

**REAL ESTATE COMMISSION**  
PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES  
STATE OF HAWAII  
1010 RICHARDS STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

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

on  
KAPIOLANI BEL-AIRE  
738-754 Kaheka Street  
Honolulu, Hawaii

REGISTRATION NO. 201

**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: December 12, 1968  
Expires: January 12, 1970

**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 OCTOBER 2, 1967 AND ADDITIONAL INFORMATION, RECITING MATERIAL CHANGES, SUBSEQUENTLY FILED WITH THE COMMISSION AS LATE AS NOVEMBER 14, 1968. THE DEVELOPER, BY 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. Since the issuance of the Commission's Preliminary Public Report of May 15, 1968 on KAPIOLANI BEL-AIRE, Registration No. 201, the Developer reports that changes have been made in the plan or setup as presented in the October 2, 1967 notice of intention to sell.

The changes subsequently made are determined to be a material revision to the information earlier disclosed. This Final Public Report is made a part of the registration on KAPIOLANI BEL-AIRE condominium project. The Developer is held responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers receiving the Preliminary Public Report (yellow paper stock).

Securing a signed copy of the Receipt for Horizontal Property Regime Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.

2. The Developer has complied with Sec. 170A-13.6, R.L.H., and has fulfilled the requirements for the issuance of this Final Public Report prior to completion of construction.
3. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and issuance of this Final Public Report.
4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of 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 Association of Owners attached was filed on November 6, 1968 in the Office of the Assistant Registrar of the Land Court as Document No. 458,513.

The Assistant Registrar of the Land Court has designated Land Court Condominium Map No. 62 to the project.

5. Advertising and promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 170A, Revised Laws of Hawaii 1955 (as amended, particularly by ACT 244, L. 1967, effective June 6, 1967) and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
7. This Final Public Report automatically expires thirteen (13) months after date of issuance, December 12, 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: KAPIOLANI BEL-AIRE

DESCRIPTION: The building and other improvements to be constructed on the above described land shall be principally of reinforced concrete and masonry construction. The building shall have a basement and seventeen (17) stories. A floor has not been designated "13th", so the numbered floors skip from 12th to 14th and go to the 18th. The building shall contain a total of one hundred twelve (112) apartments, consisting of fourteen (14) commercial apartments which shall be situate in the basement and on the 1st, 2nd and 3rd floors, and ninety-eight (98) residential apartments situate on the 4th through the 18th floors, all as shown on the plans filed in the Office of the Assistant Registrar of the Land Court, State of Hawaii, as Condominium File Plan No. 62, hereinafter called "said Plans", setting the layout, location, apartment numbers and dimensions of the apartments.

The boundary line of each commercial apartment is the exterior of the doors, windows and glass walls and the frames thereof, and the interior of the unfinished surfaces of the perimeter walls, the bearing walls and the floors and ceilings.

The boundary line of each residential apartment is the exterior of the lanai railing, the exterior of the doors, windows and glass walls and the frames thereof, and the interior of the unfinished surfaces of the perimeter walls, the bearing walls and the floors and ceilings.

Each apartment includes all interior partition walls, and the paint, wallpaper, tile, enamel, stain or other finishing on all other interior surfaces, and includes the air space encompassed within said boundary lines, together with such fixtures and other improvements as may be located therein, excepting only common elements within said boundary lines.

Each residential apartment having an appurtenant parking space on Parking Deck D has access to the corridor on the third floor. Each residential apartment has access to the balcony upon which it abuts and access through the stairways and the elevators designated on said Plans as stairways nos. 1, 2 and 5 and elevators nos. 1 and 2 and over the common elements which are not limited common elements appurtenant to other residential apartments or to the commercial apartments to the public street. The commercial apartments situate on Floors 2 and 3 have access upon the corridor (or future corridor as shown on said Plans) which they abut and access through the stairway and elevator designated on said Plans as stairways nos. 1 and 3 and elevator no. 3 and over the common elements which are not limited common elements appurtenant to the other commercial apartments or to the residential apartments to the public street. The commercial apartments situate in the basement and the first floor of the building have access to and over the common elements which are not limited common elements appurtenant to the other commercial apartments or to the residential apartments to the public street.

