



**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  
SEVENTEEN SEVENTEEN ALA WAI  
1717 Ala Wai Boulevard  
Honolulu, Hawaii

REGISTRATION NO. 188

**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: February 23, 1968

Expires: March 23, 1969

SPECIAL ATTENTION

A comprehensive reading by the prospective purchasers 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JANUARY 23, 1968 AND INFORMATION SUBSEQUENTLY FILED FEBRUARY 20, 1968. 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. SEVENTEEN SEVENTEEN ALA WAI is a proposed leasehold condominium project consisting of 283 residential apartment units and one manager's apartment, all of which will be sold upon and subject to the terms and provisions of seventy-five year apartment leases to be issued by Magoon Development Corporation, the lessee of the land owner, Magoon Estate, Limited. Affixed to all such leases shall be an assignment consent from the landowner, Magoon Estate, Limited, to the apartment purchaser. The sales contract provides that the term of the leases commences and the rent begins to accrue upon the second publication of the Notice of Completion.
2. The Developer of the project has filed all documents and materials deemed necessary by the Commission for the registration of this proposed condominium.

3. Advertising and promotional matter required to be filed pursuant to the rules and regulations promulgated by the Commission has or will be submitted prior to public exposure.
4. The Developer has advised the Commission that the property was submitted to Horizontal Property Regime by Declaration of Horizontal Property Regime on file in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 436473 together with the First Amendment to Declaration of Horizontal Property Regime filed in said Office of the Assistant Registrar as Document No. 437668 all as noted on Transfer Certificate of Title No. 117,620 issued to Magoon Estate, Limited and as shown on Condominium Map No. 55 filed in said Office of the Assistant Registrar.
5. The prospective purchaser is advised to acquaint himself with the provisions of Chapter 170-A, Revised Laws of Hawaii 1955, as amended, and the rules and regulations promulgated thereunder which relate to Horizontal Property Regime.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, February 23, 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 THE PROJECT: SEVENTEEN SEVENTEEN ALA WAI

LOCATION: 1717 Ala Wai Boulevard, Honolulu, Hawaii. The site, comprising 62,066 square feet, is located on the Diamond Head side of Ala Wai Boulevard makai of Kalakaua Avenue, overlooking the Ala Wai Canal.

TAX MAP KEY: 2-6-13: 13 and 21.

ZONING: Hotel-Apartment.

DEVELOPER: Hawaiian Contracting Company, Limited, an Hawaii corporation, the principal place of business and post office address of which is 1441 Kapiolani Boulevard, Honolulu, Hawaii; Telephone 946-0771. The corporation was originally organized and its documents were originally filed with the Treasury Department, Territory of Hawaii (now Department of Regulatory Agencies, State of Hawaii), on February 2, 1956. The officers are as follows:

- L. S. Dillingham, President
- G. S. Wheaton, Executive Vice President
- D. H. Graham, Jr., Vice President & General Manager
- A. A. Carswell, Vice President
- R. A. Obrock, Financial Vice President and Treasurer
- R. A. Girton, Vice President and Secretary
- A. P. Screno, Vice President
- G. A. Henrickson, Vice President
- C. W. Maxeiner, Vice President and General Counsel
- J. J. Casey, Vice President and Controller
- E. K. Nishimoto, Vice President
- J. V. Pollock, Assistant Controller
- C. E. Chafin, Assistant Treasurer
- E. A. Rodiek, Assistant Secretary
- E. S. Windrath, Assistant Secretary

ATTORNEY REPRESENTING DEVELOPER: Carlsmith, Carlsmith, Wichman and Case (Attention - Tamotsu Tanaka), Tenth Floor, City Bank Building, Honolulu, Hawaii, Telephone - 512-071.

GENERAL DESCRIPTION OF PROJECT: Plans submitted by the Developer indicate a 31-story reinforced concrete building located on 62,066 square feet of land.

Each residential apartment shall include an adjacent lanai or terrace as shown on the Condominium Map. Each apartment is equipped with a side-by-side refrigerator-freezer, built-in cooking top and wall oven, disposal, dishwasher, washer and dryer, and wall-to-wall carpeting and drapery casements in all rooms except the kitchen, entry hallway, and bathrooms. Vinyl asbestos quarry tile is provided in the kitchen and entry hallway and vinyl asbestos travertine tile is provided in the bathrooms.

Building Description by Floor: The building shall have thirty-one (31) floors with the first and second floors being essentially for parking purposes only and the third through thirty-first floors being essentially for residential apartment purposes; the elevator machinery room is located on the roof of the building.

