

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on
KAMEHAMEHA GARDENS
1213 Farr Lane
Honolulu, Hawaii

REGISTRATION NO. 170

This Report Is Not an Approval or Disapproval of This Condominium Project

It was prepared as a supplement to an earlier Report dated _____ issued by the Real Estate Commission on the above 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.

June 26, 1968

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 purchaser or prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JUNE 2, 1967 AND INFORMATION SUBSEQUENTLY DISCLOSED AS OF FEBRUARY 23, 1968. THE DEVELOPER, IN NOTIFYING THE COMMISSION INITIALLY OF HIS INTENTION TO SELL AND LATER ADVISING THE COMMISSION OF CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT.

1. Since the issuance of the Commission's Final Public Report of July 19, 1967 on KAMEHAMEHA GARDENS, the Developer reports that changes have been made in the plan or setup as presented in the June 2, 1967 notice of intention to sell. The changes subsequently made are determined to be a material revision to the information disclosed earlier, which, on examination, caused the Commission to publish a Final Public Report.

This Supplementary Public Report (pink paper stock) amends the Final Public Report (white paper stock), becoming a part of the KAMEHAMEHA GARDENS registration. The Developer is responsible for placing a true copy of this Supplementary Public Report in the hands of all purchasers, along with a true copy of the Final Public Report. The buyer shall sign the required receipt signifying that he has had an opportunity to read both public reports.

2. The Developer has submitted to the Commission for examination all documents deemed necessary for the registration of this condominium project, the updating of information disclosed therein, and the issuance of this Supplementary Public Report.
3. The Commission has determined that the basic documents (Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners and a copy of the approved Floor Plans) have been filed in the office of the recording officer.

The Declaration of Horizontal Property Regime, with By-Laws of the Association of Unit Owners, was filed as Document No. 418214 with the Assistant Registrar of the Land Court, State of Hawaii, on June 9, 1967.

First Amendment to Declaration, executed February 16, 1968, was filed as Document No. 437942 with the Assistant Registrar of the Land Court on February 21, 1968.

The Assistant Registrar has assigned Land Court Condominium Map No. 49 to the project. On February 16, 1968 the Developer petitioned the Land Court of the State of Hawaii to examine the Amended Floor Plan and find same correct. These proceedings were in reference to Chilton Tai Chung Au, owner of the land described in Land Court Transfer Certificate of Title No. 106359, Land Court Application No. 870.

4. The 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.

NAME OF PROJECT: KAMEHAMEHA GARDENS

No changes to the report under the topical headings of Location, Tax Key, Zoning, Developer and Attorney Representing the Developer.

DESCRIPTION: There are eight (8) single family residences constructed on a lot of approximately 28,462 square feet.

The plans of the units are shown on the condominium File Plan. The units will be numbered 1213-A to H Farr Lane.

All units will be one-story, single family dwellings, each of them having an enclosed area of approximately 902 square feet. Each will have 3 bedrooms, 1½ bathrooms, a living room, a dining room, and a kitchen. Each unit will also have a carport with an approximate area of 324 square feet.

COMMON ELEMENTS: First Amendment to Declaration identifies the common elements as follows: (a) The land in fee simple, except the portions thereof, that are hereinafter set aside as limited common elements; and (b) All utility mains serving the property.

LIMITED COMMON ELEMENTS: The limited common elements set aside and reserved for exclusive use of certain units are as follows:

- (a) The land under each dwelling unit and the land abutting the exterior walls of each dwelling unit to a distance of 10 feet therefrom or to a lot boundary, whichever is less.

INTEREST TO BE CONVEYED PURCHASER: The Developer advises that a deed will be executed upon the sale of each unit and will also include as appurtenant thereto an undivided 12.5 per cent interest in the common elements. The total number of votes shall be eight and a vote of each voting owner shall be equal to the percentage interest in a common element owned by such voting owner. The common

elements shall not be separated from the separate units and may be transferred only together with such units.

PURPOSES OF BUILDINGS AND RESTRICTIONS AS TO USE: (No change.)

OWNERSHIP TO TITLE: The Developer advises that the land committed to the project is owned in fee by Chilton Tai Chung Au, one of the Developers in the Joint Venture. The report of evidence of title prepared February 28, 1968 by the abstractor, Title Guaranty of Hawaii, Incorporated, a Hawaii corporation, verifies that title is vested in Chilton Tai Chung Au, unmarried. The Agreement of Sale in favor of James Fusao Sekiya and Marjorie Kikuye Sekiya, husband and wife, as "Purchasers" was cancelled and surrendered to the "Seller," Chilton Tai Chung Au, on January 19, 1968, and the Cancellation of Agreement of Sale was recorded as Document No. 437191 in the office of the recording officer on February 9, 1968.

ENCUMBRANCES AGAINST TITLE: The Cancellation of the Agreement of Sale as reported in the topical heading immediately above is the only change in the information published in the Final Public Report of July 19, 1967.

PURCHASE MONEY HANDLING: An Amended Escrow Agreement made February 17, 1963 by and between Crown Escrow, Inc., a Hawaii corporation, identifies that firm as the "Escrow-Holder" and Chilton Tai Chung Au, as the "Seller." Upon examination, the specimen Contract of Sale and the executed Amended Escrow Agreement are found to be in consonance with the Commission's Declaratory Ruling No. 1, dated December 14, 1965.

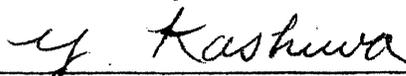
MANAGEMENT AND OPERATION: The Developer advises that the proposed By-Laws of the Association of Unit Owners empower the Board of Directors to delegate its duties, powers, and function to any person or firm to act as manager of the project. In the absence of any appointment, the Chairman of the Board shall act as manager. The Amended Declaration notes that until a manager is appointed, service or process shall be made on Harold H. Ohama, Agent for Developers, Suite 404, 801 Richards Street, Honolulu, Hawaii.

STATUS OF PROJECT: Construction of the project not begun at the date of the issuance of this Supplementary Public Report. The Developer anticipates that construction will begin on or about November 1, 1968 and be completed within 160 working days thereof. A construction contract has been executed with Island Wide, Incorporated, a Hawaii corporation, on May 11, 1967.

The purchaser should be cognizant of the fact that this report represents information disclosed by the Developer in the required Notice of Intention submitted June 2, 1967 and information subsequently filed as of February 28, 1968.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 170 filed with the Commission on June 2, 1967.

The report, when reproduced, shall be a true copy of the Commission's public report. The paper stock used in making facsimiles must be pink in color.


YUKIO KASHIWA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

REB: va

Distribution:
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June 26, 1968
Registration No. 170