



**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  
KUILEI GARDENS  
909 University Avenue  
Honolulu, Hawaii

REGISTRATION NO. 120

**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.

February 10, 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. KUILEI GARDENS, an existing apartment building complex consisting of forty-five (45) dwelling units in four structures was completed in 1961 as a stock cooperative undertaking. The project is being organized and submitted to the Horizontal Property Regime Act as a lease condominium.
2. The Developer has filed all required documents and specimen documents deemed essential by the Commission for the registration of this condominium project.
3. The registration shows that the Declaration and By-Laws have been recorded at the Bureau of Conveyances, State of Hawaii, in Liber 5164, Page 162. Further, the Declaration notes that Condominium File Plan No. 41 has been filed with the Bureau of Conveyances.
4. The Developer has submitted a statement showing the estimated costs involved in converting KUILEI GARDENS to condominium ownership.

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: KUILEI GARDENS

LOCATION: On the Diamond Head side of University Avenue at Kuilei Lane, the approximately 39,324 square feet lies one block makai of South King Street at Kapaakea, Waikiki, Honolulu, Oahu, Hawaii.

TAX KEY: FIRST DIVISION 2-17-16-6

ZONING: Apartment

DEVELOPER: KUILEI GARDENS, INC., a Hawaiian corporation registered with the Department of Treasury and Regulation, State of Hawaii, on June 3, 1960, maintains an office at Room 205, 2615 So. King Street, Honolulu, Hawaii. Telephone 960-210. The officers are:

Gunzo Yoshimura	President	909 University Avenue Honolulu, Hawaii
Jean Hayashi	Vice President	909 University Avenue
Leo K. C. Lum	Secretary	909 University Avenue
Richard C. Lum	Treasurer	909 University Avenue

DESCRIPTION: Forty-five (45) freehold estates are hereby designated in the spaces within the perimeter walls, floors and ceilings of each of the 45 apartment units of the project, including the patio or lanai attached to any such unit, contained in four reinforced concrete and hollow-tile buildings designated as Buildings A, B, C and D respectively, which spaces (herein called the "apartments") are designated on said plans and described as follows:

The apartments are located three on each of two stories in Building A, seven on each of three stories in Building B, five on each of two stories in Building C and four on each of two stories in Building D, are numbered consecutively clockwise from the entrance to the project on Kuilei Street numbers 101 to 119 inclusive on the ground floor and numbers 201 to 219 inclusive on the first floor and, in Building B, numbers 301 to 307 inclusive on the third floor, and are more particularly described as follows:

- (a) said land in fee simple;
- (b) all foundations, columns, girders, beams, supports, bearing walls, roofs, chases, entries, stairways, walkways, entrances and exits of said buildings;
- (c) all yards, grounds, landscaping and refuse areas;
- (d) all parking areas and driveways;
- (e) all ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, water, sewer, telephone and TV antenna;
- (f) laundry and drying facilities.

**LIMITED COMMON ELEMENTS:** Certain parts of the common elements, herein called the "limited common elements," are hereby designated and set aside for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto easements for the use of such limited common elements, as follows:

- (a) One parking space designated on said condominium file plan by the number corresponding to the number of each apartment shall be appurtenant to and for the exclusive use of such apartment.
- (b) The common elements which are rationally related only to a single building of the project, such as the stairways and walkways thereof, shall be appurtenant to and for the exclusive use of the apartments of such building.
- (c) All other common elements of the project which are rationally related to less than all of said apartments shall be limited to the use of such apartments.

**INTEREST TO BE CONVEYED PURCHASER:** Each apartment shall have appurtenant thereto an undivided interest in all common elements of the project, herein called the "common interest," and a proportionate share in all common profits and expenses of the project and for all other purposes including voting, in the percentage set opposite the number of such apartment as follows:

<u>Apartment</u>	<u>Common Interest</u>	<u>Apartment</u>	<u>Common Interest</u>
101	2.50%	205	2.50%
102	2.50%	206	2.50%
103	2.50%	207	2.50%
104	2.50%	208	2.50%
105	2.50%	209	2.50%
106	2.50%	210	2.00%
107	2.50%	211	2.05%
108	2.50%	212	2.05%
109	2.50%	213	2.05%
110	2.00%	214	2.05%
111	2.05%	215	2.05%
112	2.05%	216	2.05%
113	2.05%	217	2.05%
114	2.05%	218	2.00%
115	2.05%	219	2.00%
116	2.05%	301	2.00%
117	2.05%	302	2.05%
118	2.00%	303	2.05%
119	2.00%	304	2.05%
201	2.50%	305	2.05%
202	2.50%	306	2.05%
203	2.50%	307	2.05%
204	2.50%		