As set forth, the commercial apartments have the following designations as set forth on said Plans, have the approximate following square footage of floor area, contain the following number of rooms, and have the following percentage of undivided interest in the common elements appurtenant to each such apartment and its owner for all purposes including voting purposes:

<u>Commercial Apartments</u>	<u>Size (Square Ft.)</u>	<u>Number of Rooms</u>	<u>Percentage of Undivided Interest</u>
101	7,511	6	6.1952
201	2,498	1	2.0604
202	851	1	.7019
203	851	1	.7019
204	851	1	.7019
205	851	1	.7019
206	1,896	1	1.5638
207	2,910	1	2.4002
301	3,759	1	3.1004
302	851	1	.7019
303	851	1	.7019
304	851	1	.7019
305	851	1	.7019
306	1,041	1	.8587

There are seventy (70) 2-bedroom 1-1/2-bath residential apartments, fourteen (14) 3-bedroom 2-bath residential apartments and fourteen (14) 2-bedroom 2-bath residential apartments located on the 4th through the 18th floors. The residential apartments situate on the 4th floor are numbered "401" through "407", and on the 5th floor, the residential apartments are numbered "501" through "507", and so on, on each of the other floors.

As set forth, the residential apartments on the 4th floor have the following designations as set forth on said Plans, have the approximate square footage of floor area, including adjoining lanais, have the following number of rooms, and have the following percentage of individual interest in the common elements appurtenant to each apartment for all purposes, including voting purposes:

<u>Residential Apartments</u>	<u>Size (Square Ft.)</u>	<u>Number of Rooms</u>	<u>Percentage of Undivided Interest</u>
401	1,220	7	1.0063
402	878	5	.7242
403	920	5	.7588
404	920	5	.7588
405	920	5	.7588
406	920	5	.7588
407	1,109	6	.9147

On each floor from the 5th to 18th those residential apartments having the same last number are of the same size as those on each of the other said floors having a like last number, that is to say, all apartments having a "1" as the last number are of the same size, and all apartments having a "2" through "6" as a last number are of the same size, and all apartments having a "7" as the last number are of

the same size. Therefore, all apartments having the same last number on the floors designated 5th through 13th have the following approximate square footage of floor area, including adjoining lanais, have the following number of rooms and have appurtenant thereto an undivided interest in the common elements for all purposes, including voting purposes:

<u>Residential Apartments</u>	<u>Size (Square Ft.)</u>	<u>Number of Rooms</u>	<u>Percentage of Undivided Interest</u>
1	1,220	7	1.0062
2	887	5	.7316
3	887	5	.7316
4	887	5	.7316
5	887	5	.7316
6	887	5	.7316
7	1,109	6	.9147

COMMON ELEMENTS: The common elements consist of the following: Fee simple title to the land described; the foundations, columns, girders, beams, supports, main walls, roofs, halls, corridors, lobbies, elevator foyers, stairs, stairways, fire escapes, and entrances and exits; storage rooms 1, 2, 3 and 4, the mail room, electrical switch rooms, transformer vault room, pool equipment room, utility and trash room, toilet facilities on 2nd and 3rd floors, utility rooms on 3rd through 18th floors, and elevator machine rooms; driveways, sidewalks, parking areas and facilities, and other common ways and the gardens, yards and pool; that portion of the premises located on the ground floor designated as Studio for the lodging of a residential manager, and that portion of the premises designated for use of janitors and other persons employed for the operation of the property; central and appurtenant installations for services such as power, light, hot and cold water, air conditioning, trash chute and television signal distribution; the elevators, tanks, pumps, motors, compressors, fans, ducts, machinery, and, in general, all apparatus and installations existing for common use; and all other parts of the property necessary or convenient to the existence, maintenance and safety of the property or normally in common use.