The first floor has one hundred forty-nine (149) parking stalls, as further identified in the First Amendment to Declaration of Horizontal Property Regime, tenant storage cubicles, mechanical-electrical equipment, storage and other similar service spaces, vehicular access ramps, elevators and stairwells.

The second floor has one hundred forty-four (144) parking stalls, as further identified in said First Amendment, tenant storage cubicles, mechanical-electrical equipment, sauna baths, toilet and shower facilities, storage and other similar service spaces, vehicular access ramps, elevators and stairwells.

The third floor has a recreation deck with a swimming pool, three (3) three-bedroom units, six (6) two-bedroom units and the manager's residence.

The fourth through twenty-ninth floors contain seven (7) two-bedroom units and three (3) three-bedroom units per floor, mechanical-electrical equipment and other service spaces.

The thirtieth and thirty-first floors contain two (2) three-bedroom units and five (5) two-bedroom units per floor, mechanical-electrical equipment and other service spaces.

Materials: The principal materials used in the construction of the building are concrete, concrete blocks, aluminum, glass, steel, wooden doors and trim.

Location, Area, Percentage Interest of Apartments: The building is shaped like an "L" with one leg (herein called the "west wing") running west from the point of intersection and the other leg (herein called the "south wing") running south from the point of intersection.

The building contains two hundred eighty-four (284) residential apartments, including the manager's residence. Each apartment except the penthouse apartments has been given a three- or four-digit number designation by which its location in the building can be determined. The last two digits indicate the location of the apartment on a floor and the digit or digits preceding the last two digits indicate the floor on which the apartment is located. For example, Apartment 401 is located in the west wing on the fourth floor; and Apartment 1401 is located in the west wing on the fourteenth floor.

The location, area (as designated in the Declaration "gross floor area" of an apartment includes the area of the private entry balconies and lanais, and "net floor area" of an apartment excludes the area of the private entry balconies and lanais), number of rooms and undivided percentage interest ownership in the common elements of each apartment are as follows:

Apartments 301 through 2901 inclusive contain a gross floor area of approximately 1,234 square feet each and a net floor area of approximately 1,034 square feet each; are located in the west wing with access to the main corridor of the floor; have seven (7) rooms; and each shall have an undivided percentage interest ownership in all common elements of .3734%.

Apartments 302 through 2902 inclusive, 303 through 2903 inclusive, 304 through 2904 inclusive, 405 through 2905 inclusive, located in the west wing, and 308 through 2908 inclusive, and 309 through 2909 inclusive, located in the south wing, all with access to the main corridor of the floor, contain a gross floor area of approximately 1,028 square feet each and a net floor area of approximately 928 square feet each; have six (6) rooms; and each shall have an undivided percentage interest ownership in all common elements of .3239%.

Apartments 306 through 2906 inclusive contain a gross floor area of approximately 1,495 square feet each and a net floor area of approximately 1,348 square feet each; are located in the west wing with access to the main corridor of the floor; have seven (7) rooms; and each shall have an undivided percentage interest ownership in all common elements of .4706%.

Apartments 307 through 2907 inclusive contain a gross floor area of approximately 1,007 square feet each and a net floor area of approximately 922 square feet each; are located in the south wing with access to the main corridor of the floor; have six (6) rooms; and each shall have an undivided percentage interest ownership in all common elements of .3219%.

Apartments 310 through 2910 inclusive contain a gross floor area of approximately 1,230 square feet each and a net floor area of approximately 1,130 square feet each; are located in the south wing with access to the main corridor of the floor; have seven (7) rooms; and each shall have an undivided percentage interest ownership in all common elements of .3945%.

The penthouse apartments on the thirtieth and thirty-first floors are designated by the symbol "PH" followed by a roman numeral I or II indicating the floor on which these apartments are located, the "I" designation indicating the thirtieth floor and the "II" designation indicating the thirty-first floor and then followed by a digit indicating the location of each apartment on the floor.

Apartments PH I-1 and PH II-1 contain a gross floor area of approximately 1,737 square feet and 1,521 square feet, respectively, and a net floor area of approximately 1,152 square feet each; are located in the west wing with access to the main corridor of the floor; have six (6) rooms; and each shall have an undivided percentage interest ownership in all common elements of .4022%.

Apartments PH I-2 and PH II-2 contain a gross floor area of approximately 1,656 square feet and 1,440 square feet, respectively, and a net floor area of approximately 1,152 square feet each; are located in the west wing with access to the main corridor of the floor; have six (6) rooms; and each shall have an undivided percentage interest ownership in all common elements of .4022%.

