

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

on
WAILUKU TOWNHOUSE
2158 Main Street, Wailuku
Island and County of Maui
Hawaii

REGISTRATION NO. 155
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.

October 26, 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. WAILUKU TOWNHOUSE is a proposed fee simple condominium project consisting of thirty-seven (37) units. There will be two (2) office and commercial areas and thirty-five (35) apartments.
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. The Developer, complying with the Commission's Declaratory Ruling No. 1, dated December 14, 1965, has submitted a statement showing all costs involved in completing the project and the method of financing costs involved in completing the project.
4. The Developer has reported to the Commission that the basic documents have been filed in the office of the recording officer. Verification has been received from the office of the recording officer on the following:

The Declaration Submitting Master Deeds to the Horizontal Property Regime, with By-Laws of the Association of Apartment Owners attached, as Document No. 66-19012, was recorded in the Bureau of Conveyances, State of Hawaii, on June 2, 1966 in Liber 5346, page 563.

The Registrar of said Bureau has assigned Condominium Map No. 70 to the project.

5. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
6. 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 Regimes.
7. The Report reflects information disclosed in the required Notice of Intention submitted to the Commission on June 23, 1966.

NAME OF PROJECT: WAILUKU TOWNHOUSE

LOCATION: The 23,938 square feet of land committed to the development is situate in the twenty-one hundred block on the north side of Main Street in the town of Wailuku, the county seat of the County of Maui, Island of Maui, Hawaii.

TAX KEY: SECOND DIVISION 3-4-13-26

ZONING: B 3 (General Business)

DEVELOPER: WAILUKU HOTEL, LTD., 2180 Main Street, Wailuku, Maui, Hawaii. Telephone 33901. A Hawaii corporation registered with the Treasurer, Territory of Hawaii, on July 8, 1948. The officers are as follows:

Robert C. Ching	President	1219 Alewa Drive Honolulu, Hawaii
Gordon von Tempsky	Vice President	Wailuku, Maui Hawaii
V. O. Bortz	Secretary	Eleventh Floor First National Bank Bldg. Honolulu, Hawaii
Yoshikatsu Kuwae	Treasurer	Wailuku, Maui Hawaii
Toshiko Kunitake	Asst. Treasurer	Wailuku, Maui Hawaii

ATTORNEY REPRESENTING DEVELOPER: Mr. Meyer M. Ueoka, 2121 Main Street, Wailuku, Maui, Hawaii. Telephone 33737.

DESCRIPTION: A seven-story building covering the ground space of about 5,064 square feet will be erected on the site. It will contain office and commercial areas on the first and second floors and seven apartments each on the third to seventh floors, or a total of two office and commercial areas and 35 dwelling units. Each office and commercial area and each apartment will have exclusive use of a designated parking space. The building will be constructed of reinforced concrete.

This Horizontal Property Regime will contain office and commercial area on the entire first floor and also a separate office and commercial area on the second floor and 35 apartments of which ten (10) units will be two-bedroom apartments, each having approximately 800 square feet in area, containing two bedrooms, a living room, kitchen-dining area, lanai, and a bathroom. Twenty (20) units will be one-bedroom apartments, each having approximately 660 square feet in area, containing one bedroom, a living room, kitchen-dining area, a bathroom, and a lanai. Five (5) units will be studio apartments, each studio with approximately 500 square feet in area, containing a combination bedroom-living room, kitchen space, a bathroom and lanai. The immediate common elements to which each office and commercial area and each apartment has access will be an elevator and two stairways.

Numbering of each apartment shall be as follows:

Third floor: 301, 302, 303, 304, 305, 306, and 307.
Fourth floor: 401, 402, 403, 404, 405, 406, and 407.
Fifth floor: 501, 502, 503, 504, 505, 506 and 507.
Sixth floor: 601, 602, 603, 604, 605, 606 and 607.
Seventh floor: 701, 702, 703, 704, 705, 706 and 707.

The apartments are to be numbered in the manner shown on Condominium Map No. 70 filed in the Bureau of Conveyances of the State of Hawaii. The first floor office and commercial area will be known as Office and Commercial Area No. 1, and the second floor office and commercial area will be known as Office and Commercial Area No. 2.

