



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
KUHIOLANI HOTEL-APARTMENT CONDOMINIUM
2415 - 2417 Kuhio Avenue
Honolulu, Hawaii

REGISTRATION NO. 142

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.

June 28, 1966

SPECIAL ATTENTION

A comprehensive reading of the Report 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. KUHIOLANI HOTEL-APARTMENT CONDOMINIUM is a proposed fee simple condominium project consisting of fifty-nine (59) hotel-apartment units and one (1) commercial area.
2. The Developer of the project has filed all documents and material deemed necessary by the Commission for the registration of this proposed horizontal property regime venture.
3. The Developer was advised that elements of an investment contract were present in this registration. Under the administrative guidelines established April 5, 1966 by the Commission, the Developer reviewed the problem with Securities Administrator and elected to withdraw the Rental Agency and Management Agreement from the registration. On June 24, 1966, the Developer advised the Commission in writing that the agreement in question is eliminated and will not be used in the merchandising or operation of this condominium project.

4. No advertising or promotional matter has been filed pursuant to the rules and regulations promulgated by the Commission.
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 Regimes.

NAME OF PROJECT: KUHIOLANI HOTEL-APARTMENT CONDOMINIUM

LOCATION: The approximate 3,250 square feet of land at the street address 2415 and 2417 Kuhio Avenue is made up of Lot 11 and Lot 12 in the area identified as the "ROYAL GROVE TRACT" at Waikiki, Honolulu, Oahu, Hawaii.

TAX KEY: FIRST DIVISION 2-6-23: 67 and 68

ZONING: Hotel-Apartment

DEVELOPER: AMERICAN PACIFIC MORTGAGE CORPORATION, Suite 306, 1022 Bethel Street, Honolulu, Hawaii. Telephone 503-865. A Hawaii corporation, registered to do business in this jurisdiction August 7, 1964. The officers are as follows:

Charles B. Kim	President	420 Mamaki Street Honolulu, Hawaii
Francesca H. Kim	Secretary-Treasurer	420 Mamaki Street Honolulu, Hawaii
Louis Cannelora	Vice President	125 Merchant Street Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: John E. Parks, 412 First National Bank Building, Honolulu, Hawaii. Telephone: 502321.

DESCRIPTION: This is to be a fee simple condominium complex consisting of a multi-story reinforced concrete building containing 59 hotel-apartment units. There will be a basement with various rooms for utility purposes, garbage and storage facilities, all as more fully described herein. There will be an elevator to service the building. There will be 15 parking spaces located on the basement floor. On the ground floor there will be an entrance, a manager's office, switchboard, counter for desk clerk and said Commercial Area. There will also be a lobby and lanai. The building will have 12 floors with a room on the 12th floor for a hot water tank room and heater room. The area above the 12th floor, known as the "Top Floor", will contain the elevator shaft and machine room. There will be 59 hotel-apartment units, consisting of 20 Type "A" units, 19 Type "B" units, 19 Type "C" units and 1 one-bedroom unit. The foregoing are shown on the plans filed simultaneously with this Declaration. Commercial Area No. 11 on the ground floor is reserved by Developer.

(a) Basement

There will be 15 parking stalls in the basement for use of all hotel-apartment units. There will also be an up ramp and a down ramp. There will also be a stairway. There will be a transformer and switch room. In addition, there will be an elevator pit and rubbish storage room. The basement will have 59 storage lockers, one of which shall be reserved for use of each of the hotel-apartment units.

(b) Ground Floor

The ground floor will have a lobby, Stairway No. 1 and Stairway No. 2, toilet facilities for men and women, an elevator, a manager's office with a desk and a counter for a clerk, and a switchboard. The lanai will contain 230 square feet. Commercial Area No. 11 reserved by Developer will contain enclosed space of approximately 195 square feet.

(c) 2nd to 6th Floors

The 2nd to 6th floors shall contain 8 hotel-apartment studio units on each floor. The units shall consist of 3 types: Type "A" consisting of 342 square feet; Type "B" consisting of 350 square feet; Type "C" consisting of 330 square feet. Each unit will consist of a closet, bath, kitchenette with built-ins and the furnishings shown on the plans filed herewith. Each unit will be numbered as shown on the floor plans filed herewith and all units shall have immediate access to the hallways or corridors located on their respective floors.