Apartments PH I-3 and PH II-3 contain a gross floor area of approximately 1,960 square feet and 1,600 square feet, respectively, and a net floor area of approximately 1,296 square feet each; are located in the west wing with access to the main corridor of the floor; have seven (7) rooms; and each shall have an undivided percentage interest ownership in all common elements of .4525%.

Apartments PH I-4 and PH II-4 contain a gross floor area of approximately 2,155 square feet and 1,990 square feet, respectively, and a net floor area of approximately 1,415 square feet each; are located in the south wing with access to the main corridor of the floor; have six (6) rooms; and each shall have an undivided percentage interest ownership in all common elements of .4940% and .4939%, respectively.

Apartments PH I-5, PH II-5, PH I-6 and PH II-6 contain a gross floor area of approximately 1,104 square feet each and a net floor area of approximately 928 square feet each; are located in the south wing with access to the main corridor of the floor; have six (6) rooms; and each shall have an undivided percentage interest ownership in all common elements of .3239%.

Apartments PH I-7 and PH II-7 contain a gross floor area of approximately 1,306 square feet each and a net floor area of approximately 1,130 square feet each; are located in the south wing with access to the main corridor of the floor; have seven (7) rooms; and each shall have an undivided percentage interest ownership in all common elements of .3945%.

Developer has reserved the right to modify apartment units numbered 01 and/or 10 and PH-7 by converting such units from a three-bedroom to a two-bedroom design. In the event the Developer elects to make such modifications, any sales contracts executed with respect to one of the units so modified shall terminate, but the prospective purchaser under such contract shall have the first right to purchase the same unit, as modified, at the new asking price. In the event that the Developer elects to so modify units 01, 10, and PH-7, both the resultant percentage interest in the common elements appurtenant to all apartments and the resultant floor areas of modified apartments have been set forth in the Declaration of Horizontal Property Regime.

Common Elements: Common elements will include the limited common elements hereinafter described and all other portions of the land and improvements, other than the apartments, including the apartment building, the land on which it is located and all elements mentioned in the Horizontal Property Act which are actually constructed on the land described in the Declaration of Horizontal Property Regime, and specifically shall include, but shall not be limited to:

- (1) Said land in fee simple;
- (2) All foundations, columns, girders, beams, supports, bearing walls, corridors, fire escapes, entry halls, stairs, walkways, entrances and exits of said building;
- (3) The roofs;
- (4) All yards and refuse areas;
- (5) All driveway and parking areas;
- (6) All ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, cold and hot water, air conditioning, television antenna, refuse and telephone;
- (7) Automatic electric passenger elevators with elevator housing and appurtenant equipment;
- (8) Swimming pool and recreation area on the third floor;
- (9) The manager's residence on the third floor;
- (10) The equipment and storage rooms located on the first and second floors; sauna baths, toilet and shower facilities on the second floor but accessible from the third floor;
- (11) Nine (9) parking spaces for guest parking purposes, as identified in the First Amendment to Declaration of Horizontal Property Regime.

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 exclusive easements for the use of such limited common elements. The limited common elements so set aside and reserved are as follows:

- (1) One (1) parking space for each apartment shall be appurtenant to and for the exclusive use of such apartment; specific parking stalls assigned to specific apartments have been identified in the First Amendment to Declaration of Horizontal Property Regime.
- (2) The corridors and elevator lobbies on each apartment floor on and above the third floor are restricted for the use of the apartment owners living on each floor.
- (3) The storage facilities to be designated by Developer as appurtenant to each apartment shall be appurtenant to such apartment.

- (4) All load-bearing walls within the perimeter walls of an apartment and the interior one-half (1/2) of all perimeter walls of an apartment, whether load-bearing or non-load-bearing, shall be appurtenant to the apartment in which they are located.

INTEREST TO BE CONVEYED TO PURCHASER: Each apartment shall include all the walls and partitions within its perimeter walls; any glass windows or panels along the perimeter; the interior half of the perimeter walls, whether load-bearing or non-load-bearing; the inner decorated or finished surfaces of the floors and ceilings; any adjacent lanai or terrace shown on said condominium map; and the built-in fixtures including all electrical and plumbing fixtures, the range, built-in oven, dishwasher, washer and dryer, and garbage disposal units; provided, that the interior half of any load-bearing wall on the perimeter of an apartment and any load-bearing wall within an apartment is a limited common element and appurtenant to such apartment.

