

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
KUAPA ISLE
Extension of Opihikao Place
Kuapa Pond
Honolulu, Hawaii

REGISTRATION NO. 236

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: December 24, 1968

Expires: January 24, 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 and prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED NOVEMBER 12, 1968. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF HIS 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. KUAPA ISLE is a proposed leasehold condominium project consisting of two hundred thirty-four (234) dwelling units arranged throughout one hundred seventeen (117) detached duplex buildings of one (1) and two (2) floors. Each unit will have a carport with two parking spaces.
2. The Developer of the project has submitted to the Commission for examination all documents and exhibits deemed necessary for the registration of a condominium project and issuance of this Preliminary Public Report, except for some particular requirement, or requirements, which can be expected to be completed as part of this registration.
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 Preliminary Public Report automatically expires thirteen (13) months after date of issuance, December 24, 1968, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this project.

NAME OF PROJECT: KUAPA ISLE

LOCATION: The 21.968 acres of filled land and 3.614 acres of adjoining waterway committed to the project are situated within Kuapa Pond and at the end of Opihikao Place, at Maunaloa, Honolulu, Oahu, Hawaii. Kuapa Isle adjoins and has access to Opihikao Place, a public highway.

TAX KEY: FIRST DIVISION 3-9-08;por. of 1

ZONING: Unrestricted Residential

DEVELOPER: Kuapa Land Company is a joint venture composed of the following:

Aloha State Developers, Inc.
1150 South King Street
Honolulu, Hawaii

Officers

Richard T. Hirano	President
Fred M. Hirano	Vice President
Herbert H. Hirano	Secretary & Treasurer

Directors

Richard T. Hirano
Fred M. Hirano
Herbert H. Hirano

Lewers & Cooke, Inc.
550 Paiea Street
Honolulu, Hawaii

Officers

M. Ulyshen	President
J. W. Lovell	Executive Vice
	President - Marketing
R. G. Rietow	Executive Vice
	President -
	Development
F. Lander	Vice President -
	Operations
J. Hulten, Jr.	Secretary
K. A. Rhodes	Treasurer
J. C. Kennedy	Comptroller
R. I. Oshiro	Assistant Treasurer
A. W. Teichmeier	Assistant Treasurer
J. J. Clarson	Assistant Treasurer
R. C. Longmire	Assistant Secretary
C. E. Straight	Assistant Secretary
W. S. Hogarty	Assistant Secretary
N. J. Tomczak	Assistant Secretary

Directors

M. Ulyshen	R. G. Rietow
J. W. Lovell	A. W. Teichmeier
	V. O. Bortz

A development agreement dated December 22, 1965 made by Lewers & Cooke, Inc., 550 Paiea Street, Honolulu, Hawaii, as Buyer, and Kaiser Hawaii-Kai Development Co., as Seller, has been submitted to the Commission for examination and as part of this registration.

ATTORNEY REPRESENTING DEVELOPER: Okumura and Takushi (Attention: Mr. James Funaki), 1022 Bethel Street, Honolulu, Hawaii, telephone 561-791.

DESCRIPTION: The plan is to build two hundred thirty-four dwelling units in 117 duplex one and two-story residential buildings constructed principally of wood and concrete tile.

The location within the residential buildings, the number of stories and the house plan of each of the dwelling units (herein referred to as "apartments") are as follows:

<u>Building No.</u>	<u>Apartment Nos.</u>	<u>No. of Stories</u>	<u>Plan</u>
1	11 & 12	1	3L & 3R
2	21 & 22	1	5
3	31 & 32	2	2
4	41 & 42	1	3L & 3R
5	51 & 52	1	5
6	61 & 62	2	8
7	71 & 72	1	3L & 3R
8	81 & 82	1	5
9	91 & 92	1	3L & 3R
10	101 & 102	1	5
11	111 & 112	1	5
12	121 & 122	1	5
13	131 & 132	1	5
14	141 & 142	2	7
15	151 & 152	2	8
16	161 & 162	2	2
17	171 & 172	2	7
18	181 & 182	2	2
19	191 & 192	2	8
20	201 & 202	1	5
21	211 & 212	1	3L & 3R
22	221 & 222	1	5
23	231 & 232	2	2
24	241 & 242	2	7
25	251 & 252	2	8
26	261 & 262	2	7
27	271 & 272	2	8
28	281 & 282	2	2
29	291 & 292	2	8
30	301 & 302	2	2
31	311 & 312	2	8
32	321 & 322	1	5
33	331 & 332	1	5
34	341 & 342	2	7
35	351 & 352	2	2
36	361 & 362	2	8
37	371 & 372	2	2
38	381 & 382	2	8
39	391 & 392	2	7
40	401 & 402	2	8
41	411 & 412	1	3L & 3R
42	421 & 422	1	3L & 3R
43	431 & 432	2	8
44	441 & 442	2	7
45	451 & 452	2	8
46	461 & 462	2	8
47	471 & 472	1	5
48	481 & 482	2	7
49	491 & 492	2	8
50	501 & 502	2	8
51	511 & 512	2	7
52	521 & 522	2	7
53	531 & 532	2	8
54	541 & 542	2	2
55	551 & 552	2	8

