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

# PRELIMINARY
# HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

THE LAKESHORE TOWER
2920 Ala Ilima Street
Honolulu, Hawaii

REGISTRATION NO. 207

## 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.**

Issued: October 7, 1968
Expires: November 7, 1969

SPECIAL ATTENTION

A comprehensive reading of this 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 MAY 8, 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. THE LAKESHORE TOWER is a proposed fee simple condominium project consisting of ninety-six (96) dwelling units arranged throughout a single sixteen-story residential apartment building. One hundred and seventy-eight (178) parking stalls are available.

2. 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 Preliminary Public Report.

3. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a copy of the approved Floor Plans) have not been filed in the office of the recording officer.

4. No advertising or promotional matter has been submitted pursuant to 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 Regime.

6. This Preliminary Public Report automatically expires thirteen (13) months after date of issuance, October 7, 1968, unless a Supplementary Public Report issues or the Commission, upon review of registration, issues an order extending the effective period of this report.

NAME OF PROJECT: THE LAKESHORE TOWER

LOCATION: The approximate 85,708 square feet, in fee simple, to be committed to the regime is situate in the twenty-nine hundred block of Ala Ilima Street in Moanalua, Honolulu, Island of Oahu, Hawaii.

TAX KEY: FIRST DIVISION 1-1-62-19, 20, 21, 22, 23, 31, 32 and 33

ZONING: Medium Density Apartment Type "C"
100% Density (enclosed area)

DEVELOPER: Pacific Condominium Corporation, Moanalua Shopping Center, Honolulu, Hawaii. Telephone 426-030. A Hawaii corporation registered with the Department of Regulatory Agencies, State of Hawaii, on May 25, 1967. The officers are:

| | | |
|---|---|---|
| Earl John Hanson | President and Director | Quarters "P" Ford Island<br>Pearl Harbor, Hawaii |
| Bruce L. Bitler | Vice President & Director | 99-119 Holo Place<br>Aiea, Honolulu, Hawaii |
| Jean F. Hanson | Secretary | Quarters "P" Ford Island<br>Pearl Harbor, Hawaii |
| Helen Ho Bitler | Director | 99-119 Holo Place<br>Aiea, Honolulu, Hawaii |

ATTORNEY REPRESENTING DEVELOPER: Sterry & Mah (Attention: Mr. Stanley S. Mah), Suite 400, Capital Investment Building, 850 Richards Street, Honolulu, Hawaii. Telephone 504-481.

DESCRIPTION: The specimen Enabling Declaration Establishing a Plan for Condominium Ownership reflects that the project is to consist of ninety-six (96) separately designated and legally described freehold estates, arranged throughout the sixteen (16) floors, consisting of the spaces or areas, being the area or space contained in the perimeter walls of each of the apartment units in this multifamily structure constructed on said property, said space defined and referred to in the Declaration as "apartment spaces."

All apartments are identical containing two bedrooms, two baths, a kitchen, dining-living room, closets and a lanai. The enclosed apartment area is approximately 870 square feet and the lanai area is approximately 100 square feet. The apartments are numbered with the number of the floor followed by an "0" and final digit indicating the number of the apartments on each floor, as follows:

| | |
|---|---|
| First Floor | 101 through 106, both inclusive |
| Second Floor | 201 through 206, both inclusive |
| Third Floor | 301 through 306, both inclusive |
| Fourth Floor | 401 through 406, both inclusive |
| Fifth Floor | 501 through 506, both inclusive |
| Sixth Floor | 601 through 606, both inclusive |
| Seventh Floor | 701 through 706, both inclusive |
| Eighth Floor | 801 through 806, both inclusive |
| Ninth Floor | 901 through 906, both inclusive |
| Tenth Floor | 1001 through 1006, both inclusive |

| | |
|---|---|
| Eleventh Floor | 1101 through 1106, both inclusive |
| Twelfth Floor | 1201 through 1206, both inclusive |
| Fourteenth Floor | 1401 through 1406, both inclusive |
| Fifteenth Floor | 1501 through 1506, both inclusive |
| Sixteenth Floor | 1601 through 1606, both inclusive |
| Seventeenth Floor | 1701 through 1706, both inclusive |

There is no Thirteenth Floor in this building. The immediate common element to which each apartment has access is the access lanai.