Each residential apartment shall have appurtenant thereto an undivided interest in the common elements as hereinbefore set forth and as further specified and established in the Declaration, such interest being defined and referred to therein as the common interest. The common interest appurtenant to each apartment is as hereinbefore set forth in those paragraphs under the heading Location, Area, Percentage Interest of Apartments.

USE: The Declaration provides that the residential apartments may be occupied and used only as single family residences.

OWNERSHIP TO TITLE: Developer advises that title to the land is held by Magoon Estate, Limited and is identified as those certain parcels of land situate at Kalia, Waikiki, Honolulu, City and County of Honolulu, State of Hawaii, more particularly described as Lot 12-A, area 62,027 square feet as shown on Map 16, and Lot 14, area 39 square feet as shown on Map 14, both on file in the Office of the Assistant Registrar of the Land Court of Hawaii with Land Court Consolidation 1144; Being all of the land covered by Certificate of Title No. 117,620, issued to Magoon Estate, Limited; Said premises being all of the premises demised to Magoon Development Corporation by lease dated December 13, 1967 from Magoon Estate, Limited, said lease being noted as Document No. 434176 on said Land Court Certificate No. 117,620.

PURCHASE MONEY HANDLING: Developer advises that purchaser's money, in each instance, will be paid to Bishop Trust Company, Limited to hold and dispose of pursuant to an Escrow Agreement between the developer and Bishop Trust Company, Limited. The escrow agreement permits such funds to be disbursed to Developer in payment of the expenses in developing the project, including sums due contractor for construction of the building. No disbursements shall be made from the escrow fund unless and until the Developer has furnished to Depository evidence satisfactory to it that there are on hand or committed sufficient funds to pay the total "cost of the project" and until Dillingham Corporation shall have given its guaranty to Depository of Developer's repayment of funds required to be refunded to purchasers.

Upon examination, The Escrow Agreement is found to be in consonance with Chapter 170-A, Revised Laws of Hawaii 1955, as amended. The conditions referring to the issuance of this Final Public Report prior to the completion of construction have been complied with.

Note: It is incumbent upon the purchaser or prospective purchaser to read and understand the escrow agreement before executing the sales agreement, since the escrow agreement prescribes the procedure for receiving and disbursing purchasers' funds, and the sales agreement specifically provides that the purchaser approves said escrow agreement and assumes the benefits and obligations therein provided.

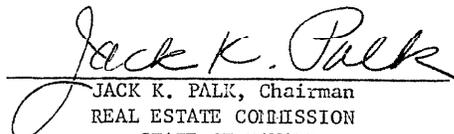
ENCUMBRANCES AGAINST TITLE: Transfer Certificate of Title No. 117,620 reveals that the only encumbrance against title to subject property is a Grant of easement in favor of the Hawaiian Electric Company, Inc. and Hawaiian Telephone Company for utility purposes over and across Lot 14 and easement E over and across Lot 12-A, dated October 26, 1959 and filed as Document No. 246953 as further assigned.

The Developer advises that said utility companies have agreed to relinquish said Grant of easement upon commencement of construction. During the term of construction, Lagoon Estate, Limited has agreed to subordinate its fee simple title to the land to a first mortgage running in favor of the lender who will provide the interim construction loan required to erect the improvements as identified herein and in the Declaration of Horizontal Property Regime as amended.

MANAGEMENT OF THE PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the project shall be conducted for the Association of Owners under the direction of the Board of Directors by a responsible corporate managing agent and that the initial managing agent shall be Hawaiian Contracting Company, Limited whose principal place of business and post office address is 1441 Kapiolani Boulevard, Honolulu, Hawaii. The By-Laws provide that the term of the initial managing agent shall expire one year after ninety (90) days from the date of second publication of the Notice of Completion of construction of the condominium project or at such time prior thereto as it shall submit its resignation to the Board of Directors. The Board or initial managing agent may also employ a manager who will have such duties as are assigned by the Board or initial managing agent.

STATUS OF PROJECT: Developer advises that it proposes to direct the contractor to commence construction as soon as it has sold at least 198 apartments, or such other lesser number as the Developer and construction lender shall deem appropriate. The Developer contemplates that this sales status will have been attained some time in July of 1968. Hawaiian Dredging and Construction Company, the contractor, has estimated that construction will take eighteen (18) months from the date that it is notified to proceed with construction. Construction will be financed by an interim loan from Dillingham Corporation to the Developer. This financing will be supplemented with purchasers' money from escrow at such time as conditions set forth above with respect to disbursement of escrowed money have been fulfilled.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 188 dated February 23, 1968.

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

REB:sw

Distribution:

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

February 23, 1968  
Registration No. 188