



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

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

on
THE WESTSIDE TOWERS APARTMENTS
Kaumualii Street and Kaiwiula Street
Honolulu, Hawaii

REGISTRATION NO. 127

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.

Reservations for the purchase of any unit in the Condominium Project may be taken under an agreement for sale providing the Developer complies with the Commission's Declaratory Order No. 1 of December 14, 1965.

March 30, 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. THE WESTSIDE TOWERS APARTMENTS is a proposed lease condominium project consisting of one hundred four (104) apartments in two (2) twin buildings.
2. The Developer of said project has filed all documents or specimen documents and material deemed essential by the Commission for the registration of this proposed condominium project.
3. Advertising and promotional matter required to be filed pursuant to the rules and regulations promulgated by the Commission has not been submitted as part of this registration.
4. The prospective purchaser is advised to acquaint himself with the provisions of Chapter 170A, Revised Laws of Hawaii 1955, as amended, and the rules and regulations promulgated thereunder which relate to Horizontal Property Regime.

NAME OF PROJECT: THE WESTSIDE TOWERS APARTMENTS

LOCATION: At the intersection of Kaumualii Street and Kaiwiula Street, at Kapalama, Honolulu, Oahu, Hawaii. The 45,443 square feet of land committed to the project is within an existing block bounded by Kahanu, McNeil, Kaumualii and Kaiwiula Streets, and further identified as Kapalama Improvement District, Unit III.

TAX KEY: FIRST DIVISION, SECTION 5, PLAT 26, PARCELS 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 43, 44, 45, 46, 47 and 48. Developer advises that lots are to be consolidated.

ZONING: Hotel-Apartment

DEVELOPER: WESTSIDE GARDENS, INC., a Hawaii corporation registered to do business with the Department of Treasury and Regulation, State of Hawaii, August 3, 1960, at 301 Finance Factors Building, Honolulu, Hawaii. The officers are as follows:

Theodore C. H. Char	President and Director	2440 Ferdinand Avenue Honolulu, Hawaii
Chad Dunstan	Vice President, Treasurer and Director	4803 Kainapau Place Honolulu, Hawaii
Alyce Chang-Tsung Char	Vice President and Director	2440 Ferdinand Avenue Honolulu, Hawaii
Elizabeth Ann Dunstan	Secretary and Director	4803 Kainapau Place Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: Norman K. Chung, 926 Bethel Street, Honolulu, Hawaii. Telephone 574396

DESCRIPTION: There are 88 2-bedroom units contained in 2 (twin) buildings, constructed of reinforced concrete, with interior corridors connected to twin elevators located between buildings. Each floor of each building will have 4 2-bedroom units. Each of these 2-bedroom units will have about 800 square feet of living space, of which 720 feet is within the apartment, together with a lanai with 80 square feet in area. Each of the twin buildings will be 12 stories high, with 11 floors of apartments, as aforesaid. The ground floor will contain a manager's office, storage facilities, laundry room, and party room, which will have game facilities. One of the twin buildings will be designated as Building A and the other as Building B. The apartments in Building A will be numbered in sequence, starting from the (South) side. The designation will commence with A. The first digit will indicate the floor, the second digit will be zero and the third digit will indicate the sequence of the apartments. Thus, the first apartment on the second floor will be designated A201, the next A202, etc. The first apartment on the third floor will be designated A301, and the following apartments will be numbered in sequence.

The apartments in Building B are similarly numbered except that the letter B is substituted for the letter A.

Each of these apartments consists of 2 bedrooms, 1 bathroom, 1 kitchen, and 1 dining-living room.

As is shown on the Condominium File Plan, the other 2 buildings are designated C and D. These are 3-story buildings with no elevator. Building C will contain 3 one-bedroom units and 4 three-bedroom units. Building D will contain 3 one-bedroom units and 6 three-bedroom units. The 1-bedroom units will have 596 square feet of living space, of which 484 square feet are within the walls, and 112 square feet are in a lanai. The 3-bedroom units will have a total of

978 square feet of living space, of which 858 square feet are within the walls, and 120 square feet comprise a lanai area. The apartments in Building C will be similarly numbered as in Buildings A and B, except that the letter C will precede the numerical designation of the apartments in Building C and the letter D will precede the numerical designation of the apartments in Building D.

Each of the respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls of 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 1 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 the built-in fixtures including ranges and garbage disposal units.

COMMON ELEMENTS: A freehold estate consisting of all remaining portions of the Project, being described and referred to herein as "Common Elements", which definition includes the residential buildings, the land on which they are located, and all elements mentioned in the Horizontal Property Act which are actually constructed in the Project, and specifically includes, but is not limited to:

- (a) Said land in fee simple.
- (b) All foundations, columns, girder, beams, supports, bearing walls, roofs, entry halls, stairs, walkways, entrances and exits of said building.
- (c) All yards and refuse areas.
- (d) All parking areas.
- (e) All ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, cold and hot water, refuse and telephone.
- (f) Two automatic electric passenger elevators with elevator housing and appurtenant equipment.
- (g) The manager's office, storage facilities, laundry room and party room.
- (h) The parking space appurtenant to the Manager's office.

