

# 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

on  
ALA WAILANI  
2609 Ala Wai Boulevard  
Honolulu, Hawaii

REGISTRATION NO. 186

### **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.

Issued: January 15, 1968  
Expires: February 15, 1969

#### 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 and prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED OCTOBER 20, 1967 AND INFORMATION SUBSEQUENTLY FILED DECEMBER 14, 1967. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT AND AMENDMENTS THERETO BY ACT 244 (L. 1967) EFFECTIVE JUNE 6, 1967.

1. ALA WAILANI is a proposed leasehold residential condominium project consisting of fifty (50) dwelling units arranged throughout a single building of twelve (12) floors of which ten (10) floors contain apartments and two (2) floors contain parking. Fifty (50) parking stalls are available in the plan.
2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the proposed condominium project and the issuance of this Final Public Report.

3. The Commission has determined that the basic documents (Master Lease, Declaration of Horizontal Property Regime, with By-Laws of Association of Apartment Owners attached, and a copy of the approved Floor Plans) have been filed in the office of the recording officer.

The Master Lease, made December 11, 1967 by and between Willis E. Blackburn and Windward Investment Corporation as Lessors and Wai Nani Co., Inc. and The Mortgage Company of Hawaii, Ltd., as Lessees, was recorded in the Bureau of Conveyances, State of Hawaii, in Liber 5896 at Page 316.

The Declaration of Horizontal Property Regime executed December 11, 1967, with By-Laws attached, was recorded in the Bureau of Conveyances on December 13, 1967 in Liber 5898 at Page 303.

The Registrar designated Condominium Map No. 101 to the project.

4. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 170A, Revised Laws of Hawaii 1955 (as amended, particularly ACT 244, L. 1967, effective June 6, 1967) and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, January 15, 1968, unless a Supplementary Public Report issues or the Commission, upon review of the registration issues an order extending the effective period of this report.

NAME OF PROJECT: ALA WAILANI

LOCATION: The approximate 10,803 square feet of land committed to the regime is situate in the twenty-six hundred block of Ala Wai Boulevard, one of the principal thoroughfares serving the Waikiki area. The address, 2609 Ala Wai Boulevard, is near the Diamond Head-Makai (South-east) corner of the intersection where Wai Nani Street meets Ala Wai Boulevard, at Waikiki, Honolulu, Oahu, Hawaii.

TAX KEY: FIRST DIVISION 2-6-28-37 and 38

ZONING: Hotel-Apartment

DEVELOPER: ALA WAI DEVELOPERS, a joint venture comprised of Wai Nani Co., Inc., a Hawaii corporation with offices at 247 Beach Walk, Honolulu, Hawaii, telephone 932-394 and The Mortgage Company of Hawaii, Ltd., a Hawaii corporation with offices at 402 Trustco Building, Honolulu, Hawaii, telephone 503-848. A copy of the Joint Venture Agreement, executed May 10, 1966 and signed by Willis E. Blackburn for Wai Nani Co., Inc., and J. Harold Hughes for The Mortgage Company of Hawaii, Ltd., has been submitted by the Developer and is made part of this registration.

Wai Nani Co., Inc., a Hawaii corporation, recorded in the Department of Regulatory Agencies, State of Hawaii, on October 18, 1967. The officers are as follows:

W. E. Blackburn	President and Secretary	247 Beach Walk Honolulu, Hawaii
Wendell Brooks, Sr.	Vice President	1888 Kalakaua Avenue Room B Honolulu, Hawaii
Janet Elaine O'Neal	Treasurer	247 Beach Walk Honolulu, Hawaii

The Mortgage Company of Hawaii, Ltd., a Hawaii corporation, recorded in the Department of Regulatory Agencies (formerly Treasury Department), State of Hawaii, on November 19, 1952. The officers are as follows:

J. Harold Hughes	President	402 Trustco Building Honolulu, Hawaii
Keith J. Steiner	Vice President	402 Trustco Building Honolulu, Hawaii
Hattie P. Lee	Secretary	402 Trustco Building Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: Mr. J. Harold Hughes, 402 Trustco Building, corner South King Street and Richards Street, Honolulu, Hawaii. Telephone 503-848.

DESCRIPTION: The twelve-story reinforced concrete residential building will contain fifty (50) separately designated and described leasehold estates consisting of the spaces within the perimeter walls of each of the 50 apartment units and also the balcony lanais of all the apartment units. The arrangements are described as follows: Five apartments per floor for each of the 10 apartment floors commencing with the third floor and containing a total of fifty apartments; those on the third floor (being the first floor to contain apartments) bear the numbers 301, 302, 303, 304 and 305; those on the fourth floor 401, 402, 403, 404 and 405 and those on the other floors are numbered accordingly. Each apartment has ingress and egress via an outside corridor or walkway on each floor. The area of all apartments designated above are as follows:

Apartment 1	- 814 square feet
Apartment 2	- 642 square feet
Apartment 3	- 642 square feet
Apartment 4	- 642 square feet
Apartment 5	- 818 square feet

The area of each apartment is the same on each floor. Each apartment consists of the following rooms: one bedroom, one bathroom, one open kitchen, and one living-dining area with a hallway leading in from the entry way.

The respective apartments shall not be deemed to include the outside corridor or walkway, 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 lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements. Each apartment shall be deemed to include the adjacent lanais, all the walls and partitions which are not load-bearing walls within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings including plaster, paint, wallpaper and built-in fixtures including refrigerators, stoves and garbage disposers.

