

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

HARBOR SQUARE

Queen and Alakea Streets
Honolulu, Hawaii 96813

REGISTRATION NO. 230

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: July 8, 1969

Expires: August 8, 1970

SPECIAL ATTENTION

A comprehensive reading of this report is urged so 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 MAY 2, 1969. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF THE INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. Harbor Square is a proposed condominium project which will be submitted to the horizontal property regime for a term expiring on December 31, 2067 and will consist of a single building, constructed principally of reinforced concrete, steel, aluminum and glass. It will have two 26-story towers designated as the "Harbor Tower" and the "Town Tower", which will partly include and will partly rise above a 6-story multi-purpose structure containing six (6) office apartments two (2) commercial apartments, one (1) garage apartment and the Honolulu Sailors' Home apartment. Harbor Tower will contain two hundred (200) residential apartments and Town Tower will contain one hundred sixty (160) residential apartments. Seven hundred and thirty-two (732) parking spaces will be available on portions of the first six floors.

Only the residential apartments will be offered for sale and are specifically made the subject of this report. Such apartments will be sold on a leasehold basis and will be subject to subleases which expire on December 31, 2036.

2. All documents deemed necessary for the registration of a condominium project and issuance of this Preliminary Public Report have been submitted by the developer to the Commission for examination.
3. The basic condominium 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. Some advertising and promotional material has been submitted to the Commission; however, the developer advises that, pursuant to the Commission's rules and regulations, all other such material will be submitted to the Commission prior to its public dissemination.
5. The developer has advised the Commission that pursuant to the terms of the Contract of Sale and Escrow Agreement for the project, purchasers' escrowed down payments will be used in the manner authorized by said Horizontal Property Act together with interim loan funds to defray the costs of construction. The prospective purchaser is advised to acquaint himself specifically with those provisions of the Contract of Sale and the Escrow Agreement which authorize such utilization of his funds.
6. The prospective purchaser is advised to acquaint himself with the provisions of the Horizontal Property Act, Chapter 514, Hawaii Revised Statutes, and with the rules and regulations promulgated pursuant thereto.
7. This Preliminary Public Report automatically expires on August 8, 1970, thirteen (13) months after its date of issue, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of the report.
8. If the Final Public Report covering this project is not issued within one (1) year from the date of the Preliminary Report, purchasers shall be entitled to the refund of all moneys paid by them and shall be relieved of any further obligation.

NAME OF PROJECT: HARBOR SQUARE

LOCATION: The 72,877 square feet of land to be submitted to the regime is bounded by Queen, Richards, Halekauwila and Alakea Streets in downtown.

TAX KEY: FIRST DIVISION 2-1-16-15, 17 and 18

ZONING: Central Business District (B-4) in downtown Honolulu, Hawaii

DEVELOPER: The developer is Alakea Properties, Inc., a Delaware corporation, registered and authorized to do business in the State of Hawaii. Its post office address and principal place of business in Hawaii is Suite 620, 235 Queen Street, Honolulu, Hawaii 96813. Alakea Properties, Inc. was incorporated on March 22, 1966 and registered with the Department of Regulatory Agencies to do business in Hawaii on October 3, 1966.

ATTORNEY REPRESENTING DEVELOPER: ASHFORD & WRISTON, 235 Queen Street, Honolulu, Hawaii 96813. Telephone 531-3761.

DESCRIPTION: The proposed Declaration of Horizontal Property Regime reflects that the project will consist of 72,877 square feet of land bounded by Richards, Halekauwila, Alakea and Queen Streets in downtown Honolulu and single building with two 20-story residential towers above a 6-story multi-purpose structure. The land and improvement will be submitted to a horizontal property regime for

a term of years expiring on December 31, 2067. The project contains 360 residential apartments located in the top 20 floors of the residential towers together with 2 commercial apartments, 6 office apartments, 1 garage apartment and 1 Sailors' Home apartment, all located within portions of the 6-story multi-purpose structure. Recreation decks covering the 6-story structure and each residential tower are reserved for the exclusive use of the residential apartments.