LIMITED COMMON ELEMENTS: Certain of the common elements, called and designated as "limited common elements", are hereby set aside and reserved for the exclusive use of one or more specific apartments, and such apartments shall have appurtenant thereto an easement for the use of such limited common elements.

A. The following are limited common elements appurtenant to all of the residential apartments:

- (1) That certain portion of the land area and improvements thereon (including the lawn area, swimming pool and passage leading to and from stairway no. 2) immediately abutting and adjacent to the ramp to and from the lower parking area "A", and the entry way to the residential apartments within the fence, all as shown on said Plans, subject to use by all commercial apartments for emergency ingress and egress.
- (2) That portion of the premises located on the ground floor designated as Studio for the lodging of a residential manager, and parking space no. B-25, to be used in conjunction with said Studio.
- (3) The lobby, mail room, storage rooms 1, 2, 3 and 4, swimming pool equipment room, heater room on the 3rd floor.
- (4) Elevator machine room and pits for elevators 1 and 2, elevators 1 and 2, stairs and stairways 1, 2 and 5, said stairways nos. 1 and 2 being subject to use by all commercial apartments for emergency ingress and egress.
- (5) The ingress and egress driveways to lower parking area "A" and upper parking area "B", and parking areas "A" and "B".

(6) Central and appurtenant installations for service such as power, light, hot and cold water, heating, trash chute, television signal distribution servicing the residential apartments or limited common elements appurtenant thereto, together with all tanks, ducts, pumps, motors, fans and apparatus used in connection therewith.

B. The balconies on floors 4 through 18, and the utility rooms on floors 4 through 18, shall be limited common elements for and be appurtenant only to the apartments on each of said respective floors.

C. The below identified residential apartments shall have appurtenant thereto as a limited common element the following identified parking space or spaces as shown on said Plans:

<u>Residential Apartments</u>	<u>Parking Space</u>
401	B-23
402	D-1
403	D-2
404	D-3
405	D-4
406	D-5
407	A-21
501	B-24
502	D-6
503	D-7
504	D-8
505	D-9
506	D-10
507	A-22
601	B-28
602	D-11
603	D-12
604	D-13
605	D-38
606	D-37
607	A-23
701	B-29
702	D-36
703	D-35
704	D-34
705	D-33
706	D-32
707	A-24
801	B-35
802	D-31
803	A-19
804	A-18
805	A-17
806	A-16
807	A-25
901	B-36
902	A-15
903	A-14
904	A-13
905	A-12
906	A-11
907	A-26

Residential  
Apartments

Parking  
Space

1001	B-37
1002	A-10
1003	A-9
1004	A-8
1005	A-7
1006	A-6
1007	A-27
1101	A35-35a
1102	A-5
1103	A-4
1104	A-3
1105	A-2
1106	A-1
1107	A-33
1201	A36-36a
1202	A-20
1203	A-40
1204	A-32
1205	A-31
1206	A-28
1207	A-34
1401	B30-30a
1402	A-29
1403	A-30
1404	B-19
1405	B-18
1406	B-17
1407	A-37
1501	B31-31a
1502	B-16
1503	B-15
1504	B-14
1505	B-13
1506	B-12
1507	A-38
1601	B32-32a
1602	B-11
1603	B-10
1604	B-9
1605	B-8
1606	B-7
1607	A-39
1701	B33-33a
1702	B-6
1703	B-5
1704	B-4
1705	B-3
1706	B-2
1707	B-21
1801	B34-34a
1802	B-1
1803	B-20
1804	B-38
1805	B-27
1806	B-26
1807	B-22

D. The following are limited common elements appurtenant to all of the commercial apartments.

- (1) That certain portion of the land area and the walkway-entrance way immediately adjacent to commercial apartment no. 101 on the ground floor.
- (2) Central and appurtenant installations for service such as power, light, water and air conditioning servicing the commercial apartments or limited common elements appurtenant thereto, together with all tanks, ducts, pumps, motors, fans and apparatus used in connection therewith.
- (3) All parking spaces on parking "C"; parking stalls 25 through 30, inclusive, on parking deck "D"; and parking stalls 14 through 24, inclusive, on parking deck "D".
- (4) Elevator machine room and pit for Elevator 3, Elevator 3, Elevator foyer for Elevator 3, stairway no. 3, and the hallway--corridor on floor nos. 2 and 3.

