

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
HALEIWA BEACH ESTATES
UNIT I, PARCEL 2
Kamehameha Highway
Kawailoa, Waialua, Oahu, Hawaii

REGISTRATION NO. 149

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.

September 1, 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. HALEIWA BEACH ESTATES, UNIT I, PARCEL 2 is a proposed lease condominium project consisting of thirty (30) buildings arranged in a cluster pattern with seventy-six (76) dwelling units.
2. The Developer of the project has filed all documents and exhibits deemed necessary by the Commission for the registration of this proposed Horizontal Property Regimes venture.
3. No advertising or promotional material has been filed pursuant to the rules and regulations promulgated by the Commission.
4. No program of financing or statement of all costs involved in completing the project has been submitted to 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 Condominium Rules and Regulations promulgated thereunder which relate to Horizontal Property Regime.
6. This Report reflects information disclosed in the required Notice of Intention submitted to the Commission on May 10, 1966.

NAME OF PROJECT: HALEIWA BEACH ESTATES, UNIT I, PARCEL 2.

LOCATION: The approximate 274,591 square feet committed to the development is situated on the northwest side of Kamehameha Highway at Kawaiiloa, Waialua, Oahu, Hawaii.

TAX MAP KEY: FIRST DIVISION 6-2-01-portion of 1 and 10

ZONING: The Developer advises the zoning, presently Highway and Rural protective, is to be changed to H-1 Resort.

DEVELOPER: Trans-Hawaii Investment Corporation, 435 Atkinson Drive, Honolulu, Hawaii. Telephone 993-757. A Hawaii corporation registered to do business in this jurisdiction September 2, 1960.

The officers are as follows:

Tim Ho	President	4720 Haleoola Place Honolulu, Hawaii
Glenn K. Oda	Vice President	132 Kapaa Street Hilo, Hawaii
Henry C. H. Dang	Treasurer	3041 Kalakaua Avenue Honolulu, Hawaii
Hiroshi Sakai	Secretary	3625 Woodlawn Terrace Place Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: Hiroshi Sakai, 303 Capital Investment Building, Honolulu, Hawaii. Telephone 576-365.

DESCRIPTION: The project is to consist of seventy-six (76) dwelling units contained in five (5) one-story duplex (two-unit) buildings, seventeen (17) two-story duplex (two-unit) buildings and eight (8) two-story fourplex (four-unit) buildings constructed principally of reinforced concrete slabs, concrete-block and woodframe walls and wood roofs, which spaces (herein called the "apartments") are designated on submitted plans and described as follows:

(a) Ten (10) apartments numbered 207, 208, 235, 236, 245, 246, 255, 256, 269 and 270 on said plans are located in the one-story duplex buildings and contain 3 rooms each (including one bedroom and adjacent lanai) and gross floor area of approximately 533 square feet exclusive of lanai.

(b) Thirty-four (34) apartments numbered 201, 202, 203, 204, 205, 206, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 227, 228, 229, 230, 251, 252, 253, 254, 257, 258, 259, 260, 261, 262, 267, 268, 271 and 272 on said plans are located in the two-story duplex buildings and contain 5-1/2 rooms each (including two bedrooms and adjacent lanai) and gross floor area of approximately 825 square feet exclusive of lanai.

(c) Thirty-two (32) apartments numbered 219, 220, 221, 222, 223, 224, 225, 226, 231, 232, 233, 234, 237, 238, 239, 240, 241, 242, 243, 244, 247, 248, 249, 250, 263, 264, 265, 266, 273, 274, 275, and 276 on said plans are located in the two-story fourplex buildings and contain 5-1/2 rooms each (including two bedrooms and adjacent lanai) and gross floor area of approximately 808 square feet in the inside apartments and 825 square feet in the outside apartments of each building exclusive of lanai.

(d) Each apartment has immediate access to its appurtenant entries and the walkways and driveways connecting such building to the street entrances of the project.

(e) 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 ceilings 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 range, water heater and garbage disposer.

COMMON ELEMENTS: The Developer advises that the common elements include but are not limited to the following: (a) Said land in fee simple; (b) All foundations, floor slabs, columns, girders, beams, supports, bearing walls, roofs, chases and entries of said buildings; (c) All yards, grounds, landscaping, mailboxes, refuse facilities, walkways and swimming pool; (d) All parking areas and driveways; and (e) All ducts, electrical equipment, wiring and other central and appurtenant installations including power, light, water, sewer and telephone.