COMMON ELEMENTS: The specimen Declaration reflects that a freehold estate consisting of the remaining portion of the real property is described and referred to in the enabling document as the "common areas and facilities" which definition includes the multifamily structure and the property upon which it is located, and specifically includes, but is not limited to (a) the foundations, mean walls, roofs, halls, lobbies, stairways, lanais (subject to the exclusive users of individual apartment owners whose apartments abut upon such lanais) and entrances, exits or communication ways; (b) the basement, flat roofs, yards, grounds, swimming pool and parking areas, subject to the exclusive right of user of apartment space by each apartment owner and to such other exclusive users of parking spaces as Developer/Owner shall allot; (c) the compartments or installation of essential services such as power, light, gas, cold and hot water, refrigeration, reservoirs, water tanks and pumps, or the like; and (d) the elevator, garbage incinerator, and in general all other devices or installations existing for common use and all other devices or installations existing for or rationally of common use or necessary to the existence, upkeep and safety of the building.

LIMITED COMMON ELEMENTS: The specimen Declaration states that a portion of the common areas and facilities is set aside and allocated for the restricted use of the respective "apartment spaces," and is as designated and as shown on the condominium map to be filed in the office of the recording officer, and said areas shall be known as "restricted common areas and facilities."

The restricted common areas and facilities allocated for the restricted uses of "family units" are as follows: Parking spaces as designated on said condominium map by number corresponding to the number of apartments to which they are pertinent shall be appurtenant to and for the exclusive use of such apartment.

> Note: For the purpose of the Declaration the ownership of each "apartment space" shall include the respective undivided interest in the common areas and facilities as specified under the topical heading Interest to be Conveyed Purchaser, immediately below, and each "apartment space" together with the undivided interest is defined and referred to in the specimen Enabling Declaration as a "family unit."

INTEREST TO BE CONVEYED PURCHASER: The undivided interest in the "common areas and facilities" established by the Declaration conveys with each respective apartment space an undivided 1/96th interest in the project. The above undivided interest established and to be conveyed with the respective "apartment spaces" as above, cannot be changed, and the Developer/Owner covenants and agrees that the undivided interest in the "common areas and facilities" and the fee titles to the respective "apartment spaces" conveyed, shall not be separated or separately conveyed, and each said undivided interest shall be deemed to be conveyed or encumbered with its respective "apartment space" even though the description in the instrument of conveyance or encumbrance may refer only to the fee title to the "apartment space."

The proportionate shares of the separate owners of the respective "family units" in the profits and common expenses in the "common areas and facilities" as well as their proportionate representation for voting purposes in the Association of Apartment Owners is 1/96th undivided interest.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The specimen Declaration states that the "apartment spaces" shall be occupied and used by the respective owners only as a private dwelling for the owner, his family, tenants and social guests and for no other purposes.

OWNERSHIP TO TITLE: The Notice of Intention reflects that ownership to title to land is vested in International Development Company, a registered limited partnership consisting of Clarence Thing Chock Ching (husband of Dorothy Tom Ching); Thomas Awai, widower; and Fong Ting Mau (husband of Rose Yet Kui), General Partners. The title evidence report prepared May 24, 1968 by the Abstractor, Title Guaranty of Hawaii, a Hawaii corporation, verifies that the above-mentioned vestee has title.

ENCUMBRANCES AGAINST TITLE: The title search report identifies the following:

| | | |
|---|---|---|
| Lots: | 2125, area 11,201 square feet | 2129, area 11,478 square feet |
| | 2126, area 10,214 square feet | 2130, area 10,180 square feet |
| | 2127, area 12,533 square feet | 2131, area 10,000 square feet |
| | 2128, area 10,102 square feet | 2133, area 10,000 square feet |

as shown on Map 314, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1074. Being portions of lands described in Transfer Certificate of Title No. 106, 254 issued to the title holders, General Partners of International Development Company. Together with rights of way appurtenant to the premises for roadway purposes to be used in common with all others entitled thereto over and across Roadway Lots 2147, 2148 and 2149 as shown on Map 314, filed with said Land Court Application No. 1074.