COMMON ELEMENTS: The Declaration of Horizontal Property Regime states that there is a leasehold estate, consisting of all remaining portions of the project, described and referred to as "common elements," which definition includes the apartment building, utility facilities and the space in which they are located and specifically includes, but is not limited to (a) the leasehold described; (b) all foundations, columns, girders, beams, supports, bearing walls, roofs, chases, halls, corridors, outside walkway, garden and entrance lanais, the lobby and office, stairs, stairways, garbage chute, entrances and exits of said building; (c) all of the yard and garden; (d) all ingress and egress areas to parking spaces; (e) parking facilities for service use; (f) all tanks, pumps and ducts and other central and appurtenant installations for services including power, light, gas, cold and hot water, refuse, telephone and television; (g) all laundry facilities located within the covered spaces in the basement of the residential building; and (h) one automatic electric passenger elevator with elevator housing and appurtenant equipment.

LIMITED COMMON ELEMENTS: Certain parts of the "common elements," called and designated "limited common elements" are set aside and reserved for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto an exclusive easement for the use of such limited common elements. The limited common elements so set aside and reserved as follows: (a) parking spaces designated on the Condominium Map No. 101 recorded in the office of the recording officer, which shall be assigned and numbered as each apartment is sold and when thus assigned and numbered, said space shall be appurtenant to and for the exclusive use of such apartment.

INTEREST TO BE CONVEYED PURCHASER: Each apartment shall have appurtenant thereto a 2.0% undivided interest in the common elements as specified and established in the Declaration for such apartment, such interest being defined and referred to as the "common interest." The common interest, the proportionate share in the profits and common expenses of the project and the proportionate representation for voting purposes in the Association of Apartment Owners of the project shall be as set forth above -- 2.0% apartment and percentage interest.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration states that the apartments are designed for use and occupancy as private dwellings by the respective owners thereof, their tenants, families, domestic servants and social guests. However, the owners of the respective apartments shall have the absolute right to rent or lease the same subject to the limitations, restrictions, covenants and condition of the Declaration of Horizontal Property Regime.

OWNERSHIP TO TITLE: A Preliminary Report of Title, prepared December 8, 1967 by the abstractor, Security Title Corporation, a Hawaii corporation, states that title to the land committed to the project is vested in Willis E. Blackburn, who acquired title as an unmarried man, and Windward Investment Corporation, a Hawaii corporation, as Tenants in Common.

The land was conveyed to Willis E. Blackburn, unmarried, and Windward Investment Corporation, as Tenants in Common, "Grantees" by Lillian Laythe, as "Grantor," by Deed dated December 4, 1967, recorded December 8, 1967 in the Bureau of Conveyances of the State of Hawaii in Book 5893 at Page 202.

ENCUMBRANCES AGAINST TITLE: The December 8, 1967 title report reflects: Taxes - real property taxes for the Year 1967 are a lien; payable as follows: 1st Installment \$1,019.34 Paid, 2nd Installment \$1,019.34 Open (Delinquent after November 10, 1967. Tax Office records do not reflect that any portion of 2nd installment has been paid. Postings of tax payments made to Tax Office for 2nd installment, for 1967, has not been completed.) Reservation - in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patents Numbered 2826 and 3023. Master Lease - executed December 11, 1967 by and between Willis E. Blackburn and Windward Investment Corporation, as Lessors, and Wai Nani Co., Inc., and The Mortgage Company of Hawaii, Ltd., as Lessees. The Commission identifies the Declaration of Horizontal Property Regime and By-Laws, as recorded in the Bureau of Conveyances on December 13, 1967 in Liber 5898 at Page 303, and the floor plans of the building, designated Condominium Map No. 101, as information to be disclosed under this heading of the public report.

PURCHASE MONEY HANDLING: A copy of the Escrow Agreement, made October 27, 1967, by and between Security Title Corporation, a Hawaii corporation, as "Escrow" and Ala Wai Developers, has been submitted to the Commission as part of the registration. The Developer has met and fulfilled the requirements of Sec. 170-A-13.6 which establishes the provisions for the issuance of final reports prior to completion of construction.

It is incumbent upon the purchaser and prospective purchaser that he reads with care, the Agreement of Purchase and Sale and the executed Escrow Agreement. The Escrow Agreement establishes how the proceeds from the sale of units and all sums received by the Developer from any source are placed in trust, as well as the retention and disbursement of trust funds.

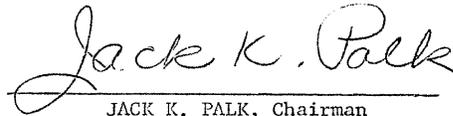
MANAGEMENT AND OPERATIONS: The declarant states that the operation of the project shall be conducted for the Association of Apartment Owners by a Managing Agent who shall be appointed by the Association in accordance with the by-laws. The Notice of Intention identifies the initial manager as H. & F. Management, Inc., c/o Hugh Menefee Inc., Suite 906, 1441 Kapiolani Blvd., Honolulu.

STATUS OF PROJECT: A building contract was entered into October 26, 1967 by and between Ala Wai Developers, and the licensed contractor, Enomoto Bros. Contractors, Inc., a Hawaii corporation. By November 28, 1967 amendment to the above building contract, Willis E. Blackburn was added as a co-venturer with Enomoto Bros. Contractors, Inc. The Developer advises that construction commenced on December 18, 1967 and the completion date of September 4, 1968 is anticipated.

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The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted October 20, 1967 and additional information subsequently filed as late as December 14, 1967.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 136 filed with the Commission on October 20, 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 white.



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

REB:sw

Distribution:

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PLANNING DEPARTMENT, CITY & COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

January 15, 1968  
Registration No. 186