in Unit 499.00	
<u>"04" (Two-Bedroom 1 1/2-Bath Apartment)</u>	
Inside Area	676.54
Lanai Area	<u>146.00</u>
Total Square Footage in Unit 822.54	
<u>"05" (Studio Apartment)</u>	
Inside Area	368.68
Lanai Area	<u>90.00</u>
Total Square Footage in Unit 458.68	
<u>"06" (One-Bedroom One-Bath Apartment)</u>	
Inside Area	403.56
Lanai Area	<u>126.00</u>
Total Square Footage in Unit 529.56	
<u>"07" (One-Bedroom One-Bath Apartment)</u>	
Inside Area	423.68
Lanai Area	<u>76.00</u>
Total Square Footage in Unit 499.68	
<u>"08" (Studio Apartment)</u>	
Inside Area	333.35
Lanai Area	<u>44.00</u>
Total Square Footage in Unit 377.35	
<u>"09" (Studio Apartment)</u>	
Inside Area	333.35
Lanai Area	<u>44.00</u>
Total Square Footage in Unit 377.35	

<u>"10" (One-Bedroom One-Bath Apartment)</u>			
	Inside Area	467.90	
	Lanai Area	<u>146.00</u>	
	Total Square Footage in Unit		613.90
<u>"11" (Studio Apartment)</u>			
	Inside Area	305.42	
	Lanai Area	<u>70.00</u>	
	Total Square Footage in Unit		375.42
<u>Penthouse "White Ginger"</u>			
	Inside Area	1,366.87	
	Lanai Area	<u>579.60</u>	
	Total Square Footage in Unit		1,946.47
<u>Penthouse "Plumeria"</u>			
	Inside Area	1,454.91	
	Lanai Area	<u>721.09</u>	
	Total Square Footage in Unit		2,175.91
<u>Penthouse "Pikake"</u>			
	Inside Area	1,350.43	
	Lanai Area	<u>555.10</u>	
	Total Square Footage in Unit		1,905.53
<u>Penthouse "Tree Fern"</u>			
	Inside Area		
	First Floor	897.72	
	Second Floor	934.12	
	Lanai Area	<u>1,125.75</u>	
	Total Square Footage in Unit		2,957.59
<u>Penthouse "Woodrose"</u>			
	Inside Area		
	First Floor	702.37	
	Second Floor	696.16	
	Lanai Area	<u>656.45</u>	
	Total Square Footage in Unit		2,054.98
<u>Penthouse "Mountain Orchid"</u>			
	Inside Area		
	First Floor	902.31	
	Second Floor	605.92	
	Lanai Area	<u>710.12</u>	
	Total Square Footage in Unit		2,218.35

Recreation Building: The recreation building is located over two floors of parking area on the parcel of land which fronts on Aloha Drive. The recreation building itself has two complete stories of recreation facilities plus a deck which has additional facilities and another partial story of facilities. All facilities in this building are considered common elements and are operated for and by all apartment and penthouse owners. These facilities include in the order of floors:

First Floor

- a. A Japanese style "furo" (hot bath) with a landscaped rock garden and waterfall in the room.
- b. A building general storage facility.
- c. A room for coin-operated service machines and an ironing area.
- d. A children's play area, with appropriate equipment.
- e. A full size bowling alley, with an automatic pinsetter.

Second Floor

- f. A lounge and recreation area with appropriate equipment and tables and a general lounge area suitable for meetings or social gatherings.
- g. A men's gymnasium with an adjoining men's sauna bath and a shower and men's room.

- h. A women's gymnasium with an adjoining women's sauna bath and a shower and women's room.

Third Floor (Deck Area)

- i. A swimming pool with an attached wading pool and waterfall.
- j. A miniature putting green.
- k. A dance floor.
- l. Two dressing rooms, available for guests of the building.
- m. A kitchen, complete with appliances.
- n. A completely equipped bar area, complete with ice making machine, available for apartment owners' parties.