<u>Apartment</u>	<u>Building</u>	<u>Model</u>	<u>Rooms</u>	<u>Area</u>	<u>Lanai-Patio</u>
101	D	2 BR	5	576 sq. ft.	0
102	D	2 BR	5	576 sq. ft.	0
103	D	2 BR	5	576 sq. ft.	0
104	D	2 BR	5	576 sq. ft.	0
105	C	2 BR	5	576 sq. ft.	0
106	C	2 BR	5	576 sq. ft.	0
107	C	2 BR	5	576 sq. ft.	0
108	C	2 Br	5	576 sq. ft.	0
109	C	2 Br	5	576 sq. ft.	0
110	B	Studio	3	288 sq. ft.	0
111	B	1 BR	4	480 sq. ft.	37 sq. ft.
112	B	1 BR	4	480 sq. ft.	37 sq. ft.
113	B	1 BR	4	480 sq. ft.	37 sq. ft.
114	B	1 BR	4	480 sq. ft.	37 sq. ft.
115	B	1 BR	4	480 sq. ft.	37 sq. ft.
116	B	1 BR	4	480 sq. ft.	37 sq. ft.
117	A	1 BR	4	480 sq. ft.	37 sq. ft.
118	A	Studio	3	288 sq. ft.	0
119	A	Studio	3	288 sq. ft.	0
201	D	2 BR	5	576 sq. ft.	42 sq. ft.
202	D	2 BR	5	576 sq. ft.	42 sq. ft.
203	D	2 BR	5	576 sq. ft.	42 sq. ft.
204	D	2 BR	5	576 sq. ft.	42 sq. ft.
205	C	2 BR	5	576 sq. ft.	42 sq. ft.
206	C	2 BR	5	576 sq. ft.	42 sq. ft.
207	C	2 BR	5	576 sq. ft.	42 sq. ft.
208	C	2 BR	5	576 sq. ft.	42 sq. ft.
209	C	2 BR	5	576 sq. ft.	42 sq. ft.
210	B	Studio	3	288 sq. ft.	0
211	B	1 BR	4	480 sq. ft.	37 sq. ft.
212	B	1 BR	4	480 sq. ft.	37 sq. ft.
213	B	1 BR	4	480 sq. ft.	37 sq. ft.
214	B	1 BR	4	480 sq. ft.	37 sq. ft.
215	B	1 BR	4	480 sq. ft.	37 sq. ft.
216	B	1 BR	4	480 sq. ft.	37 sq. ft.
217	A	1 BR	4	480 sq. ft.	37 sq. ft.
218	A	Studio	3	288 sq. ft.	0
219	A	Studio	3	288 sq. ft.	0
301	B	Studio	3	288 sq. ft.	0
302	B	1 BR	4	480 sq. ft.	37 sq. ft.
303	B	1 BR	4	480 sq. ft.	37 sq. ft.
304	B	1 BR	4	480 sq. ft.	37 sq. ft.
305	B	1 BR	4	480 sq. ft.	37 sq. ft.
306	B	1 BR	4	480 sq. ft.	37 sq. ft.
307	B	1 BR	4	480 sq. ft.	37 sq. ft.

Each apartment has immediate access to the concrete walkways across the face of its building, connected by stairways between upper and ground floors, and the walkways connecting such building to the project's street entrance.

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 ceiling surrounding each apartment or any pipes, wires, conduits or other utility or service lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements as hereinafter provided. Each apartment shall be deemed to include all the walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings, and all fixtures originally installed therein including ranges, water heaters, refrigerators and garbage disposal units.

COMMON ELEMENTS. One freehold estate is hereby designated in all remaining portions of the project, herein called the "common elements," including specifically but not limited to:

USE: The apartments 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 apartments 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 apartment 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 apartments shall have the absolute right to lease such apartments subject to all provisions of this Declaration.

OWNERSHIP OF TITLE: The Notice of Intention states, and the Preliminary Title Report issued by Security Title Corporation, Honolulu, Hawaii, on June 1, 1965 reflects, that the title to the land is vested in Kuilei Gardens, Inc., as "Lessee" with the Trustees Under The Will And Of The Estate of Bernice P. Bishop, Deceased, as "Lessor." The lease is for a term of 55 years commencing on January 1, 1958. It was amended by instrument dated September 8, 1960 and recorded October 13, 1960 in Liber 3936, Page 276 in the Bureau of Conveyances, State of Hawaii. Said lease is now held by Kuilei Gardens, Inc., as "Lessee," by Assignment of Lease dated December 15, 1960 and recorded May 22, 1961, in Liber 4059, Page 75. Consent to the lease was recorded on May 22, 1961 in Liber 4059, Page 80.

ENCUMBRANCES AGAINST THE LAND: The Developer reports a mortgage dated April 27, 1961, and recorded on May 22, 1961, in the Bureau of Conveyances in Liber 4059, Page 81, made by Kuilei Gardens, Inc., as Mortgager, to Cooke Trust Company, Limited, as Mortgagee, to secure the repayment of the sum of \$179,000.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor referred to. Consent to the mortgage recorded May 22, 1961 in Liber 4059, Page 87.

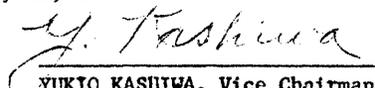
The instrument dated April 27, 1961, and recorded on May 23, 1961, in the Bureau of Conveyances in Liber 4059, Page 353, assigned the mortgage to Sun Life Assurance Company of Canada, a Canada corporation.

The Preliminary Title Report states there is an Improvement District Assessment on Lot No. 6 with a balance of \$1,424.27 and a similar levy on Lot No. 7 with a balance of \$1,898.73. The interest on these assessments is 4½% for 20 years and the ninth installment of \$182.78 and \$243.67 is due January 14, 1966.

PURCHASE MONEY HANDLING: The Commission has received a satisfactory report from the Developer that in this conversion from a stock cooperative organization to condominium apartment status there is an adequate arrangement for the handling of purchasers' funds. This regulatory body has been orally advised that approximately or more than fifty percent (50%) of the present occupant/tenants have paid their obligations and the remaining tenants, still owing under the cooperative plan, are making application for individual mortgages with the First National Bank of Hawaii, Honolulu, Hawaii.

MANAGEMENT AND OPERATIONS: The By-Laws of the Association of Apartment Owners provide that the Board of Directors shall have the general management and control of the business. The Board shall have the power to appoint an agent to manage the building. The Notice of Intention identifies Pacific International, Inc., as the managing agent.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 120 dated February 10, 1966.

  
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