<u>Building No.</u>	<u>Apartment Nos.</u>	<u>No. of Stories</u>	<u>Plan</u>
56	561 & 562	2	7
57	571 & 572	2	8
58	581 & 582	2	7
59	591 & 592	2	7
60	601 & 602	2	8
61	611 & 612	2	2
62	621 & 622	2	8
63	631 & 632	2	8
64	641 & 642	2	7
65	651 & 652	1	3L & 3R
66	661 & 662	1	3R & 3L
67	671 & 672	1	5
68	681 & 682	1	3R & 3L
69	691 & 692	1	5
70	701 & 702	2	2
71	711 & 712	2	7
72	721 & 722	2	8
73	731 & 732	2	8
74	741 & 742	1	5
75	751 & 752	1	5
76	761 & 762	2	7
77	771 & 772	2	8
78	781 & 782	1	5
79	791 & 792	1	5
80	801 & 802	2	8
81	811 & 812	2	5
82	821 & 822	2	8
83	831 & 832	2	7
84	841 & 842	1	5
85	851 & 852	1	5
86	861 & 862	2	8
87	871 & 872	2	7
88	881 & 882	2	8
89	891 & 892	2	7
90	901 & 902	2	2
91	911 & 912	2	7
92	921 & 922	2	7
93	931 & 932	2	8
94	941 & 942	2	2
95	951 & 952	1	5
96	961 & 962	2	8
97	971 & 972	2	2
98	981 & 982	2	8
99	991 & 992	2	7
100	1001 & 1002	2	2
101	1011 & 1012	2	2
102	1021 & 1022	2	8
103	1031 & 1032	2	2
104	1041 & 1042	1	5
105	1051 & 1052	1	3L & 3R
106	1061 & 1062	2	8
107	1071 & 1072	2	2
108	1081 & 1082	2	7
109	1091 & 1092	2	8
110	1101 & 1102	2	7
111	1111 & 1112	2	7
112	1121 & 1122	2	8
113	1131 & 1132	2	8
114	1141 & 1142	2	8
115	1151 & 1152	2	7
116	1161 & 1162	2	8
117	1171 & 1172	2	7

Each apartment contains the number of rooms and approximate gross covered floor area according to its respective plan, each such plan being designated 2, 3L, 3R, 5, 7 and 8, as follows:

Plan 2 contains nine rooms including three bedrooms, 2-1/2 baths, and floor area of 1,382 square feet. (Thirty-six apartments)

Plan 3L contains seven rooms including three bedrooms, 2 baths and floor area of 1,250 square feet. (Eleven apartments)

Plan 3R contains seven rooms including three bedrooms, 2 baths and floor area of 1,260 square feet. (Eleven apartments)

Plan 5 contains seven rooms, including three bedrooms, 2 baths and floor area of 1,164 square feet. (Forty-six apartments)

Plan 7 contains nine rooms including three bedrooms, 3 baths and floor area of 1,557 square feet. (Fifty-four apartments)

Plan 8 contains nine rooms including three bedrooms, 2-1/2 baths and floor area of 1,518 square feet. (Seventy-six apartments)

Each apartment has immediate access to the walkways and driveways connecting its building to the street entrances of the project.

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 disposer and hot water heater. Each respective apartment owner shall be responsible for the neat and orderly maintenance, repair and upkeep of said privacy areas, and in the event such apartment owner fails to so maintain such area at a level and scheme generally consistent with the maintenance of the common elements by the Association of Apartment Owners, as determined by the Board of Directors, or according to standards to be established by said Association, the Association may provide the necessary maintenance and the cost of such maintenance shall be assessed against the apartment upon which such maintenance is done and shall be added to and become a part of the assessment to which such apartment is subject.