The area in the recreation building is as follows:

First Floor	1,981.10
Second Floor	1,467.49
Third Floor (deck area)	<u>2,295.50</u>

Total Square Footage in Recreation Building 5,965.09

COMMON ELEMENTS: The Declaration reflects that the common elements of the project are as follows:

Apartment Building: The common elements shall include each of the elements which is mentioned in Section 170A-2. (e), Chapter 170A, Revised Laws of Hawaii 1955, as amended, and which is actually constructed or provided on the land described herein, and specifically includes, but is not limited to the following: (a) subleasehold interest in the land; (b) driveway, yard and refuse area; (c) all foundations, columns, girders, beams, supports, main walls, roofs, corridors, lobbies, hallways, stairs, entrances and exits of said building; (d) all ducts, entrance signs, electrical equipment, wiring and other central and appurtenant installations for services including power, light, water, refuse and telephone; (e) switch room and transfer vault; (f) two automatic elevators with elevator housing and appurtenant equipment; (g) the apartment office area on the ground floor with adjoining storage room and bathroom; (h) the trash room and trash chute; (i) the storage areas and all other elements and facilities rationally in common use or necessary to the existence and upkeep and safety, or normally in common use; and (j) all other parts of the project necessary or convenient to its existence, maintenance, and safety, or normally in common use.

Recreation Building: The recreation building and all facilities therein including recreational equipment shall be considered as common elements.

LIMITED COMMON ELEMENTS: As stated in the Declaration, the limited common elements in the project are: (a) an apartment may, by contract, have an exclusive easement to one of the parking stalls; (b) storage spaces for the apartments; and (c) entrance hallways directly in front of penthouse units.

INTEREST TO BE CONVEYED PURCHASER: The undivided fractional interest in the common elements appertaining to each apartment and penthouse and its owner for all purposes, including voting, is as follows:

<u>Apartment or Penthouse No.</u>	<u>Type</u>	<u>Percentage of Ownership</u>
"01" Apartments	2 br 2 bath.	1.13
"02" Apartments	studios	.53
"03" Apartments	1 br 1 bath	.63
"04" Apartments	2 br 1 1/2 bath	1.00
"05" Apartments	studios	.56
"06" Apartments	1 br 1 bath	.61
"07" Apartments	1 br 1 bath	.63
"08" Apartments	studios	.5
"09" Apartments	studios	.5
"10" Apartments	1 br 1 bath	.7
"11" Apartments	studios	.46
"White Ginger"	penthouse	2.00
"Plumeria"	penthouse	2.00

<u>Apartment or Penthouse No.</u>	<u>Type</u>	<u>Percentage of Ownership</u>
"Pikake"	penthouse	2.00
"Tree Fern"	penthouse	2.70
"Woodrose"	penthouse	2.10
"Mountain Orchid"	penthouse	2.20

OWNERSHIP TO TITLE: Copies of Transfer Certificates of Title, submitted as part of the registration with the Commission, reflect the following ownerships in the land to be expressed to the horizontal property regime:

Transfer Certificate of Title No. 17,203

AFFIE LENA H FISHER, Unmarried

LOT 28-A, area 4,494.0 square feet and

LOT 29-B, area 223.0 square feet as shown on Map 8, a part of Land Court Application No. 570.

Transfer Certificate of Title No. 26,203

FRANCES KINNEY DICKEY, widow, and DOROTHY DICKEY THACKER, wife of Earl Maxwell Thacker - as Joint Tenants

LOT 29-A, area 4,494.0 square feet

LOT 29-B, area 223.0 square feet as shown on Map 8, a part of Land Court Application No. 570.

Transfer Certificate of Title No. 16,866

BENJAMIN SEELIG and ADRIA EMMA SEELIG, husband and wife,

LOT 30-A, area 2,627.0 square feet and

LOT 30-B, area 126.4 square feet as shown on Map 8, a part of Land Court Application No. 570.

LOT 1-A, area 1,867.0 square feet and

LOT 1-B, area 97.0 square feet as shown on Map 3, a part of Land Court Application No. 893.