The Type "A" units on the 2nd floor shall be numbered 25, 26, 27 and 28. The Type "B" units shall be numbered 21 and 24. The Type "C" units shall be numbered 22 and 23.

On the 3rd floor the Type "A" units shall be numbered 35, 36, 37 and 38. The Type "B" units shall be numbered 31 and 34. The Type "C" units shall be numbered 32 and 33.

On the 4th floor the Type "A" units shall be numbered 45, 46, 47 and 48. The Type "B" units shall be numbered 41 and 44. The Type "C" units shall be numbered 42 and 43.

On the 5th floor the Type "A" units shall be numbered 55, 56, 57 and 58. The Type "B" units shall be numbered 51 and 54. The Type "C" units shall be numbered 52 and 53.

On the 6th floor the Type "A" units shall be numbered 65, 66, 67 and 68. The Type "B" units shall be numbered 61 and 64. The Type "C" units shall be numbered 62 and 63.

(d) 7th Floor

The 7th floor shall contain a sun deck consisting of 1480 square feet of unenclosed space for the use of all owners of all hotel-apartment units.

(e) 7th to 11th Floors

The 7th floor will have 1 one-bedroom unit containing an area of 541 square feet, one Type "B" unit containing an area of 350 square feet and one Type "C" unit containing an area of 385 square feet. From the 8th to the 11th floors there will be 4 hotel-apartment studio units on each floor. The units shall consist of 2 types, to wit, 2 Type "B" units containing an area of 350 square feet and 2 Type "C" units containing an area of 380 square feet. The owners of all hotel-apartment units shall have immediate access to the open hallways or corridors located on their respective floors.

On the 7th floor the Type "B" unit shall be numbered 71. The Type "C" unit shall be numbered 72. The 1 one-bedroom unit shall be numbered 73.

On the 8th floor the Type "B" units shall be numbered 81 and 84. The Type "C" units shall be numbered 82 and 83.

On the 9th floor the Type "B" units shall be numbered 91 and 94. The Type "C" units shall be numbered 92 and 93.

On the 10th floor the Type "B" units shall be numbered 101 and 104. The Type "C" units shall be numbered 102 and 103.

On the 11th floor the Type "B" units shall be numbered 111 and 114. The Type "C" units shall be numbered 112 and 113.

(f) 12th Floor

The 12th floor shall contain a hot water tank room and a heater room and the elevator shaft.

(g) Top Floor

The top floor shall contain a machine room and elevator shaft.

Unit Boundary

(a) Hotel-Apartment Units

The boundary lines of each hotel-apartment unit above the ground floor are the bearing walls, floors, ceilings, and the exterior of doors, windows, glass walls and frames. Said unit shall not be deemed to include the interior load-bearing walls, and any pipes, wires, conduits or other utility lines running through such unit which are utilized or serve more than one unit, the same being deemed common elements. Said unit shall mean and include the paint, wall paper, tile, stain or other finishing on such interior surfaces, the air space encompassed within said boundary lines, together with the furnishings and built-in fixtures.

(b) Commercial Area No. 11 "Reserved"

The boundary line of Commercial Area No. 11, and to be located on the ground floor, will be the bearing walls, floors and ceilings, and the exterior of doors, windows, glass walls and frames, consisting of approximately 195 square feet of enclosed space as shown on the said plans.

COMMON ELEMENTS: The common elements include the following:

(a) The lands above described and the improvements thereon; (b) The foundations, columns, girders, beams, supports, main walls, roofs, halls, corridors, lobbies, stairs, stairways, ramps and entrances and exits of the building; (c) The flat roofs, yards, gardens, sun deck and maintenance facilities for any and all central and appurtenant installations for services such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning and rubbish chute; (d) The elevator, elevator shaft, machine room, tanks, pumps, motors, fans, compressors, ducts and, in general, all apparatus and installations existing for common use; (e) Such other facilities as may be designated herein as common elements including the parking stalls; and (f) All other parts of the property necessary or convenient to its existence, maintenance and operation of said building or common elements.

