

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
THE MOORINGS
Hawaii Kai Drive
Kuapa Pond
Honolulu, Hawaii

REGISTRATION NO. 210

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: October 3, 1968
Expires: November 3, 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 JUNE 21, 1968 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED ON August 29, 1968. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW AND AMENDMENTS THERETO BY ACT 244 (L. 1967) EFFECTIVE JUNE 6, 1967.

1. The Developer has complied with Sec. 170A-13.6, R.L.H., and has fulfilled the requirements for the issuance of a Final Public Report prior to completion of construction.
2. THE MOORINGS is a proposed leasehold townhouse condominium project consisting of sixty-four (64) dwelling units arranged throughout nine (9) detached buildings of two (2) floors each. There are one hundred twenty-eight (128) parking stalls for apartment occupants and sixty-six (66) parking stalls available for guests.
3. Advertising and promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.

4. 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 and effective June 6, 1967) and the Condominium Rules and Regulations which relate to Horizontal Property Regime.
5. This Final Public Report is made a part of the registration on THE MOORINGS condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed copy of the Receipt for the Final Horizontal Property Regime Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.
6. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the condominium project and the issuance of this Final Public Report.
7. The Developer reports that the basic documents (Declaration of Horizontal Property Regime, with By-Laws of the Association of Apartment Owners attached, and a copy of the approved Floor Plans) have been filed in the office of the recording officer. Said Declaration and By-Laws are recorded starting at Book 6203, Page 210 at the Bureau of Conveyances.
8. This Final Public Report expires thirteen (13) months from the date of issuance, unless a supplementary report is published or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: THE MOORINGS

LOCATION: The 236,597 sq. ft. (5.43+ acres) of filled land committed to the project is situate on the ewa (West) side of Hawaii-Kai Drive, at Maunaloa, Honolulu, Oahu, Hawaii, as shown on F. P. 1073.

TAX KEY: First Division 3-9-29-76.

ZONING: Apartment District B.

DEVELOPER: Kaiser Hawaii-Kai Development Co.
7120 Kalaniana'ole Highway, Honolulu, Hawaii

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ATTORNEY REPRESENTING DEVELOPER: Damon, Shigekane Char (Attention: Henry Shigekane, Esq.) Suite 701, 333 Queen Street, Honolulu, Hawaii, telephone 566-188.

DESCRIPTION: The plan is to build sixty-four (64) dwelling units in nine (9) two-story residential buildings constructed principally of wood, stucco and concrete tile. Apartments 1 through 6 inclusive are located on the first and second floors of Building No. 1. Apartments 7 through 14 inclusive are located on the first and second floors of Building No. 2. Apartments 15 through 22 inclusive are located on the first and second floors of Building No. 3. Apartments 23 through 28 inclusive are located on the first and second floors of Building No. 4. Apartments 29 through 40 inclusive are located on the first and second floors of Building No. 5. Apartments 41 through 46 inclusive are located on the first and second floors of Building No. 6. Apartments 47 and 48 are located on the first and second floors of Building No. 7. Apartments 49 through 56 inclusive are located on the first and second floors of Building No. 8. Apartments 57 through 64 inclusive are located on the first and second floors of Building No. 9.

Each apartment contains the number of rooms and approximate gross covered floor area according to the drawing entitled "Typical Unit" on said Condominium File Plan and as further described: Each such apartment (1 - 64 inclusive) contains nine rooms, including three bedrooms, two and one-half baths, and a floor area of 1,332 sq. ft.