LIMITED COMMON ELEMENTS: The Developer advises that certain parts of the common elements called limited common elements 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 said plans by the number corresponding to that of each apartment (omitting its first digit and also, in case of zero, its second) shall be appurtenant to and for the exclusive use of such apartment. Any parking spaces designated on said plans by letters of the alphabet may be rented for the exclusive use of any apartments or otherwise used as determined by the Association of Apartment Owners of the project.

(b) The entries and mailbox of each apartment shall be appurtenant to and for the exclusive use of such apartment.

INTEREST TO BE CONVEYED PURCHASER: Each apartment shall have appurtenant thereto an equal 1/76 fractional (1.31579 per cent) 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.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The apartments shall be occupied and used only as private, apartment, hotel or resort dwellings by the respective owners thereof, their tenants, families, domestic servants and social guests, and for no other purpose. The owners of the respective apartments shall have the absolute right to lease such apartments subject to all provisions of this Declaration.

OWNERSHIP TO TITLE: A Preliminary Report of Title, prepared May 31, 1966 by LONG and MELONE, LTD., a Hawaii corporation, shows that title to the land committed to the regime is vested in the Trustees Under The Will and of The Estate of Bernice Pauahi Bishop, Deceased.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report of Title referred to above reflects the following:

All mineral or metallic mines are reserved to the Hawaiian government.

An Unrecorded Agreement dated August 15, 1966 by and between the Trustees under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, and Pacific Concrete and Aggregates, Inc. Right to remove sand.

Unrecorded Tenancy Agreement No. 1475 dated October 12, 1956, by and between the Trustees under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, and United States of America (Corps of Engineers). Use of Airfield.

Unrecorded Tenancy Agreement No. 43 dated September 23, 1955, by and between the Trustees under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, and Waialua Agricultural Company. Agreement to use Airfield.

Unrecorded Lease No. 11161 dated January 1, 1956, from the Trustees under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, to United States of America (Corps of Engineers). Supplemental to Agreements dated July 29, 1958 and June 25, 1959.

NOTE: The Developer advises that under the executed development agreement of May 24, 1966 entered into between the Trustees of the Bishop Estate and Messrs. Tim Ho and Richard C. Tongg, all of the above unrecorded agreements, tenancies and leases are to be terminated by the Trustees of the Bishop Estate before commencement of the Master Lease; therefore, the only encumbrance that will be remaining will be that reservation contained in Royal Patent 4475: The reservation in favor of the State of all mineral or metallic mines.

As of the date of the issuance of this Preliminary Public Report, the Developer states that negotiations with the Trustees of the Estate of Bernice Pauahi Bishop are being concluded for the drawing of a fifty-five (55) year lease. The terms and conditions of this proposed Master Lease have not been disclosed to the Commission. It is the responsibility of the prospective purchaser to secure answers to his satisfaction on any questions on the Development Agreement or the Master Lease from the agent offering the apartments for sale. An anticipated successful advance sales program, where reservations are to be taken under this Preliminary Public Report, will key the signing of the Master Lease, which together with the Declaration of Horizontal Property Regime, and attached By-Laws of Association of Apartment Owners, is to be submitted for recordation in the Bureau of Conveyances, State of Hawaii.

PURCHASE MONEY HANDLING: An executed agreement setting up a special account, to be designated Donald S. Umemoto, Client's Account for Haleiva Beach Estate, Unit I, Parcel 2, was made July 11, 1966 between Donald S. Umemoto, Broker, and Trans-Hawaii Investment Corporation, Seller. The depository for purchaser's funds is Head Office, Hawaii National Bank, Honolulu, Hawaii. The Agreement states that upon receiving an executed Escrow Agreement designating the escrow agent the Broker shall turn over to said escrow the funds due under the reservation agreement or sale contracts. The Commission is to be notified that the funds have been turned over to the escrow agent.

MANAGEMENT AND OPERATION: The proposed By-Laws of the Association of Apartment Owners vest the Board of Directors with all powers necessary for the administration of the project. In the submission, the Developer identifies Trans-Hawaii Investment Corporation as the property-manager nominee.

STATUS OF PROJECT: The Notice of Intention states that construction on the project is to commence when 70% of the units have been sold in the advance sales program. The Developer estimates that completion of the project for occupancy will be eighteen (18) months after the start of construction.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 149 filed with the Commission May 10, 1966.



YUKIO KASHIWA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

REB:va

Distribution:

DEPARTMENT OF TAXATION
DEPARTMENT OF REGULATORY AGENCIES
(Business Registration Division)
BUREAU OF CONVEYANCES
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