Transfer Certificate of Title No. 40,799

SIXTUS HELGE FRITHIOF JOHNSON and RACHEL JOHNSON, husband and wife

LOT 42-A, area 4,494.0 square feet, and

LOT 42-B, area 223.0 square feet as shown on Map 8, a part of Land Court Application No. 570.

The land is being leased from the four separate owners by Alan P. Kruse and Clarice W. Kruse. The Kruses are then placing their leases in an irrevocable trust for their children with Alan P. Kruse and Clarice W. Kruse as trustees.

The trustees are then leasing these lands to the developers of the condominium project, the Joint Venture - ALAN P. KRUSE AND ASSOCIATES.

In addition, the Notice of Intention reflects that Alan P. Kruse and Clarice W. Kruse, as individuals have entered into an agreement with the landowners whereby the Kruses will purchase the lands of the fee simple holders and thus the holders of the leased fee would be replaced by Alan P. Kruse and Clarice W. Kruse, who would be leasing to an irrevocable trust, which in turn would be leasing to the Developer - the Joint Venture - ALAN P. KRUSE AND ASSOCIATES.

ENCUMBRANCES AGAINST TITLE: The Notice of Intention states there are no mortgages. Seventy-five (75) year leases with signed offers to purchase between Alan P. Kruse and Clarice W. Kruse, Lessees, and Dorothy Dickey Thacker, Affie Lenah Fisher and Adria Emma Seelig, Lessors; and a seventy-five (75) year lease with a signed option to purchase between Alan P. Kruse and Clarice W. Kruse, Lessees, and Rachel Johnson, Lessor.

PURCHASE MONEY HANDLING: The Developer, ALAN P. KRUSE & ASSOCIATES, as "Seller" has filed with the Commission as part of this registration an executed copy of an escrow agreement identifying SECURITY TITLE CORPORATION as "Escrow." This agreement was entered into September 24, 1965. Among other conditions the escrow agreement states that the "Escrow" shall from time to time release from the escrow account and pay or disburse funds in the following order and priority for the purposes and within the respective limits hereinafter indicated:

- (a) To the general contractor, in such amounts and at such times and in proportion to the valuation of the work completed by the contractor as certified by a registered architect or professional engineer to be due and payable to the general contractor under the construction contract of the apartment building;
- (b) To the appropriate parties for architectural, engineering, finance and legal fees and for other incidental expenses of the condominium project as approved by the mortgagee making the construction loan on the project;
- (c) To the "Seller" forty-five (45) days after the date of completion of said building as set forth in a notice of completion (as provided in Paragraph 193-42., Revised Laws of Hawaii 1955, as amended), provided, however if a notice of a mechanic's or materialman's lien has been filed against any of the property included within the condominium project, "Escrow" shall not disburse the remainder of the funds until such liens have been discharged.

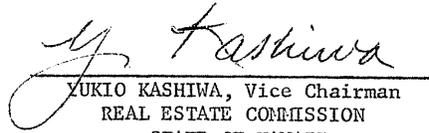
Note: It is incumbent upon the prospective purchaser that he reads an executed copy of the escrow agreement pursuant to which manner and procedure relative to the receipt, deposit and disbursement of the proceeds of the sale of apartment units are established.

MANAGEMENT AND OPERATIONS: The By-Laws of the Association of Apartment Owners vests the Board of Directors with the authority to provide for the services of a person or firm to manage the building. The Notice of Intention identifies the proposed manager as PUNAHOU WILDER COMPANY.

STATUS OF PROJECT: The Developer advises that the General Contractor for the construction of the project will be PACIFIC CONSTRUCTION COMPANY. An agreement to build was entered into June 15, 1965 by PACIFIC CONSTRUCTION COMPANY and ALAN P. KRUSE. The Notice of Intention, filed under date August 24, 1965, stated that construction was to start October 1965. Completion of the building is anticipated in October 1966.

This Preliminary Public Report will be upgraded to a Final Public Report when additional requirements of the Commission have been complied with.

This preliminary HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 102, dated October 29, 1965.


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, C&C OF HONOLULU
FEDERAL HOUSING ADMINISTRATION