

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 CLARK MANOR
1620 Clark Street
Honolulu, Hawaii 96822

REGISTRATION NO. 261

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: May 5, 1969
Expires: June 5, 1970

SPECIAL ATTENTION

A comprehensive reading by the prospective purchaser 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED MARCH 3, 1969, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS LATE AS MAY 5, 1969. THE DEVELOPERS IN NOTIFYING THE COMMISSION OF THEIR INTENTION TO SELL ARE COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT (CHAPTER 514, HAWAII REVISED STATUTES).

1. The Clark Manor is a proposed fee simple condominium project consisting of twenty-six (26) residential apartments in a single thirteen-story reinforced concrete building, with one level of basement service rooms and an adjacent two-level parking structure containing thirty-one (31) parking stalls.
2. The Developers of the project have filed all documents and materials deemed necessary by the Commission for the registration of the proposed condominium and the issuance of this Preliminary Public Report.
3. No advertising and promotional matter has been submitted to the Commission; however, the Developers advise that all advertising

and promotional matter required to be filed pursuant to the rules and regulations promulgated by the Commission will be submitted to the Commission prior to public dissemination.

4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a Copy of Approved Floor Plans) have not yet been filed with either the Bureau of Conveyances or the Land Court.
5. The Commission has been advised that the Developers intend to pay the cost involved in completing the project from funds available to the Developers from payments made by purchasers of the condominium units through cash down payments and loans obtained by purchasers secured by mortgages on the condominium units.
6. The prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, and the condominium rules and regulations promulgated thereunder which relate to horizontal property regimes.
7. If the Final Public Report in respect of the proposed condominium is not issued within one year from the date of this Preliminary Public Report, May 5, 1969, purchasers and prospective purchasers shall be entitled to a refund of their money and shall be released and relieved from all further liability.
8. This Preliminary Public Report automatically expires thirteen (13) months after date of issuance, May 5, 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: THE CLARK MANOR

LOCATION: The approximate 13,488 square feet of fee simple property to be committed to the regime is situated on the mauka (northeast) side of Clark Street in the 1600 block in Manoa, City and County of Honolulu, Hawaii.

TAX MAP KEY: FIRST DIVISION 2-8-12-35 and 36

ZONING: A-4 Apartment District

DEVELOPERS: Clark Manor Joint Venture, composed of C.K.H., Inc. (C. K. Huang, President), 101 Nawiliwili Street, Honolulu, Hawaii; GAF Corporation, (George A. Fan, President), 268 Panio Street, Honolulu, Hawaii; and C S Enterprises, Inc. (Sam Chang, President), 1629 Wilder Avenue, Honolulu, Hawaii, all Hawaii corporations. Said joint venture was registered with the Department of Regulatory Agencies, State of Hawaii, on September 27, 1968. As part of the registration, a copy of the Joint Venture Agreement by and between the joint venturers was submitted to the Commission.

ATTORNEY REPRESENTING DEVELOPERS: Wooddell, Mukai & Wirtz (Attention: Andy M. Ichiki), Suite 594, Alexander Young Building, Honolulu, Hawaii, telephone 536-6621.

GENERAL DESCRIPTION: The proposed Declaration of Horizontal Property Regime reflects that the project is to consist of the 13,488 square feet of fee simple land located at 1620 Clark Street and constructed thereon a single building with thirteen levels of apartments and one level of basement service rooms and an adjacent two-level parking structure. The apartment tower will contain 26 two-bedroom units served by one elevator. The development will be divided into three use zones. The zones are defined as follows:

Zone One will consist of the concrete parking structure with storage room and ramps. There will be 31 parking stalls (15 covered, 16 open).

Zone Two will consist of the swimming pool, main lobby, scored concrete recreation deck with enclosure, concrete walkways, and trash, transformer and pool equipment enclosures.

Zone Three will consist of the 13-story apartment tower of reinforced concrete and structural steel construction, with 26 apartments, central hot water heater room, stairways, elevator, and basement elevator machine room and storage.

The Clark Manor will contain seven types of apartment units described as follows:

(1) Type "A" Two-Bedroom, Two-Bath Apartment (Typical)

Each type "A" apartment will contain a gross livable area of 1,187 square feet and a net livable area of 935 square feet (excluding lanais), more or less. Each unit will contain the following rooms:

Living-Dining Room	Bedroom #2 with Wardrobe
Kitchen	Hall
Bathroom #1	Lanai #1
Bathroom #2 With Closet	Lanai #2
Bedroom #1 (Master) With Wardrobe	

(2) Type "B" Two-Bedroom, Two-Bath Apartment (Typical)

Each type "B" apartment will contain a gross livable area of 1,170 square feet and a net livable area of 923 square feet (excluding lanais), more or less. Each unit will contain the following rooms:

Living-Dining Room	Bedroom #2 With Wardrobe
Kitchen	Hall
Bathroom #1	Lanai #1
Bathroom #2 With Closet	Lanai #2
Bedroom #1 (Master) With Wardrobe	

(3) Type "A-1" Two-Bedroom Two-Bath Apartment (1st Floor)

The type "A-1" apartment will be similar to the typical "A" unit with the exception of a change in the master bedroom lanai orientation.

(4) Type "B-1" Two-Bedroom, Two-Bath Apartment (1st Floor)

The type "B-1" apartment will be similar to the typical "B" unit with the exception of the following additional areas:

Extra Den (or Bedroom #3)
Basement Tool Room
Extra Lanai Area

The unit will contain a gross livable area of 1,560 square feet and net livable area of 1,192 square feet (including basement tool room), more or less.

(5) Type "B-2" Two-Bedroom, Two-Bath Apartment (2nd Floor)

The type "B-2" apartment will be similar to the typical "B" unit with the exception of an extra 9' x 13' terrace adjoining the master bedroom.

(6) Type "A-PH" Two-Bedroom, Two-Bath Apartment (Penthouse)

The type "A-PH" apartment will contain a gross livable area of 1,086 square feet and a net livable area of 834 square feet (excluding lanais), more or less. The unit will contain the following rooms:

Living-Dining Room	Bedroom #2 With Wardrobe
Kitchen	Hall
Bathroom #1	Lanai #1
Bathroom #2	Lanai #2
Bedroom #1 (Master) With Wardrobe	

(7) Type "B-PH" Two-Bedroom, Two-Bath Apartment (Penthouse)

The type "B-PH" apartment will contain a gross livable area of 1,079 square feet and a net livable area of 832 square feet (excluding lanais), more or less. The unit will contain the following rooms:

Living-Dining Room	Bedroom #2 With Wardrobe
Kitchen	Hall
Bathroom #1	Lanai #1
Bathroom #2	Lanai #2
Bedroom #1 (Master) With Wardrobe	

Each of the apartments will be furnished with drapes in the living-dining room and bedroom (and den, if any); carpeting in the living-dining room, bedrooms, hallway and wardrobes (and den, if any); an electric kitchen with built-in range

with oven and hood, dishwasher, refrigerator-freezer and garbage disposal; a washer-dryer and hot water from a central gas water heater system. The apartments are identified as follows:

<u>Apt. Identification</u>	<u>Unit Type</u>	<u>Location</u>
1A	A-1	Diamond Head Wing, 1st Floor
1B	B-1	Ewa Wing, 1st Floor
2A	A	Diamond Head Wing, 2nd Floor
2B	B-2	Ewa Wing, 2nd Floor
3A	A	Diamond Head Wing, 3rd Floor
3B	B	Ewa Wing, 3rd Floor
4A	A	Diamond Head Wing, 4th Floor
4B	B	Ewa Wing, 4th Floor
5A	A	Diamond Head Wing, 5th Floor
5B	B	Ewa Wing, 5th Floor
6A	A	Diamond Head Wing, 6th Floor
6B	B	Ewa Wing, 6th Floor
7A	A	Diamond Head Wing, 7th Floor
7B	B	Ewa Wing, 7th Floor
8A	A	Diamond Head Wing, 8th Floor
8B	B	Ewa Wing, 8th Floor
9A	A	Diamond Head Wing, 9th Floor
9B	B	Ewa Wing, 9th Floor
10A	A	Diamond Head Wing, 10th Floor
10B	B	Ewa Wing, 10th Floor
11A	A	Diamond Head Wing, 11th Floor
11B	B	Ewa Wing, 11th Floor
12A	A	Diamond Head Wing, 12th Floor
12B	B	Ewa Wing, 12th Floor
PHA	A-PH	Diamond Head Wing, Penthouse (13th Flr.)
PHB	B-PH	Ewa Wing, Penthouse (13th Floor)

All apartments will have access to the main corridor of the floor.

COMMON ELEMENTS: The proposed Declaration states that the common elements will include each of the elements which are mentioned in Section 514-2(5) of Chapter 514, Hawaii Revised Statutes, and which are actually constructed or provided on the land, and specifically include, but are not limited to, the following: (a) The land; (b) All foundations, columns, girders, beams, supports, main walls, roofs, corridors, lobbies, stairs, stairway, entrances, and exits of said building; (c) All driveways, yards, gardens and recreational facilities, including the swimming pool; (d) All central and appurtenant installations for common services, including power, light, cold and hot water, telephone and trash enclosure; and (e) The elevator and all tanks, pumps, motors, fans, compressors, ducts, and, in general, all apparatus and installations existing for common use.

LIMITED COMMON ELEMENTS: According to the proposed Declaration, certain parts of the common elements herein called "limited common elements" are set aside for the exclusive use of certain apartments. Such apartments shall have appurtenant thereto easements for the use of such limited common elements as follows:

(a) The parking stalls. Not less than one nor more than two parking stalls shall be assigned to each apartment upon the original conveyance of the apartment and shall be appurtenant to and for the exclusive use of such apartment.

(b) The entry lanai storage compartment area. Each apartment shall have an exclusive easement to use the storage compartment area located on the balcony area immediately abutting and contiguous to the apartment at the entry lanai and designated by the same number of such apartment.

(c) Any load-bearing wall within an apartment and the interior half of any load-bearing wall on the perimeter of an apartment.

INTEREST TO BE CONVEYED TO PURCHASER: The proposed Declaration reflects that each apartment shall include all the walls and partitions within its perimeter walls; any glass windows or panels along the perimeter of the apartment; the interior half of the perimeter walls, whether load-bearing or non-load bearing;

the inner decorated or finished surfaces of the floors and ceilings; the lanais; the built-in fixtures, including all electrical and plumbing fixtures, the built-in range with oven and hood, dishwasher, refrigerator-freezer, garbage disposal and washer-dryer units; and drapes and carpets; provided that any load-bearing wall within an apartment and the interior half of any load-bearing wall on the perimeter of an apartment is a limited common element and appurtenant to such apartment. Each apartment shall have appurtenant thereto an undivided 1/26 fractional interest (3.84615 percentage interest) in all of the common elements of the project herein called "common interest" and the same proportionate share in all common profits and expenses of the project and for all other purposes including voting and representation in the Association of Apartment Owners.

USE: The Declaration provides that the apartments shall be occupied and used only as private residences and only by the respective owners and tenants thereof and the families, domestic servants and guests of such owners and tenants and for no other purpose. The apartment shall not be rented for transient or hotel purposes, which purposes are defined, respectively as (a) rental for any period less than 30 days, or (b) rental under which the occupants of the apartment are provided such customary hotel services as room service for food and beverage, maid service, laundry and linen, or bellboy service. Except for rentals for transient or hotel purposes, the apartment owners shall have the absolute right to lease their apartments subject to the limitations contained in the Declaration or in the By-Laws of the Association of Apartment Owners or in the House Rules or in the Apartment Deed.

OWNERSHIP TO TITLE: The Notice of Intention states that the title to the land consisting of approximately 13,488 square feet committed to the project is vested in Samuel G. Camp, Jr. and Jane G. Camp and Ruth W. Patterson. A Certificate of Title by Long & Melone, Ltd., licensed abstractors, dated July 24, 1968, and a Preliminary Report by the same Long & Melone, Ltd., dated July 24, 1968, verify the above. The equitable title of said land is owned by Developers pursuant to an Agreement of Sale with Samuel G. Camp, Jr. and Jane G. Camp, dated July 22, 1968 and recorded in the Bureau of Conveyances in Liber 6166, Page 45, and pursuant to an Agreement of Sale with Ruth W. Patterson, dated July 18, 1968, and recorded in said Bureau in Liber 6141, Page 389.

ENCUMBRANCES AGAINST TITLE: The Certificate of Title dated July 24, 1968 and Continuation of Certificate of Title dated April 30, 1969, prepared by Long & Melone, Ltd., in respect of the property owned by Ruth W. Patterson (Tax Key: 2-8-12-36) certifies that title to the property is subject to the following encumbrances: (a) reservation as contained in Royal Patent No. 1958, to wit: "excepting and reserving to the Hawaiian government all mineral and metallic mines of every description"; (b) the restrictive condition contained in that certain Deed dated September 30, 1920, recorded in the Bureau of Conveyances in Liber 629, Page 422, made by Henry Waterhouse Trust Company, Limited, to Edgar S. Barry and Eleanor Porter Barry, to wit: "that no malt, vinous, spirituous or intoxicating liquors of any kind shall ever be sold or exposed for sale or manufactured on said premises, or any part thereof"; and (c) the Agreement of Sale between Ruth W. Patterson and the Developers, dated July 18, 1968, recorded in Liber 6141, Page 389. Taxes for the fiscal year July 1, 1968 to June 30, 1969 is current. The second installment for the Fiscal year will be due on June 10, 1969. The Certificate of Title dated August 2, 1968 and Continuation of Certificate of Title dated April 30, 1969, prepared by Long & Melone, Ltd. in respect to the property owned by Samuel G. Camp, Jr. and Jane G. Camp (Tax Key: 2-8-12-35) indicates that title to the property is subject to the following encumbrances: (a) reservation as contained in Royal Patent No. 1958, to wit: "excepting and reserving to the Hawaiian government all mineral and metallic mines of every description"; (b) the restrictive condition contained in that certain Deed dated September 30, 1920, recorded in the Bureau of Conveyances in Liber 629, Page 422, made by Henry Waterhouse Trust Company, Limited, to Edgar S. Barry and Eleanor Porter Barry, to wit: "that no malt, vinous, spirituous or intoxicating liquors of any kind shall ever be sold or exposed for sale or manufactured on said premises, or any part thereof"; (c) as to the Ewa half of Lot No. 7 of the Spreckels Tract, Third Series, as shown on the map thereof filed in the Bureau of Conveyances as File Plan No. 192, a mortgage dated February 5, 1960, and recorded in Liber 3775, Page 345, from Samuel G. Camp, Jr. and Jane G. Camp to State Savings and Loan Association, securing \$8,000.00; and (d) the Agreement of Sale between Samuel G. Camp, Jr. and Jane Gray Camp, husband and wife, and the Developers, dated July 22, 1968, recorded in Liber 6166, Page 45. Taxes for the fiscal year July 1, 1968 to June 30, 1969 is current. The second installment for the Fiscal Year will be due on June 10, 1969.

PURCHASE MONEY HANDLING: An executed Escrow Agreement dated February 28, 1969, identifies Long & Melone Title Insurance Co., Ltd., as the "Escrow". Upon examination the Sales Contract and the Escrow Agreement are found to be in consonance with Chapter 514, Hawaii Revised Statutes, and particularly Sections 514-35 through 514-40 thereof.

Among other provisions the executed Escrow Agreement reflects that the purchaser shall be entitled to a refund without interest and less Escrow's \$10.00 cancellation fee; if the purchaser shall in writing request his funds and any one or more of the following shall have occurred:

a. Escrow received a written request from the Sellers and the interim lender to return to purchaser the funds of such purchaser then held by escrow, or

b. If there is any change in the building plans requiring the approval of a county officer having jurisdiction over the issuance of permits for construction unless the purchaser has given written approval or acceptance of the change, or

c. If the purchaser entered into a Sales Contract prior to the time the Final Public Report is issued and the Final Public Report differs in any material respect from the Preliminary Report, or

d. If the Final Public Report is not issued within one year from the date of issuance of the Preliminary Report.

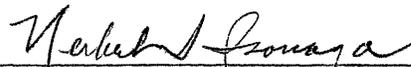
It is incumbent upon the purchaser and prospective purchaser to read and understand the Escrow Agreement before executing the Sales Contract since the Escrow Agreement prescribes the procedure for receiving and disbursing purchaser's funds and the Sales Contract specifically provides that the purchaser approves of the Escrow Agreement.

MANAGEMENT OF THE PROJECT: The proposed By-Laws of Association of Apartment Owners provide that the operation of the project shall be conducted for the Association of Apartment Owners under the direction of the Board of Directors, by a responsible corporate managing agent. The initial managing agent has not yet been appointed by the Developers.

STATUS OF THE PROJECT: The specimen Sales Contract states that in the event that less than 23 apartments are sold prior to March 1, 1970, the Developers may have the option to cancel the Sales Contract, refund to purchasers all monies paid, without interest, and be relieved and released of all further liabilities under the Sales Contract. The Developers advise that they propose to direct the contractor to commence the construction as soon as they have sold sufficient units to cover the total project cost as determined by the Developers, Lender and Escrow. No building contract has been executed as of the date of this Preliminary Public Report.

Purchasers or prospective purchasers should be cognizant of the fact that this published report represents information disclosed by the Developers in the required Notice of Intention submitted March 3, 1969 and additional information subsequently filed as late as May 5, 1969.

This is a PRELIMINARY HORIZONTAL PROPERTY REGIMES CONDOMINIUM PUBLIC REPORT which is made a part of REGISTRATION No. 261 filed with the Commission on March 3, 1969. This 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.


HERBERT S. ISONAGA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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Registration No. 261
May 5, 1969