Harbor Square will contain nine (9) distinct residential apartment plans. In the Harbor Tower there are ten apartments on each floor designated by numbers 01 through 10, preceded by the number of the floor upon which they are located. In the Town Tower, there are eight apartments on each floor designated by letters A through H, preceded by the number of the floors upon which they are located. The floors in both towers are numbered 7 through 12 and 14 through 27 in ascending order. The respective plan, designation, inventory, square footage (including lanais) number of bedrooms and bathroom, and location of the apartments are as follows:

Plan	Apt. designation	Number of apts.	Sq. ft.	Bed/bath	Location
A	01,04,06,09	80	1,100	2/2	Harbor Tower
B	05 & 10	40	1,180	2/2	" "
C	02,03,07,08	80	870	1/1	" "
D	A & B	40	840	2/2	Town Tower
E	C & D	36	575	1/1	" "
F	E & F	39	715	2/2	" "
G	7D, 25D, 26D 27D	4	560	1/1	" "
H	7F	1	1,105	1/1	" "
I	G & H	40	750	2/2	" "

Certain apartments on the seventh floor, although designated as the same plan shown above, have private courts rather than lanais and contain the total square footage shown below:

<u>Apt. designation</u>	<u>Plan</u>	<u>Sq. ft.</u>	<u>Location</u>
702	C	1,250	Harbor Tower
703	C	1,175	" "
704	A	2,375	" "
705	B	1,625	" "
706	A	1,780	" "
7-A	D	1,840	Town Tower
7-B	D	1,265	" "
7-C	E	1,360	" "
7-D	G	990	" "
7-E	F	1,140	" "
7-F	H	1,105	" "
7-G	I	1,715	" "
7-H	I	1,715	" "

Each residential apartment has immediate access to the hallways, entrances, stairways, and elevators of its tower, permitting ingress and egress to and from the residential floors and the walkways, driveways and ramps connecting the tower to the adjacent public streets.

Each residential apartment shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the unfinished surfaces of 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 residential apartment shall

be deemed to include its adjacent lanai or court, 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 and appliances originally installed therein including dishwasher, refrigerator, stove and garbage disposer. Each residential apartment in the Harbor Tower shall also include a clothes washer-dryer unit. All doors, windows and glass walls shall be included within the apartment. In the Town Tower, separate laundry facilities will be provided on alternating floors for the use of apartments on adjacent floors.

COMMON ELEMENTS: The proposed Declaration states the common elements of the project include the following: (a) the land, (b) the foundations, columns, girders, beams, supports, load-bearing walls not exclusively serving a particular apartment, roofs, common halls, corridors, lobbies, stairs, stairways and fire escapes, and entrances and exits of the building, (c) the yards, gardens, recreational facilities, parking and loading areas, and storage spaces, (d) the premises for the lodging or use of janitors and other persons employed for the operation of the property, (e) central facilities and appurtenant installations for services such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning, and incinerators, (f) the elevators which do not exclusively serve a particular apartment, tanks, pumps, motors, fans, compressors, ducts, and in general all other apparatus and installations existing for common use, (g) all other parts of the property necessary or convenient to its existence, maintenance, and safety, or normally in common use.

LIMITED COMMON ELEMENTS: The developer advises that because the proposed project is designed for residential and other mixed uses, those common elements which exclusively serve the residential portions of the project are designated by the proposed declaration to be limited common elements reserved for and appertaining only to the residential apartments. The proposed Declaration provides that on matters relating exclusively to such residential limited common elements, the residential apartments shall have exclusive voting rights and shall bear the total cost of their operation according to the proration of such costs among the various apartment plans.

According to the proposed Declaration:

1. All portions of the Harbor Tower and the Town Tower which exclusively serve the residential portions of those towers are designated as limited common elements appertaining exclusively to the residential apartments in each of the respective towers.
2. The recreation deck and the resident manager's quarters are designated as limited common elements which are reserved for the exclusive use and appertain to all the residential apartments in the project.
3. One storage space located in the same tower and bearing the same designation as the apartment to which it appertains will be reserved for the exclusive use of and shall be appurtenant to each residential apartment.
4. Each residential apartment in the Harbor Tower shall have one parking stall appertaining to and reserved for the exclusive use of such apartment.

According to the proposed Declaration, those portions of the project which serve the residential apartments and some other apartment or class of apartments are accordingly designated as limited common elements appertaining to and reserved for the exclusive use of such apartments. Voting rights relating thereto and expenses incurred in consequence thereof will be only prorated among all such apartments in the manner provided by the proposed Declaration.

COMMON INTEREST TO BE CONVEYED TO PURCHASER: The proposed Declaration discloses that each residential apartment shall have appurtenant thereto a common undivided interest in the common elements according to their respective apartment plans as follows:

Plan A	.2592%
Plan B	.2784%
Plan C	.2016%
Plan D	.1584%
Plan E	.1078%
Plan F	.1408%
Plan G	.1100%
Plan H	.1320%
Plan I	.1430%

Except as set forth above concerning matters and expenses relating to limited common elements appertaining to an apartment or class of apartments, each residential apartment shall have the same percentage share in all the common profits and expenses of the project and for all other purposes as is set forth above.

USE: The proposed Declaration provides that the residential 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, except that a full-time residential occupant may use a portion of the apartment so occupied for his own secondary office purposes to the extent that such use does not impair the residential use and enjoyment of that portion of the building by others. The apartments shall not be used primarily for office purposes nor be rented for transient or hotel purposes, the latter being 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.

Use of other portions of the project is limited by the proposed Declaration to the basic use for which they are designed and intended.

Except for such use restrictions, all apartment owners will have the absolute right to lease such apartments subject to the proposed Declaration.

OWNERSHIP OF AND ENCUMBRANCES AGAINST TITLE: Information contained in the Notice of Intention shows that fee title to 43,552 square feet of the intended project is vested in the Queen's Medical Center and fee title to the remaining 29,325 square feet is vested in the Honolulu Sailors' Home Society. The developer advises that all requisite approvals of Court, counsel and the respective trustees have been received and that the forms of lease filed with the Commission will be forthwith duly executed and filed of record. The leases will vest leasehold title in Puget-Pacific, a Hawaii limited partnership, and by agreement among said partnership, the aforesaid Honolulu Sailors' Home Society, and the Developer, the latter possesses exclusive rights to develop the project and sell the residential apartments subject to subleases to be issued directly by the partnership.

The Developer has not yet filed a title report with the Commission, but advises that at the time residential apartment subleases covering the residential apartments being offered for sale are placed of record, title will be in state satisfactory to the mortgage lender making individual long-term loans to qualified purchasers and will allow use of the residential apartments for the allowed and intended purposes.

PURCHASE MONEY HANDLING: A copy of the Escrow Agreement between Bishop Trust Company, Limited, as "Escrow" and Alakea Properties, Inc. as the "Seller", executed on May 2, 1969, has been submitted as part of this registration. A specimen copy of the proposed Contract of Sale and an executed copy of the Escrow Agreement have been examined and have been found to conform with the requirements of the Horizontal Property Act relating to purchasers' rights and to the use and handling of purchasers' funds.

Since the Contract of Sale gives both the prospective purchaser and the Developer the option of cancellation upon the occurrence of certain events; since the Escrow Agreement establishes the procedure for receiving and disbursing purchasers' funds deposited in escrow; and, since the Contract of Sale specifically provides that the purchaser approves the Escrow Agreement, and authorizes a disbursement of purchasers' funds prior to completion of the project, it is incumbent upon the prospective purchaser to read and understand both the Escrow Agreement and said Contract before executing the latter.

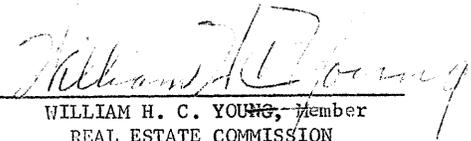
MANAGEMENT AND OPERATION: The proposed Declaration and By-Laws of the Association of Owners provide that the operation of the project shall be conducted for the Association by a responsible corporate managing agent under the direction of the Association's Board of Directors. The proposed Declaration designates Honolulu Management Company, Inc. as the initial managing agent. The proposed Contract of Sale authorizes the Developer to employ the first managing agent; gives the managing agent complete authority for the management, operation and maintenance of the project; and, provides that upon being billed for the same, the purchaser will pay his proportionate share of project maintenance expenses and reserves.

STATUS OF PROJECT: A Letter of Intent providing for the execution of a construction contract with Hawaiian Dredging and Construction Company, a division of Dillingham Corporation, as general contractor was filed as part of this registration. The Developer advises that subject to the prior sale of at least fifty percent (50%) of the residential apartments by that date, construction should commence by September 1, 1969 and be completed by Spring of 1971. The Letter of Intent indicates that construction will require nineteen (19) months.

The purchaser or prospective purchaser should recognize that this published report represents information disclosed by the Developer in the required Notice of Intention submitted May 2, 1969.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 280 filed with the Commission on May 2, 1969.

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


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

REB:km

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July 8, 1969
Registration No. 280