COMMON ELEMENTS: The Declaration states that the common elements will include each of the elements which is mentioned in Section 170A-2.(e) of Chapter 170A, Revised Laws of Hawaii 1955, as amended, and which is actually constructed or provided on the land described, and specifically includes, but is not limited to the following: (a) undivided fee simple interest in the land; (b) all foundations, columns, girders, beams, supports, bearing walls, roof, balconies, lobbies, hallways, stairs, walkways, entrances and exits of said building; (c) parking area, driveway, yard and refuse areas; (d) all ducts, electrical equipment, wiring and other central and appurtenant installations for services, including power, light, water, refuse and telephone; (e) switch room and transformer vault; (f) automatic elevator with elevator housing and appurtenant equipment; (g) trash rooms; and (h) storage rooms and all other elements and facilities rationally in common use or necessary to the existence, upkeep and safety of the building of the project.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, called and designated limited common elements in the Declaration are set aside and reserved for the exclusive use of certain office and commercial areas and apartments and such apartments and areas 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 the plans and drawings by number shall be assigned to a particular area or apartment and shall be appurtenant to and for the exclusive use of such area or apartment; and (b) entry hallway adjoining an area or apartment or apartments shall be appurtenant to and for the exclusive use of such area or apartment or apartments which it adjoins.

INTEREST TO BE CONVEYED PURCHASER: The percentage of undivided interest in the common elements appertaining to each apartment and its owner for all purposes, including voting, is as follows:

Office and Commercial Area No. 1: 13.575%
Office and Commercial Area No. 2: 13.575%
Studio Apartments: 1.35% for each (5 units)
One-Bedroom Apartments: 2.10% for each (20 units)
Two-Bedroom Apartments: 2.41% for each (10 units)

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The purposes for which the apartments are intended and restricted as to use is residential, but this shall not be construed to prohibit the renting or leasing of said apartments for profit, individually or otherwise, so long as the ultimate tenant thereof uses the apartment as a place in which to reside as distinguished from a place to carry on a trade or business. Office and commercial area or any portion thereof, may be used for any use authorized in a business district under the comprehensive ordinance of the County of Maui.

OWNERSHIP TO TITLE: The Notice of Intention identifies the Developer, Wailuku Hotel, Ltd., a Hawaii corporation, as fee owners of the land committed to the regime. The title search documents, executed September 1 and September 29, 1964 by Title Guaranty of Hawaii, Incorporated, a Hawaii corporation, support the information as to evidence of title filed as part of this registration.

ENCUMBRANCES AGAINST TITLE: The Notice of Intention acknowledges that a mortgage in favor of the Bank of Hawaii in consideration of \$650,000.00, dated September 24, 1964, recorded in Liber 4852, page 121, and also filed as Land Court Document No. 343007, is an encumbrance against the title. The Developer, in his prospectus, gives notice that this mortgage will be satisfied and a release secured from the Bank of Hawaii prior to commencement of the building construction work.

The search document states that title to the land has a reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent Nos. 6498, 7184, 1997, 1241 and 5974.

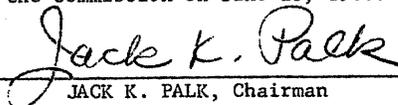
PURCHASE MONEY HANDLING: An Escrow Agreement dated October 15, 1966 has been executed and filed with the Commission in which the Bank of Hawaii is identified as the "Escrow Agent." Upon examination, the specimen Purchase Agreement and the executed Escrow Agreement are found to be in consonance with the 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 buyer that he reads the Purchase Agreement and the Escrow Agreement. The latter establishes how the proceeds from the sale of dwelling units are placed in trust, as well as the retention and disbursement of the trust funds.

MANAGEMENT AND OPERATIONS: The By-Laws of the Association of Apartment Owners vests the Board of Directors with the powers and duties necessary for the administration of the project. In addition to being responsible for the management and operation of the project, the Board of Directors also has the responsibility of appointing and dismissing personnel necessary for the continuing of the operation and maintenance functions.

STATUS OF PROJECT: No executed building contract has been submitted as part of the registration. The building agreement is expected to be negotiated shortly. The Developer estimates that construction will commence on or about February 1, 1967 with completion of the project expected to take two hundred (200) calendar days.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 155 filed with the Commission on June 23, 1966.


JACK K. PALK, Chairman

REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

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