Each apartment has a courtyard and a ground and second floor lanai as shown on its respective plan, which plans are designated A, B, C, D, E, F, G and H as follows: A - Forty-Four (44) apartments (#1 through 6 inclusive, 15 through 21 inclusive, 23-31 and 33-39, 43, 44, 47 and 49 through 60 inclusive) have a ground floor lanai area of at least 190 sq. ft., second floor lanai area of at least 76 sq. ft., and courtyard area of 284 sq. ft. B - One (1) apartment (#40) has a ground floor lanai area of at least 136 sq. ft., second floor lanai area of at least 76 sq. ft., and courtyard area of 284 sq. ft. C - One (1) apartment (#41) has a ground floor lanai area of at least 95 sq. ft., second floor lanai area of at least 76 sq. ft., and courtyard area of 262 sq. ft. D - One (1) apartment (#42) has a ground floor lanai area of at least 135 sq. ft., second floor lanai area of at least 76 sq. ft., and courtyard area of 262 sq. ft. E - One (1) apartment (#48) has a ground floor lanai area of at least 142 sq. ft., second floor lanai area of at least 72 sq. ft., and courtyard area of 284 sq. ft. F - Fourteen (14) apartments (#61 through 64 inclusive, 45, 46 and 7 through 14 inclusive) have a ground floor lanai area of at least 190 sq. ft., second floor lanai area of at least 76 sq. ft., and courtyard area of 262 sq. ft. G - One (1) apartment (#22) has a ground floor lanai area of at least 170 sq. ft., second floor lanai area of at least 76 sq. ft., and courtyard area of 284 sq. ft. H - One (1) apartment (#32) has a ground floor lanai area of at least 174 sq. ft., second floor lanai area of at least 76 sq. ft., and courtyard area of 284 sq. ft.

Each apartment has immediate access to the walkways and driveways connecting its building to the roads of the project which give access to a public street.

The respective apartments shall not be deemed to include the 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 or service lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements as hereinafter provided. Each apartment shall be deemed to include the adjacent storage areas, if any, and privacy areas designated on said Condominium File Plan by the same number as each apartment, all the walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors, and ceilings, and all fixtures originally installed therein including stove, exhaust fan, garbage disposal, and hot water heater.

COMMON ELEMENTS: One (1) freehold estate is designated in all remaining portions and appurtenances of the project, called the "common elements," including specifically but not limited to: (a) Said land in fee simple; (b) All foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter and load-bearing walls and roofs of the residential buildings; (c) All yards, grounds and landscaping (exclusive of privacy areas); the swimming pool and other recreational facilities; the one-story recreation center, constructed principally of reinforced concrete floor and block walls and wood roof, as shown on said Condominium File Plan; all refuse facilities; and all docks and mooring facilities owned by the Association, whether within or appurtenant to the project; (d) All roads, parking

areas, driveways and walkways (not within designated privacy or limited common areas); (c) All ducts, electrical equipment, wiring, pipes and other central and appurtenant transmission facilities and installations over, under and across the project which serve more than one apartment for services such as power, light, water, gas, sewer, telephone and radio and television signal distribution; (f) The parking stalls designated on said Condominium File Plan with the letter "G," which shall be for the use of guests; (g) Any and all other apparatus and installation of common use and all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, called the "limited common elements," are hereby designated and set aside for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto easements for the use of such limited common elements as follows: (a) Two (2) parking stalls per apartment each designated on said Condominium File Plan by the number corresponding to the appurtenant apartment number, which shall be for the exclusive use of such apartment; (b) The walkways connecting each apartment or set of apartments to the main walkways insofar as such walkways are not within the privacy area of such apartments. Such walkways shall be for the exclusive use of those apartments to which connected; (c) The slope and marina access areas appurtenant to certain apartments, which areas are designated by numbers corresponding to the appropriate apartment(s) on said Condominium File Plan and are for the exclusive use of such apartments; (d) The entry lights mounted to the brick wall appurtenant to each apartment, which shall be for exclusive use of the apartment to which appurtenant; (e) The mailboxes belonging to each apartment, which shall be for the exclusive use of the apartment to which they belong.

INTEREST TO BE CONVEYED PURCHASER: Each apartment shall have appurtenant thereto an undivided 1/64th (1.5625%) interest in all common elements of the project and the same proportionate share in all common profits and expenses of the project and for all other purposes including voting.

PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE: The apartments shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, domestic servants and social guests, and for no other purpose. The apartment shall not be rented for transient or hotel purposes, which are defined as (a) rental for any period less than thirty (30) days, or (b) any rental in which the occupants of the apartment are provided customary hotel services such as room service for food and beverage, maid service, laundry and linen or bellman service. Except for such transient or hotel purposes, the owners of the respective apartments shall have the absolute right to lease such apartments subject to all the provisions of the Declaration of Horizontal Property Regime.

OWNERSHIP TO TITLE: The Notice of Intention states the ownership to title is vested in the Trustees Under the Will and of the Estate of Bernice Pauahi Bishop, Deceased. The title evidence report prepared June 5, 1968 by Long & Melone, Ltd., a Hawaii corporation, verifies that the vestee is as designated above.

ENCUMBRANCES AGAINST TITLE: The title search report identifies the following as of June 5, 1968: Reservation in favor of the Hawaiian government of all mineral and metallic mines of every description. Taxes - taxes due on the land under search as of June 5, 1968. A Mortgage and Financing Statement to the Bank of Hawaii dated June 19, 1968 and Consent thereto by Bishop Estate were placed on record subsequently. File Plan 1073, dated August 23, 1968, supersedes File Plan 885 mentioned in the Certificate of Title. It reflects the same land area and boundaries as shown in File Plan 885, but in addition it shows the various utility easements needed to serve the project.

On August 16, 1968 the Developer gave the Commission notice that it was requesting Bank of Hawaii to advise the Commission by letter confirming the fact that at the time a purchaser closes his mortgage and the lease for his apartment is delivered to him by Kaiser Hawaii-Kai, the interim mortgagee will issue a partial release from the Mortgage and Financing Statement (Book 6118, pages 432-446) so that the apartment purchaser will take title to his apartment free and clear of such encumbrance.

Bank of Hawaii, the interim mortgagee on THE MOORINGS, advised the Commission on August 19, 1968 that it will give a partial release from the interim mortgage of each apartment at the time the apartment lease therefor is delivered by the

Developer and upon receipt of the proceeds of the sale of each such apartment lease by the interim mortgagee. The Commission accepts this arrangement as fulfilling the requirements of Section 170A-14, Revised Laws of Hawaii 1955 (as amended).

Declaration of Protective Provisions, as executed by Kaiser Hawaii-Kai Development Co. and the Trustees Under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, is a pact setting forth restrictions, covenants, and conditions pertaining to the marina that are of specific and personal interest to all purchasers and prospective purchasers. Said Declaration is dated August 3, 1968 and recorded in the Bureau of Conveyances at Book 6203, page 195.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement, made June 17, 1968, identifies the Bank of Hawaii, a Hawaii corporation, as the Escrow Agent. On examination the specimen Sales Agreement and executed Escrow Agreement are found to be in compliance with Chapter 170A, Revised Laws of Hawaii 1955 (as amended), and particularly Sec. 170A-33. and Sec. 170A-33.1 through Sec. 170A-33.5 as incorporated in the Horizontal Property Act through ACT 244 (L. 1967) effective June 6, 1967.

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

MANAGEMENT AND OPERATIONS: The declarant discloses that the administration of the project shall be vested in the Association of Apartment Owners. The proposed By-Laws of the Association place the responsibility of employing a responsible Hawaii corporation as Managing Agent to manage and control the project, subject at all times to direction by the Board. An executed agreement has been submitted as part of the registration and Aaron M. Chaney, Inc. is identified as the managing agent.

STATUS OF PROJECT: In the Notice of Intention, the Developer advised the Commission that on April 29, 1968 off-site improvement work commenced. It is estimated that off-site improvements will be completed on or about September 7, 1968. Executed contract forms have been filed, and the Contractor who is to construct the buildings is identified as Bengé Corporation and Snow & Ota Builders, Inc., a Joint Venture.

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 June 20, 1968 and additional information subsequently filed as of August 29, 1968.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 210 filed with the Commission June 20, 1968.

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



YUKIO KASHIWA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

REB:km

Distribution:

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

October 3, 1968
Registration No. 210

