



**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**

PACIFIC GARDENS I  
711 Winant Street  
Honolulu, Hawaii

REGISTRATION NO. 130

**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.

April 6, 1966

SPECIAL ATTENTION

A comprehensive reading of this 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. PACIFIC GARDENS I is an existing conventional apartment building complex consisting of sixty-six (66) dwelling units in four structures completed February 3, 1962. The project is being organized and submitted to the Horizontal Property Act as a lease condominium offering.
2. The Developer of said project has filed all documents, 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 been submitted as part of this registration.
4. On March 31, 1966, the Developer reported to the Commission that the Amendment to Bishop Estate Lease No. 13,307 had been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 386592; Declaration of Horizontal Property Regime, with By-Laws of Association of Apartment Owners attached, filed in said office as Document No. 386593. Condominium Map No. 28 has been assigned the project.

5. 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: PACIFIC GARDENS I

LOCATION: The land area, being approximately 53,983 square feet committed to the project, and identified as 711 Winant Street is on the Diamond Head side of the thoroughfare between Kaunualii Street and Kahanu Street, at Kapalama, Honolulu, Oahu, Hawaii.

TAX MAP KEY: FIRST DIVISION 1-5-26-1 through 13

ZONING: Apartment District "C"

DEVELOPER: PACIFIC BUILDERS, INC. and DAVID ROBERT FORD, a partnership under an agreement made December 10, 1963 between:

PACIFIC BUILDERS, 414 Ward Avenue, Honolulu, Hawaii, Telephone 563-831.  
A Hawaii corporation with officers as follows:

James L. Humpert	President	88 Wailupe Circle Honolulu, Hawaii
Carl K. Miyabara	Secretary and Treasurer	1320 Manu-Mele Street Kailua, Oahu, Hawaii
and		
DAVID ROBERT FORD	Individual	4683 Waiiki Place Honolulu, Hawaii Telephone 33623

ATTORNEY REPRESENTING DEVELOPER: Henshaw, Conroy & Hamilton (Attn: Mr. Dwight M. Rush), 1410 First National Bank Building, Honolulu, Hawaii. Telephone 561-002.

DESCRIPTION: The Declaration reflects that there are sixty-six (66) freehold estates designated in the spaces within the perimeter walls, floors and ceilings of each of the 66 apartment units of the project, each containing two bedrooms, bathroom, kitchen, and living room with gross floor area of approximately 774 square feet including lanai, contained in four three-story buildings constructed principally of reinforced-concrete floor and roof slabs and concrete hollow-tile walls and designated as Buildings A, B, C, and D.

Apartments 106A to 113A inclusive are located on the first floor, Apartments 206A to 213A inclusive are located on the second floor, and Apartments 306A to 313A inclusive are located on the third floor of Building A. Apartments 101A to 105A inclusive are located on the first floor, Apartments 201A to 205A inclusive are located on the second floor, and Apartments 301A to 305A inclusive are located on the third floor of Building B. Apartments 117A to 122A inclusive are located on the first floor, Apartments 217A to 222A inclusive are located on the second floor, and Apartments 317A to 322A inclusive are located on the third floor of Building C. Apartments 114A, 115A and 116A are located on the first floor, Apartments 214A, 215A and 216A are located on the second floor, and Apartments 314A, 315A and 316A are located on the third floor of Building D.

Each apartment has immediate access to the walkway across the face of its building, the stairways between upper and ground floors of such building, and the walkways connecting such buildings to the street entrances and parking areas of the project.

The respective apartment shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits or

other utility or services lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements as provided. Each apartment shall 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 including refrigerator, four-burner surface cooking unit and hood, built-in oven, sink and garbage disposer.

COMMON ELEMENTS: The Declaration specifies that one freehold estate is designated in all remaining portions of the project, called common elements, including specifically but not limited to: (a) the land in fee simple; (b) all foundations, floor slabs, columns, girders, beams, supports, bearing walls, roofs, chases, entries, stairways and walkways of said buildings; (c) all yards, grounds, landscaping, mailboxes and refuse facilities; (d) all parking areas and driveways; (e) all ducts, electrical equipment, wiring and other central and appurtenant installations including power, light, water, sewer and telephone; and (f) coin-operated laundry and dry cleaning machines.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, described as limited common elements in the Declaration, are 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 the plans by the number and letter corresponding to the number and letter of each apartment, shall be appurtenant to and for the exclusive use of such apartment; (b) the entries, stairways, hallways and walkways in any residential building of the project shall be appurtenant to and for the exclusive use of the apartments of such building; and (c) the hallways and walkways on any floor of any residential building of the project shall be appurtenant to and for the exclusive use of the apartments on each floor.