COMMON ELEMENTS: Including specifically but not limited to: (a) Said land in fee simple (fee simple land is committed to the horizontal property regime but purchasers will get leasehold interest); (b) All foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter, partition and load-bearing walls and roofs of the residential buildings; (c) All yards, grounds and landscaping (exclusive of privacy area), the swimming pool and other recreational facilities; the community center building; all refuse facilities; all docks and mooring facilities, whether within or appurtenant to the project; and the waterway lot within the project; (d) All roads, parking areas, bridges, driveways and walkways (not within designated privacy areas) which are rationally of common use by all apartment owners; (e) All ducts, electrical equipment, wiring, pipes and other central and appurtenant transmission facilities and installations running within said land and to and through the buildings and/or carports for services such as power, light, water, gas, sewer, telephone and radio and television signal distribution; (f) Any and all other apparatus and installations of common use and all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use; (g) Waterway lot (3.614 acs.) being portion of the project and designated as Lot 3 of File Plan 1083.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, called "limited common elements" are 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 consisting of a carport with two parking spaces designated on the Condominium Map by the same number as each apartment, and consisting of the walkways connecting each apartment to its other limited common elements, insofar as such walkways are not within the privacy area of such apartment, which walkways shall be for the exclusive use of such apartments.

INTEREST TO BE CONVEYED PURCHASER: Each apartment shall have appurtenant thereto an undivided .42735+ percentage 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 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 bellboy service. Except for such transient or hotel purposes, the owners of the respective apartments shall have 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 Trustees Under the Will and of the Estate of Bernice Pauahi Bishop, Deceased. The title evidence report prepared by Title Guaranty of Hawaii, Inc. November 13, 1968, a Hawaii corporation, verifies that the vestee is as designated above.

ENCUMBRANCES AGAINST TITLE: The title search report identifies the following as of November 13, 1968: Reservation in favor of the Hawaiian government of all mineral and metallic mines of every description as reserved in Royal Patent No. 4475;

Easements as to Lot 1:

- Easement 1 for roadway and utility purposes,
- Easement 2 for roadway and utility purposes,
- Easement 3 (10 feet wide) for sanitary sewer purposes,
- Easement 4 (10 feet wide) for sanitary sewer purposes,
- Easement 5 (10 feet wide) for drainage purposes;

Lien: Real property taxes for the fiscal year - July 1, 1968 through June 30, 1969. The report also identifies the property as all of those certain parcels of land situate, lying and being at Maunaloa, Honolulu, City and County of Honolulu, State of Hawaii, with an area of 3.614 acres, of the tract of land known as the "KUAPA ISLE, HAHAI-KAI MARINA UNIT 2-B," as shown on the Map thereof filed in the Office of the Registrar of Conveyances at Honolulu as File Plan No. 1083.

Developer's Agreement, dated December 22, 1965, by and between Lewers and Cooke, Inc. and Kaiser Hawaii-Kai Development Company is an encumbrance which the developer advises will be recorded at a later date.

Declaration of Protective Provisions, as executed November 11, 1968 by Kaiser Hawaii-Kai Development Company and the Trustees under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, recorded in the Bureau of Conveyances in Liber 6323 at page 357, is a pact setting forth restrictions, covenants, and conditions that are of specific and personal interest to all purchasers and prospective purchasers.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated October 24, 1968, identifies Title Guaranty Escrow Services, Inc., 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). The language in the specimen Sales Agreement illustrates compliance with the requirements of Sec. 170A-33.1 through 170A-33.5 as incorporated in the Horizontal Property Act through Act 244 (L. 1967) effective June 6, 1967. The Sales Agreement provides in part that the sale is in all respect made subject to the provisions of Sec. 170A-33.1 through 170A-33.5 which provides for Seller's filing of certain documents with the Real Estate Commission, the refunding of Purchaser's money under certain circumstances and the depositing of Purchaser's funds with an Escrow.

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. A specimen agreement has been submitted as part of the registration and Levers and Cooke, Inc., is identified as the managing agent.

STATUS OF PROJECT: The Developer advises the Commission that off-site improvement work commenced on November 15, 1968. It is estimated that off-site improvements will be completed on or about May 15, 1969.

FINANCING: The Honolulu Savings and Loan Company, Ltd. advised the Commission that it has committed to provide the interim construction financing and the individual apartment permanent financing.

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 November 12, 1968 and additional information subsequently filed as of December 23, 1968.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 236 filed with the Commission on November 12, 1968.

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



YUKIO KASHIWA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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December 24, 1968
Registration No. 236