LIMITED COMMON ELEMENTS: The limited common elements shall consist of one storage locker located in the basement of the building and designated on said plans by a number corresponding to the number of each hotel-apartment unit and for the exclusive use of said unit.

INTEREST TO BE CONVEYED PURCHASER: Each unit shall have appurtenant thereto the respective undivided interest in the common elements as specified and established hereunder for such unit, and known as the "common interest". The common interest in the common elements appertaining to each unit and its owner shall be allocated as follows:

<u>Hotel-Apartment Unit</u>	<u>Percentage Interest</u>	<u>Hotel-Apartment Unit</u>	<u>Percentage Interest</u>
21	1.52	33	1.60
22	1.56	34	1.56
23	1.56	35	1.56
24	1.52	36	1.52
25	1.52	37	1.52
26	1.48	38	1.56
27	1.48	41	1.60
28	1.52	42	1.63
31	1.56	43	1.63
32	1.60	44	1.60

<u>Hotel-Apartment Unit</u>	<u>Percentage Interest</u>	<u>Hotel-Apartment Unit</u>	<u>Percentage Interest</u>
45	1.60	71	1.74
46	1.56	72	1.77
47	1.56	73	2.27
48	1.60	81	1.77
51	1.64	82	1.81
52	1.67	83	1.81
53	1.67	84	1.77
54	1.64	91	1.81
55	1.63	92	1.85
56	1.60	93	1.85
57	1.60	94	1.81
58	1.63	101	1.89
61	1.68	102	1.93
62	1.71	103	1.93
63	1.71	104	1.89
64	1.68	111	2.01
65	1.67	112	2.02
66	1.71	113	2.02
67	1.71	114	2.01
68	1.67		
Commercial Area No. 11	0.50		

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: All of the building above the ground floor is intended for hotel-apartment use, except the 12th floor and the top floor. The units above the ground floor, except said 12th floor and top floor, shall be for hotel-apartment use and shall be used as a living accommodation as a residence or for transient, hotel use, and for no other purpose in accordance with the terms of this Declaration, the By-Laws of the Association of Unit Owners, and the House Rules, as they may exist or as they may be amended from time to time, and each owner shall observe, comply with and perform all rules, regulations and all ordinances and laws adopted by any governmental agency.

OWNERSHIP TO TITLE: The Certificate of Title, executed November 16, 1965 by Security Title Corporation, a Hawaii corporation, shows that the fee simple title is vested in the Developer, American Pacific Mortgage Corporation, a Hawaii corporation.

A copy of the Warranty Deed, made October 22, 1965 conveying the described property to the Grantee, American Pacific Mortgage Corporation, recorded at the Bureau of Conveyances, State of Hawaii, in Liber 5188, Page 554, has been filed with the Commission as part of this registration.

ENCUMBRANCES AGAINST TITLE: The Notice of Intention reflects that there is an 8-foot setback for building purposes.

The Developer advises that there is a First Mortgage on the property in favor of American Savings and Loan Association recorded at the Bureau of Conveyances in Liber 5188, Page 558. Further, there is a Second Mortgage dated March 31, 1966 identifying Marine Finance, Ltd. as Mortgagee, recorded April 1, 1966 in said Bureau in Liber 5294, Page 541.

PURCHASE MONEY HANDLING: An executed Escrow Agreement naming Security Title Corporation as Escrow has been filed with the Commission. 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.

MANAGEMENT AND OPERATION: The Developer, under date June 24, 1966, has advised the Commission that additional necessary changes are to be made in the documents relating to the management and operation of the project. The Notice of Intention identifies Aaron M. Chaney, Inc. as the manager-nominee.

STATUS OF PROJECT: In the initial submittal, the Developer advised that construction of the project was to commence during May 1966, with a completion

time of twelve (12) months. No contractor has been identified to the Commission.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 142 filed with the Commission April 14, 1966.


JACK K. PALK, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

DEPARTMENT OF TAXATION
DEPARTMENT OF REGULATORY AGENCIES
(Business Registration Division)
BUREAU OF CONVEYANCES
PLANNING DEPARTMENT, CITY & COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION