

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

1111 RICHARDS STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

## PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on  
2465 KUHIO AT WAIKIKI  
2465 Kuhio Avenue  
Honolulu, Hawaii 96815

REGISTRATION NO. 245

### 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: April 16, 1969  
Expires: May 16, 1970

#### SPECIAL ATTENTION

A comprehensive reading of the report by 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 DECEMBER 18, 1968, AND INFORMATION SUBSEQUENTLY FILED AS LATE AS APRIL 10, 1969. 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. 2465 KUHIO AT WAIKIKI is a proposed fee simple condominium project consisting of ninety-one (91) dwelling units arranged throughout a single sixteen (16) story (the first story being designated basement and the sixteenth story the roof) reinforced concrete apartment building. There shall be a total of 93 parking stalls.
2. The Developer of said project has filed all documents and material deemed essential by the Commission for the registration of this proposed condominium project and the issuance of this Preliminary Public Report.

3. Advertising and promotional matter required to be filed pursuant to the rules and regulations promulgated by the Commission has not been submitted as part of this registration.
4. 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.
5. The prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, and the rules and regulations promulgated thereunder which relate to Horizontal Property Regime.
6. This Preliminary Public Report automatically expires thirteen (13) months after date of issuance, April 16, 1969, 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: 2465 KUHIO AT WAIKIKI

LOCATION: The 2465 Kuhio Avenue site extends between Kuhio Avenue and Prince Edward Street, approximately one hundred feet on the Ewa (Northwestly) side of Liliuokalani Avenue, (Waikiki) Honolulu, Hawaii.

TAX KEY: FIRST DIVISION 2-6-23:43, 44, 52, 72.

ZONING: Hotel-Apartment

DEVELOPER: 2465 KUHIO AT WAIKIKI, a limited partnership registered with the Department of Regulatory Agencies, State of Hawaii, on December 16, 1968. Address: Room 205, 1521 South King Street, Honolulu, Hawaii. Telephone: 949-7377. The Notice of Intention identifies the General Partners as:

KIYOSHI ISEKI                      and                      JACK G. NOSAKA

The Limited Partners are:

Sanford S. Asahina	3101 Pacific Heights Road Honolulu, Hawaii
John M. Fujioka	3442 Kahawalu Drive Honolulu, Hawaii
Hans W. Graumann	3403 Kahawalu Drive Honolulu, Hawaii
Edward H. Hamamura	255 Mahimahi Place Honolulu, Hawaii
James Y. Higa	3433 Keahi Street Honolulu, Hawaii
Kiyoshi Iseki	4630 Aukai Avenue Honolulu, Hawaii
Allen M. Ito	3656 Sierra Drive Honolulu, Hawaii
Isami Kaneko	3247 Woodlawn Drive Honolulu, Hawaii
Masaru Kurashima	99-829 Halawa Heights Road Aiea, Hawaii
Chew Mung Lum	2452 A Burbank Street Honolulu, Hawaii
Glenn M. Masunaga	1860 Mott Smith Drive Honolulu, Hawaii

Donald Y. Miura	4749 Moa Street Honolulu, Hawaii
Harry H. Morikawa	5015 Poola Street Honolulu, Hawaii
Helen S. Murata	45-583 A Palcka Road Kaneohe, Hawaii
Jack G. Nosaka	Suite 304, 2442 Kuhio Avenue Honolulu, Hawaii
Takeo Ogawa	2071 Akaikai Loop Pearl City, Hawaii
Clarence Y. Okamoto	4210 Kahala Avenue Honolulu, Hawaii
Al K. Takayama	5621 Halekamani Street Honolulu, Hawaii
Wing You Tong	4614 Kalaniiki Place Honolulu, Hawaii
Norman Tsukazaki	4128 B Napali Place Honolulu, Hawaii
Paul L. Wong	478 S. Alu Road Wailuku, Maui
Wayne W. Wong	2417 Round Top Drive Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: James H. Kamo, 310 Richards Street, Honolulu, Hawaii. Telephone: 531-4171.

DESCRIPTION OF BUILDING: The Declaration of Horizontal Property Regime reflects that the building and improvements shall be a sixteen-story (the first story being designated basement and the sixteenth story the roof) reinforced concrete apartment building, covering a ground space of about 20,610 square feet and containing 91 two-bedroom apartments. The first floor (basement) shall contain 47 parking stalls, a transformer room, switch room, lobby, elevator shafts, surfboard storage, ramp, stairways and pump room. The second floor shall contain 46 parking stalls, lobby, office, refuse chute, elevator shafts, ramps, stairways and telephone booth. Each apartment shall have the exclusive use of a designated parking space of about 200 square feet. The third through the fifteenth floors shall contain apartments with balconies, trash chute, elevator shafts, corridors, stairways and vestibule. In addition the third floor shall contain laundry room and heater room; the fourth floor shall contain storage room and telephone equipment room; the fifth, eighth, ninth, twelfth, thirteenth and fifteenth floors shall contain storage room; the sixth and tenth floors shall contain sauna room, shower, exercise room, dressing room and drying room. The seventh, eleventh and fourteenth floors shall contain lounge and toilet. The sixteenth floor (roof) shall contain stairways and elevator shafts. There will be nothing below the first floor (basement) save and except the elevator wells and nothing above the sixteenth floor (roof) save and except the machine room to service the elevators. Two elevators shall service the building.

The third through the fifteenth floors shall each contain seven two-bedroom apartments for a total of 91 apartments.

The apartments whose number ends with 02 and 20 will have kitchen, dining area, living room, two bedrooms, two bathrooms, two balconies and hall. Each such apartments shall contain an area of approximately 939 square feet and the two balconies total approximately 130 square feet for a total of 1,119 square feet.

The apartments whose number ends with 04 will have kitchen, living room, two bedrooms, two bathrooms, one balcony, hall and entry. Each such apartments shall contain an area of approximately 987 square feet and the balcony approximately 73 square feet for a total of 1,060 square feet.

The apartments whose number ends with 06 and 10 will have kitchen, living room, two bedrooms, two bathrooms, two balconies, hall and entry. Each such apartments shall contain an area of approximately 876 square feet, and the two balconies total approximately 142 square feet for a total of 1,018 square feet.

The apartments whose number ends with 12 and 18 will have kitchen, living room, two bedrooms, two bathrooms, two balconies, hall and entry. Each such apartments shall contain an area of approximately 925 square feet and the two balconies total approximately 148 square feet for a total of 1,073 square feet.

The two bedroom apartments in the building shall be located and numbered as follows:

Third Floor:	302, 304, 306, 310, 312, 318 and 320;
Fourth Floor:	402, 404, 406, 410, 412, 418 and 420;
Fifth Floor:	502, 504, 506, 510, 512, 518 and 520;
Sixth Floor:	602, 604, 606, 610, 612, 618 and 620;
Seventh Floor:	702, 704, 706, 710, 712, 718 and 720;
Eighth Floor: (Designated 9th floor)	902, 904, 906, 910, 912, 918 and 920;
Ninth Floor: (Designated 10th floor)	1002, 1004, 1006, 1010, 1012, 1018 and 1020;
Tenth Floor: (Designated 11th floor)	1102, 1104, 1106, 1110, 1112, 1118 and 1120;
Eleventh Floor: (Designated 12th floor)	1202, 1204, 1206, 1210, 1212, 1218 and 1220;
Twelfth Floor: (Designated 14th floor)	1402, 1404, 1406, 1410, 1412, 1418 and 1420;
Thirteenth Floor: (Designated 15th floor)	1502, 1504, 1506, 1510, 1512, 1518 and 1520;
Fourteenth Floor: (Designated 16th floor)	1602, 1604, 1606, 1610, 1612, 1618 and 1620;
Fifteenth Floor: (Designated 17th floor)	1702, 1704, 1706, 1710, 1712, 1718 and 1720;

Each of said apartments will have immediate access to one of two corridors approximately 6 feet wide, the total area being approximately 858 square feet.

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 ceiling surrounding each apartment or any pipes, wires, conduits or other utility 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 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 including plaster, paint, wallpaper, carpet, floor covering, and all appliances and built-in fixtures.

COMMON ELEMENTS: The Declaration identifies the common elements as:

- (a) The land described herein.
- (b) The foundations, columns, girders, beams, supports, main walls, roofs, halls, corridors, lobbies, stairs, stairways, fire escapes, vestibules, entrances and exits of the building.
- (c) Roof (sixteenth floor), laundry room, heater room, storage room, telephone equipment room, sauna room, exercise room, dressing room, shower, surfboard storage, lounge and toilet, ramps, driveways, parking areas, except parking stalls actually reserved, trash chute and trash room.

- (d) Central and appurtenant installations for services such as power, light, gas, hot and cold water, television, telephone and like utilities.
- (e) The elevator, elevator shaft, well and machine room, and appurtenant installations and apparatus.
- (f) All other parts of the property existing for the common use or necessary to the existence, maintenance and safety of the building.