INTEREST TO BE CONVEYED PURCHASER: The Declaration specifies that each apartment shall have appurtenant thereto an equal undivided 1/66 fractional (1.515 + %) interest in all common elements of the project, herein called the common interest, and the same proportionate share in all common profits and expenses of the project and for all other purposes including voting.

USE: According to the Declaration 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 the owners of the respective apartments shall have the absolute right to lease or rent such apartments for transient purposes, subject to all the provisions of the Declaration.

OWNERSHIP TO TITLE: The Notice of Intention reflects, and the Lien Letter prepared by Long & Melone, Ltd., a Hawaii corporation, on January 6, 1966 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. (Transfer Certificate of Title No. 28,714).

The title examiner's report further shows that the land committed to the condominium project is vested in Pacific Builders, Inc. (a Hawaii corporation) as an undivided 2/3rd interest and Dave Ford (husband of Theo Birdie Ford) as an undivided interest, as Tenants in Common, the "Lessees" from the Trustees of Bishop Estate.

The land has been leased to Theodore C. H. Char and Chad Dunstan, by the Trustees of Bishop Estate under Lease No. 13,305 dated July 1, 1961, filed as Land Court Document No. 278598. Said lease is assigned to and now held by Pacific Builders, Inc., as to an undivided 2/3rd interest, and Dave Ford, as to an undivided 1/3rd interest, as Tenants in Common under Assignment of Lease dated February 20, 1964, filed as Land Court Document No. 327286. Consent to the assignment given by the Trustees by instrument dated February 27, 1964, filed as Land Court Document No. 327287. Said lease was amended by Amendment of Lease dated August 10, 1964, filed as Land Court Document No. 342534.

ENCUMBRANCES AGAINST TITLE: The Developer in his Notice of Intention identifies the following as encumbrances: (1) First Mortgage in favor of American Savings & Loan Association, dated August 20, 1965, filed as Land Court Document No. 368516; (2) the 8-foot setback line for road widening along Lot 582-B; (3) the State Tax Lien, dated December 17, 1965, filed in the Bureau of Conveyances as Document No. 4553, vs. Pacific Builders, Inc.; (4) Assessments - Improvement District No. 167, (Assessment Lot No. 18); Improvement District No. 135 (Assessment Lots No. 10, 11, 12 and 13); (5) Taxes for the year 1965 have been paid in full, taxes for the year 1966 are now a lien.

The Lien Letter of January 6, 1966 affirms the existence of the above encumbrances on record.

Developer's escrow arrangement also identifies a further encumbrance as a mortgage in favor of Marine Finance, Limited, dated February 10, 1966.

It is the intention of the Developers to satisfy all of the above identified encumbrances before issuing apartment leases. The executed Escrow Agreement, January 12, 1966, details the procedures established for satisfying the encumbrances and liens.

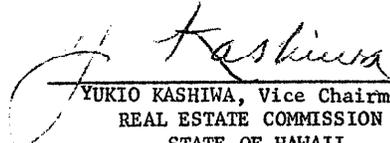
PURCHASE MONEY HANDLING: The Developer has filed an executed copy of an Escrow Agreement naming Security Title Corporation, a Hawaii corporation, as Escrow Agent.

Note: It is particularly incumbent upon the purchaser that he reads a copy of the executed Escrow Agreement which details, in the third paragraph, the conditions under which disbursements will be made from the escrow fund.

MANAGEMENT AND OPERATION: The proposed By-Laws of the Association of Apartment Owners states that the Board of Directors shall have all powers necessary for the administration of the affairs of the Association. The Notice of Intention identifies Cooke Trust Company, Limited, as the nominated Manager.

STATUS OF PROJECT: The existing buildings were completed February 3, 1962 and have been operated since inception of the project as a conventional apartment building complex.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 130 dated April 6, 1966.

  
YUKIO KASHIWA, Vice Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

Distribution:

DEPARTMENT OF TAXATION  
DEPARTMENT OF REGULATORY AGENCIES  
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