The title search report certifies that records reveal no liens or encumbrances against said title, save and except the following:

1. Reservation unto the Trustees under the Will and of the Estate of Samuel M. Damon, deceased, all artesian and other underground water and rights thereto appurtenant to said premises, as reserved in the Deed dated October 7, 1965, filed as Document No. 372554.
2. Mortgage dated October 14, 1965 filed as Document No. 372555, made by Clarence Thing Chock Ching, Thomas Awai and Fong Ting Mau, General Partners of International Development Company, a registered limited partnership to Mutual Benefit Life Insurance Company, for the sum of $2,500,000.00 on the lands under search, besides other lands.
3. Consolidation Agreement dated October 14, 1965, filed as Document No. 372558, the above mortgage was consolidated together with other mortgages.
4. Second Mortgage dated October 14, 1965, filed as Document No. 372559, made by Clarence Thing Chock Ching, et als, General Partners of International Development Company to Hawaiian Dredging Construction Co., Ltd., now known as Dillingham Corporation, for the sum of $11,000,000.00 on the land under search, besides other lands.
5. Restrictive Covenants set forth in that certain instrument dated November 23, 1965, filed as Document No. 375914; as amended per Document No. 377276 dated December 14, 1965.
6. Taxes: Real Property Taxes for Year 1968 are now a lien.
7. Easement 481 for transformer vault and underground electric cable purposes under and across Lots 2127 and 2128, as shown on Map 314, as set forth by Land Court Order No. 24900, filed November 9, 1965.
8. Grant in favor of Hawaiian Electric Company, Inc. and Hawaiian Telephone Company, granting easement for utilities within said Easement 481 within Lots 2127 and 2128, dated January 28, 1966, filed as Document No. 381416.
9. As to Lots 2125 and 2126:
   Agreement of Sale in favor of BIAN SINN LING (husband of Elsie Leong Ling) dated December 29, 1965, filed as Document No. 379917 to sell Lot 2125, and Document No. 379018, to sell Lot 2126.
   Assignment of Agreement of Sale dated April 4, 1968, filed as Land Court Document No. 442819, from BIAN SINN LING (husband of Elsie Leong Ling) to said THELMA CHUN-HOON ZEN (wife of Harry Zen, Trustee for Susan Mew Lin Mau), CHUCK MAU (husband of Karen Chun-Hoon Mau), and GORDON JAMES MAU (unmarried); assign Agreement of Sale filed as Document No. 379017, covering Lot 2125, and Agreement of Sale filed as Document No. 379018, covering Lot 2126. Consent filed as Document No. 442820.
10. As to Lots 2127 and 2128:
    Agreement of Sale in favor of HENRY CHUN-HOON and CHUCK MAU, dated February 10, 1966, filed as Document No. 382888, to sell Lot 2127 and Agreement of Sale filed as Document No. 382889, to sell Lot 2128.

Assignment of Agreement of Sale dated April 4, 1968, filed as Land Court Document No. 442817, from HENRY CHUN-HOON and CHUCK MAU to THELMA CHUN-HOON ZEN (wife of Harry Zen, Trustee for Susan Mew Lin Mau), CHUCK MAU (husband of Karen Chun-Hoon Mau), and GORDON JAMES MAU (unmarried); assign Agreement of Sale filed as Document No. 382888 covering Lot 2127, and Agreement of Sale filed as Document No. 328889 covering Lot 2128. Consent filed as Document No. 442818.

11. As to Lots 2129 and 2130:
Agreement of Sale in favor of RICHARD YOSHIO HASEGAWA and EDITH MITSUKO HASEGAWA (husband and wife) as Tenants by the Entirety, dated December 27, 1967, filed as Document No. 378505, to sell Lot 2129, and filed as Document No. 378506, to sell Lot 2130.

12. As to Lot 2131:
Agreement of Sale in favor of WILBERT SANDERSON HOLCK and CHISATO HOLCK (husband and wife) as Tenants by the Entirety, dated January 18, 1966, filed as Document No. 381410, to sell Lot 2131.

