



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
WINDWARD VILLA CONDOMINIUM PROJECT NO. 1
45-850 - 45-860K Anoi Road
Kaneohe, Oahu, Hawaii

REGISTRATION NO. 118

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.

January 26, 1966

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. A presently existing apartment building consisting of fifteen (15) dwelling units to be submitted to the Horizontal Property Regimes Act as a fee simple condominium project.
2. The Developer has filed all required documents and specimen documents deemed essential by the Commission for the registration of this proposed condominium project.
3. Advertising and promotional matter required to be filed with the Commission pursuant to rules and regulations has not been submitted as part of this registration.
4. The Developer in his letter of January 26, 1966 has advised the Commission that he recorded the Declaration and By-Laws in Liber 5230 at page 287 with the Bureau of Conveyances, State of Hawaii, on January 6, 1966. Further, Condominium Map No. 52 was also filed for recordation on January 6, 1966.

5. The prospective purchaser is advised to acquaint himself with the provisions of Chapter 170-A, Revised Laws of Hawaii 1955, as amended, and the rules and regulations promulgated thereunder which relate to Horizontal Property Regimes.

NAME OF PROJECT: WINDWARD VILLA CONDOMINIUM PROJECT NO. 1

LOCATION: 45-850 - 45-860K Anoi Road, Kaneohe, Oahu, Hawaii

TAX KEY: FIRST DIVISION 4-5-68-56

66

ZONING: Residential A-2

DEVELOPER: H & T Company, Ltd., P. O. Box 3257, Honolulu, Hawaii.
Telephone 566-061.

Samuro Ichinose	President	164 N. Judd Street Honolulu, Hawaii
T. Hirai	Vice President	642 Oneawa Street Honolulu, Hawaii
Florence Y. Ichinose	Secretary-Treasurer	164 N. Judd Street Honolulu, Hawaii

DESCRIPTION: The project will be divided into separate fee simple estates consisting of fifteen (15) separately designated and described fee simple estates consisting of the spaces enclosed by and within the outside surfaces of the exterior walls and roofs and the plane of the bottom surfaces of the footings, foundations and supporting structures of each of fifteen (15) separate residences, numbered #1 to #15, which spaces, defined and referred to herein as "dwellings," are designated and described on Condominium File Plan No. 52, filed in the Bureau of Conveyances of the State of Hawaii at Honolulu. Said dwellings are separate single-story structures, principally of wood construction, and each contains five (5) rooms, including two (2) bedrooms, one (1) bathroom, one (1) kitchen-living room combination and one (1) attached carport, a total area of approximately 840 square feet. All dwellings are constructed with hardwood flooring and wooden walls and foundations. Each dwelling has immediate access to the adjacent walkway and driveway of the project, all as more particularly located and shown on the said condominium file plan.

COMMON ELEMENTS: The Declaration identifies the common elements as a fee simple estate consisting of all portions of the project, specifically including but not being limited to all items shown as common elements on said condominium file plan and more particularly described as follows:

- (a) The land described in the Declaration;
- (b) Access drive, areas adjacent to access drive, access walkways, streambeds, drainage ditches, roadways, and dwelling sites;
- (c) All central and appurtenant installations, including all pipes, wires, cables, conduits and other utility lines running within said land for services, such as power, light, gas and water;
- (d) Any and all other apparatus and installations existing for common use; and
- (e) All other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

LIMITED COMMON ELEMENTS: In reference to the limited common elements, the Declaration states that certain parts of the common elements, herein called and designated as "limited common elements," are hereby set aside and reserved for the exclusive use of certain dwellings, and such dwellings shall have appurtenant thereto an exclusive easement for the use of such limited common elements. The limited common elements so set aside and reserved include, but are not limited to, all items set forth in said condominium file plan as limited common elements and are as follows:

The site of each dwelling, 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 dwelling.

INTEREST TO BE CONVEYED PURCHASER: Each dwelling shall have appurtenant thereto an undivided 6.6666 percentage interest (1/15th fractional interest) in the common elements, such interest being defined and referred to herein 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 Dwelling owners of the project, shall be in said percentage or fraction for each dwelling.

USE: The dwellings shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, domestic servants and social guests, and for no other purpose. The dwellings shall not be rented for transient or hotel purposes, which are defined as (a) rental for any period less than 30 days, or (b) any rental in which the occupants of the dwelling are provided customary hotel services, such as room service for food and beverage, maid service, laundry and linen, or bellboy service. Except for such transient or hotel purposes, the owners of the respective dwellings shall have the absolute right to rent or lease the same, subject to the approval of the Board of Directors and limitations, restrictions, covenants and conditions of this Declaration. No dwelling shall be occupied by more than four (4) persons.

OWNERSHIP OF TITLE: The Notice of Intention states that the title is vested in H & T Company, Ltd., a corporation, 164 N. Judd Street, Honolulu, Hawaii.

ENCUMBRANCES AGAINST THE LAND: The Notice of Intention reflects the following: (1) Mortgage in favor of Territorial Savings & Loan Association dated July 8, 1963, recorded Liber 4548, page 471; (2) Easement in favor of Hawaiian Electric Company and Hawaiian Telephone Company dated February 4, 1957, recorded Liber 3585, page 337; (3) Grant of easement to Hawaiian Electric Company and Hawaiian Telephone Company dated September 13, 1963, recorded Liber 4600, page 73; (4) Grant of sewer easement to City and County of Honolulu dated June 19, 1963, recorded Liber 45600, page 239; and (5) Reservation in favor of State of Hawaii of mineral and metallic mines as reserved in Royal Patent No. 1958.

PURCHASE MONEY HANDLING: The Developer has filed an executed copy of an escrow agreement identifying Hawaii National Bank as escrow agent.

Note: It is incumbent upon the prospective purchaser that he reads an executed copy of the escrow arrangement 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 OPERATION: The By-Laws of the Association of Dwelling Owners provide that the Board of Directors shall at all times manage and control the project and shall exercise powers and perform such duties and services as may be necessary or proper therefor, including the employment, supervision and dismissal of such personnel as may be necessary for the maintenance and operation of the project.

STATUS OF PROJECT: Construction of the project was completed October, 1963.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made
a part of REGISTRATION NO. 118 dated January 26, 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, C&C OF HONOLULU
FEDERAL HOUSING ADMINISTRATION