E. The following are limited common elements appurtenant to certain commercial apartments:

- (1) The toilet facilities and utility room on the 2nd floor are for the exclusive use of commercial apartments 201 through 207.
- (2) The area designated as "future corridor" on the 2nd floor is for the exclusive use of commercial apartments 201 through 207.
- (3) The toilet facilities on the 3rd floor are for the exclusive use of commercial apartments 301 through 306.
- (4) The corridor on the 3rd floor is for the exclusive use of commercial apartments 301 through 306.

OWNERSHIP TO TITLE: The Developer has submitted, as part of this registration, a Lien Letter dated October 8, 1960 prepared by the licensed abstractor, Title Guaranty of Hawaii, Incorporated, a Hawaii corporation. The title search document verifies that the title is vested in Kapiolani Bel-Aire Development Corporation, a Hawaii corporation.

ENCUMBRANCES AGAINST TITLE: The October 8, 1968 report discloses the following: Covenant that Lot 87 shall not be devoted to or used in the theater business for a period of ten (10) years from and after September 4, 1959, except with the permission of William A. Forman or his assignee, Consolidated Amusement Company, Limited, as set forth in Deed dated December 15, 1959, filed as Document No. 243939 and clarified by Land Court Order No. 24288, filed June 1, 1965. Covenant that Lot 37 shall not be devoted to or used in the theater business (as noted above), and set forth in Deed dated October 12, 1960, filed as Document No. 283190 and clarified by Land Court Order No. 24288, filed June 1, 1965. Covenants in Deeds dated August 12, 1967 and May 23, 1968, filed as Documents Nos. 424413 and 445155, respectively. Mortgage - made by Kapiolani Bel-Aire Development Corporation, a Hawaii corporation, to American Savings & Loan Association for the sum of \$2,387,000.00, dated September 27, 1968, filed as Document No. 455711. Improvement Assessment - Improvement District No. 153, Pawa Kai (a) Assessment Lot No. 20: Balance \$35,787.09, Interest (6%-20 installments) \$2,147.23, 8th Installment \$2,752.03, Total due May 1, 1969 - \$4,900.08, (b) Assessment Lot No. 17: Balance \$33,462.03, Interest (6% - 20 installments) \$2,007.72, 8th Installment \$2,574.00, Total due May 1, 1969 - \$4,581.72. Real Property Taxes for Fiscal Year - July 1, 1968 through June 30, 1969 are now a lien.

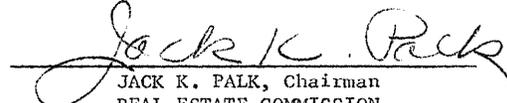
STATUS OF PROJECT: A building contract, Standard Form of Agreement Between Owner and Contractor (AIA Document A101), was executed August 30, 1968, identifying Reed and Martin, Inc., as the contractor. A Performance Bond and a Labor and Material Payment Bond has been submitted as part of the registration. Construction commenced on or about October 1, 1968 with the completion date for occupancy established as October 1, 1969.

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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 2, 1967 and additional information, reciting material changes, subsequently filed as late as November 14, 1968.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 201 filed with the Commission on October 2, 1967.

The report, when reproduced, shall be a true copy of the Commission's public report. The paper stock in processing facsimiles must be white.

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

REB:km

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ESCROW AGENT

December 12, 1968  
Registration No. 201