LIMITED COMMON ELEMENTS: The limited common elements are identified as:

- (a) One parking stall with each apartment, said stall to be numbered and assigned the same number as the apartment. Two parking stalls are reserved for commercial and other persons who have business to perform in the building or who lease the spaces.
- (b) Facilities on each floor for the use of occupants of apartments on the respective floors.

INTEREST TO BE CONVEYED PURCHASER: The Declaration reflects that each apartment, whether owned jointly or singly, shall have appurtenant thereto an undivided one ninety-one (1/91) fractional interest in and to the land, buildings, and the common elements herein described. For purposes of voting on all matters requiring action by the apartment owners, there shall be a total of ninety-one (91) votes; the number of votes being determined by each of the ninety-one (91) apartments multiplied by one (1).

USE: The Declaration states that each apartment shall be used only as a place of dwelling unless such other uses are authorized by the association in accordance with the terms of the master deed, by-laws of the association of apartment owners and the house rules, as they exist or as they may be amended from time to time; and each owner shall observe, comply with, and perform all rules, regulations, ordinances and laws made by the Board of Health and any other governmental authority of the municipal, state and federal government applicable to the premises.

OWNERSHIP OF LAND: The Developer has submitted as part of the registration a Certificate of Title from Long & Melone, Ltd., dated December 17, 1968, certifying that Lots (13), (14) and (6) each containing an area of 4,845 square feet and Lots (7) and (15) each containing an area of 4,250 square feet as shown on Map entitled PUALEILANI LOTS, filed in the Office of the Registrar of Conveyances at Honolulu, Hawaii, on June 24, 1919, as registered Map No. 204, which is to be committed to the condominium project is vested in Kiyoshi Iseki, unmarried, and Jack G. Nosaka, husband of Haru Nosaka, as joint tenants, authorized general partners of 2465 Kuhio at Waikiki, a registered limited partnership.

The form of the Master Deed and Declaration reflects the consolidation of said Lots (6), (7), (13), (14) and (15) into Lot A, consisting of 23,035 square feet.

ENCUMBRANCES AGAINST TITLE: The Certificate of Title dated December 17, 1968 and a Continuation of Certificate of Title dated March 2, 1969 reflect that there is a reservation in favor of the Hawaiian Government of all mineral and metallic mines. There is also a restrictive condition relative to the use of the land, to-wit: "That no malt, vinous, spirituous or intoxicating liquors of any kind shall ever be sold or exposed for sale or manufactured on the granted premises, or any part thereof." Real Property Taxes for the Fiscal Year July 1, 1968 to June 30, 1969 are current. The second installment will be due June 10, 1969.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated March 3, 1969 identifies Alii Escrow, Inc., a Hawaii corporation, as Escrow. On examination, the specimen sales contract and the executed Escrow Agreement are found to be in compliance with Chapter 170A, Revised Laws of Hawaii 1955, 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 executed Escrow Agreement provides that rights under sales contracts of condominium units under a Preliminary Public Report shall not become enforceable against purchasers until purchasers have had a full opportunity to read the Final Public Report on the project, and purchasers shall be entitled to obtain refunds of any moneys paid as well as release from all obligations if

(1) the Final Public Report differs in any material respect from the Preliminary Public Report, or (2) if the Final Public Report is not issued within one year from the date of issuance of the Preliminary Public Report, or (3) if there is any change in the condominium building plans subsequent to execution of the sales contract, which change requires approval of the City and County of Honolulu Building Department, and purchaser's written approval or acceptance of the change is not obtained.

It is incumbent upon the purchaser and prospective purchaser that he reads with care the condominium apartment sales contract and the executed escrow agreement. The 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 OPERATION: The proposed By-Laws of the Association of Apartment Owners vest the Board of Directors with the duty and responsibility of employing a managing agent or manager to perform such duties as the Board shall authorize. The Notice of Intention does not identify anyone as the Manager at the present time. No management contract has been submitted as part of this registration.

STATUS OF PROJECT: Existing improvements have not been cleared from the site. A building contract was executed March 26, 1969 between the Developer and K. Nagata Construction, Inc. for the construction of this 91 unit apartment building. The Developer estimates that the building and improvements will be completed 450 calendar days after start of construction. Developer advises that construction will commence upon meeting the pre-sale requirement of 80% which should be anytime now.

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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 December 18, 1968, and additional information subsequently filed as late as April 10, 1969.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 245 filed with the Commission on December 18, 1968.

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



WILLIAM H. C. YOUNG, Member  
REAL ESTATE COMMISSION  
STATE OF HAWAII

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

April 16, 1969  
Registration No. 245