LIMITED COMMON ELEMENTS: Certain parts of the common elements herein called and designated "Limited Common Elements", are hereby 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 so set aside and reserved are as follows:

- (a) One parking space designated on said Condominium File Plan by the letter and number corresponding to the letter and number of each apartment shall be appurtenant to and for the exclusive use of such apartment.
- (b) The lobbies and entry hallways on each floor of each building shall be appurtenant to and for the exclusive use of the apartment or apartments located on that floor.
- (c) Such of the common elements that are normally used or rationally related only to a building or buildings as against the other buildings in the project shall be appurtenant to and for the exclusive use of the apartments located in said buildings or buildings to the extent of such normal use or rational relationship; for example, lobbies, walkways and utilities in Building A which serve apartments in Building A only, as opposed to their use or relationship to other buildings, shall be appurtenant to Building A only and shall be for the exclusive use of the apartments in Building A.

INTEREST TO BE CONVEYED PURCHASER: Each 1 bedroom apartment shall have appurtenant thereto an undivided .5 (1/2 of 1%) percentage interest in the common elements. Each 2 bedroom apartment shall have appurtenant thereto an undivided 1% interest in the common elements. Each 3 bedroom apartment shall have appurtenant thereto an undivided .9 (9/10 of 1%) percentage interest in the common elements. Such interests are defined and referred to herein as the "Common Interests". The common interests, the proportionate shares in the profits and common expenses of the Project and the proportionate representation for voting purposes in the Association of Apartment Owners of the Project, shall be in said percentage or fraction for each apartment.

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 the same subject to the limitations, restrictions, covenants and conditions of this Declaration.

OWNERSHIP TO TITLE: The Notice of Intention reflects, and the examination of title prepared by Title Guaranty of Hawaii on September 10, 1965 supports, that the fee simple title to the land is vested in Frank E. Midkiff, Edwin P. Murray, Atherton Richards, Richard Lyman, Jr., and Herbert K. Keppler, Trustees Under the Will and of the Estate of Bernice Pauahi Bishop, Deceased.

ENCUMBRANCES AGAINST TITLE: The Developer, as of the date of this report, March 30, 1966, advises the Commission that negotiations are being concluded with the Trustees of Bishop Estate on an offer to lease the land placed in the regime. Officials of Bishop Estate acknowledge that the Master Lease, for a term of 57 years, is being perfected for delivery to the Lessees, Theodore Con Hin Char and Chad Dunstan. Upon execution, and with the consent of the Trustees of Bishop Estate, the Developer states that the Master Lease is to be assigned to Westside Gardens, Inc.

In the correspondence held by the Commission, the officials of Bishop Estate note that under existing Improvement District No. 167 there is a balance of assessment owing of approximately \$58,000.00. (Estimate as at date October 5, 1965.) The Developer reports that the Improvement District assessment will be paid in full before construction starts on the building and the Commission will be given written notice of this action.

PURCHASE MONEY HANDLING: The Developer has filed an executed copy of an Escrow Agreement identifying Home Savings & Loan Association, a Hawaii corporation, as Escrow Agent.

Upon examination, the Escrow Agreement is found to be in consonance with the Commission's Declaratory Ruling No. 1, dated December 14, 1965. The conditions referring to the issuance of a Preliminary Public Report have been complied with.

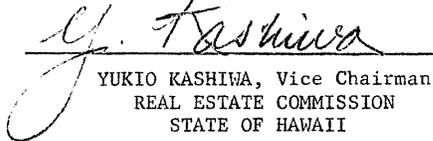
Note: It is incumbent upon the purchaser that he reads a copy of the executed Escrow Agreement pursuant to which manner and procedure relative to the receipt, deposit and disbursement of the proceeds of the sale of dwelling units are established.

MANAGEMENT AND OPERATION: The proposed By-Laws of the Association of Apartment Owners states that the Board of Directors shall have the authority to secure the services of a firm or person to manage the building. The Notice of Intention names Cooke Trust Company as the proposed Manager.

STATUS OF PROJECT: At the date of this report, the Developer advises that within the framework of an eighteen-month prospectus, construction on the project is to commence approximately five (5) months after the offering is placed on the market for sale, which will be the issuing date of the Preliminary Public Report.

MISCELLANEOUS: Oral report by the Developer, concurred in by the officials of the Bishop Estate, affirms the situation regarding the signing of the Master Lease. It is anticipated that the Trustees of the Estate of Bernice Pauahi Bishop, as Lessors, will sign the indenture on or about April 5, 1966. An executed copy of the Master Lease is to be filed with the Commission, in order to complete this registration, at that time.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 127 dated March 30, 1966.


YUKIO KASHIWA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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