13. As to Lot 2133:
Agreement of Sale in favor of WILFRED HARK CHOON YOUTH and TSUYUKO YOUTH (husband and wife) as Tenants by the Entirety, dated December 21, 1965, filed as Document No. 378507, to sell Lot 2133.
Assignment of Agreement of Sale dated December 30, 1965, filed as Document No. 379362, from WILFRED HARK CHOON YOUTH and TSUYUKO YOUTH (husband and wife) assigns Agreement of Sale filed as Document No. 378507 covering Lot 2133 to GEORGE MITSURU KOGA and RUTH KIYOKO KOGA (husband and wife) as Tenants by the Entirety. Consent filed as Document No. 379363.

14. As to Lots 2125 to 2128 Inclusive:
Option Agreement dated April 26, 1968, filed as Document No. 443340, made by and between THELMA C. H. ZEN, CHUCK MAU, and GORDON JAMES MAU, as Optionors, and PACIFIC CONDOMINIUM CORPORATION, as Optionee: re an exclusive option to purchase Lots 2125 to 2128 inclusive.

15. As to Lots 2129 and 2130:
Option Agreement dated April 26, 1968, filed as Document No. 443343, made by and between RICHARD YOSHIO HASEGAWA and EDITH MITSUKO HASEGAWA, as Optionors, and PACIFIC CONDOMINIUM CORPORATION, as Optionee: re an exclusive option to purchase Lots 2129 and 2130.

16. As to Lot 2131:
Option Agreement dated April 26, 1968, filed as Document No. 443341, made by and between WILBERT SANDERSON HOLCK and CHISATO HOLCK, as Optionors, and PACIFIC CONDOMINIUM CORPORATION, as Optionee: re an exclusive option to purchase Lot 2131.

17. As to Lot 2133:
Option Agreement dated April 26, 1968, filed as Document No. 443342, made by and between GEORGE MITSURU KOGA and RUTH KIYOKO KOGA, as Optionors, and PACIFIC CONDOMINIUM CORPORATION, as Optionee: re an exclusive option to purchase Lot 2133.

Note: All options granted and described above shall remain in effect to and including the 30th day of April, 1969.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement identifies Hawaii National Bank, a National Banking Association, as the Escrow Agent. On examination the specimen Reservation of Apartment and executed Escrow Agreement are found to be in compliance with Chapter 170A, Revised Laws of Hawaii, and particularly Sec. 170A-33., and Sec. 170A-33.1 through 170A-33.5 as incorporated in the Horizontal Property Act through ACT 244 (L. 1967) effective June 6, 1967.

Among other provisions the reservation states that the Escrow Agent is authorized and directed to hold and disburse the money as follows: (1) in the event the Seller has not obtained a Final or Supplementary Report of the Real Estate Commission within one (1) year from the date of the issuance of this Preliminary Report permitting it to enter into Agreements of Sale, the payments shall be refunded to Purchaser without interest; (2) in the event there is a change in the condominium building plans subsequent to the execution of an Agreement of Sale, the payment shall be refunded to Purchaser without interest, unless Purchaser's written approval or acceptance of the specific change is obtained; (3) upon Purchaser exercising the right, given in the Reservation, the payment is to

be credited to the down payment on the purchase price; and (4) upon Purchaser's failure to exercise this right within the time set forth in the notice, then the payment is to be disbursed to the Seller.

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

ADMINISTRATION, MANAGEMENT AND OPERATIONS: The administration of the condominium shall be in accordance with the provisions of the Enabling Declaration, Establishing A Plan For Condominium Ownership, the By-Laws of the Association and shall be subject to the terms of a Regulatory Agreement executed by the Association and the Commissioner of the Federal Housing Administration. The By-Laws empower the Board of Directors with the authority to acquire and pay for the services of a person or firm to manage the Horizontal Property Regime. No property manager has been identified in the notice of intention to sell.

STATUS OF PROJECT: Construction drawings have been completed, but no building contract has been executed. The Developer advises that bid opening is established for November 1, 1968, and construction is tentatively planned to commence on or about December 1, 1968.

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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 May 8, 1968.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 207 filed with the Commission on May 8, 1968.

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

Y. Kashiwa

YUKIO KASHIWA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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

October 7, 1968
Registration No. 207