

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 CHARLES E. KENDALL  
OFFICE BUILDING  
888 Mililani Street  
Honolulu, Hawaii

REGISTRATION NO. 310

**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: January 14, 1970  
Expires: February 14, 1971

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 DECEMBER 8, 1969. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514 OF THE HAWAII REVISED STATUTES.

1. THE CHARLES E. KENDALL OFFICE BUILDING is a leasehold condominium project consisting of an office building of nine stories and a basement having a total of eight (8) apartments or units arranged throughout the second floor to the eighth floor, plus the penthouse. Thirty-nine (39) parking stalls are available at the project.
2. No promotional and advertising material has been submitted pursuant to the rules and regulations promulgated by the Commission.
3. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of the Horizontal Property Act, Chapter 514 of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.

4. The Developer has submitted to the Commission all documents deemed necessary for the registration of this condominium project and the issuance of this Final Public Report prior to completion of construction.
5. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners, and a copy of the approved Floor Plans) have been filed in the office of the recording officer.

The Declaration of Horizontal Property Regime executed October 13, 1969, with By-Laws attached, was filed in the Bureau of Conveyances, State of Hawaii, at Honolulu, on December 8, 1969, in Liber 6802, Page 237. The Registrar of the Bureau of Conveyances designated Condominium Map No. 156 to the project.

6. This Final Public Report is made a part of the registration on THE CHARLES E. KENDALL OFFICE BUILDING condominium project. The Developer is responsible for placing a true copy of 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.
7. This Final Public Report automatically expires thirteen (13) months after date of issuance, January 14, 1970, 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 CHARLES E. KENDALL OFFICE BUILDING

LOCATION: The approximate 17,319 square feet of land committed to the project is situate on the West (Ewa) side of the eight hundred block of Mililani Street where that thoroughfare intersects Queen Street, one of the principal streets in downtown Honolulu.

The project is within the boundaries of the State Capitol Complex, Civic Center, a master plan for developing the area by establishing districts for various uses.

TAX KEY: FIRST DIVISION 2-1-26-16 and 17

ZONING: Community Busines District (B-2)

DEVELOPER: Hawaiian Government Employees' Association, Inc., qualified to do business under charter granted by the Department of Regulatory Agencies, State of Hawaii, on March 10, 1961. Principal place of business is 838 South Beretania Street, Honolulu, Hawaii. Telephone 536-2351. The officers are:

President	Moody Keliioomaluu, Jr.	533 Ulukanu Street Kailua
Vice-President	Ralph Miwa	3038 Waipuna Rise Honolulu
Secretary	Anita Moepono	1703 Kamalii Street Honolulu
Treasurer	Charles Y. Shigemura	99-819 Aliipoe Drive Aiea

ATTORNEYS REPRESENTING DEVELOPER: Norman K. Chung, 926 Bethel Street, phone 537-4396, and Walter M. Heen, Suite 810, 333 Queen Street, phone 531-7071, Honolulu, Hawaii.

DESCRIPTION: The executed and recorded Declaration of Horizontal Property Regime and Developer's floor plans reflect that the building of the project shall consist

of nine stories and one basement. It contains eight (8) apartments and shall be constructed principally of steel, concrete, glass, plaster board and allied building materials. The building, exclusive of ramps and basement parking structure, shall be 106 feet long facing Mililani Street, 79 feet six inches wide facing Queen Street and 129 feet three inches high (including elevator tower) above the existing sidewalk level.

The Declaration states that separate estates in fee simple are designated in each of the eight (8) apartments or units in the building, described as follows:

2nd Floor Apartment comprising all of the second story and containing one room with approximate gross area of 5,983 square feet;

3rd Floor Apartment comprising all of the third story and containing one room with approximate gross area of 6,058 square feet;

4th Floor Apartment comprising all of the fourth story and containing one room with approximate gross area of 6,058 square feet;

5th Floor Apartment comprising all of the fifth story and containing one room with approximate gross area of 6,058 square feet;

6th Floor Apartment comprising all of the sixth story and containing one room with approximate gross area of 6,058 square feet;

7th Floor Apartment comprising all of seventh story and containing one room with approximate gross area of 6,058 square feet;

8th Floor Apartment comprising all of the eighth story and containing one room with approximate gross area of 6,058 square feet; and

Penthouse Apartment comprising all of the ninth story and containing one room with approximate gross area of 4,969 square feet.

The declarant states that the apartments shall not include any elevators, elevator shafts, stairways, stairway vestibules, toilet rooms, electrical rooms, duct rooms or janitor closets nor any walls, partitions or doors enclosing or within said excluded portions except the decorated or finished surfaces facing the respective apartments, nor the undecorated or unfinished surfaces of any perimeter walls, interior load-bearing walls, structural beams or columns, floors, ceilings or roofs enclosing or within the respective apartments, nor any ducts, pipes, wires, conduits or other utility or service lines running through the respective apartments which are utilized for or serve any other apartment, the same being deemed common elements of the project. Each apartment shall consist of only the loft space described in the Declaration, shall include all ducts, pipes, wires, conduits and other utility and service lines therein utilized for or serving only such apartment and the inner decorated or finished surfaces of all walls, structural beams and columns, floors and ceilings thereof, and shall have immediate access to the stairways, stairway vestibules, elevators and elevator shaft doors on the floors of said building containing the respective apartments.

COMMON ELEMENTS: The executed Declaration reflects all remaining parts of the property committed to the regime not included within the apartments as described shall constitute common elements of the project, including specifically but not limited to said land and all improvements within the definition of common elements contained in the Horizontal Property Act which are now or hereafter actually constructed on said land and also the following: (a) All the basement of said building, including without limitation all parking facilities, stairways, stairway vestibules, lobby, elevator, elevator shafts, storage space, electrical, fan and pump rooms, areaway, ramps, machinery and equipment therein or appurtenant thereto; and (b) All the first story of said building, including without limitation all rental spaces, entrances, stairways, stairway vestibules, lobby, elevators, elevator shafts, and decorative drybed therein and all steps, plaza, walkways, trash enclosure, areaway and planting spaces appurtenant thereto,

LIMITED COMMON ELEMENTS: The Declaration reflects that all the windows, toilet rooms, janitor closets, stairway vestibules and elevator shaft doors in the second to the ninth stories inclusive of said building are designated as limited common elements and reserved for the exclusive use of the respective apartments located on the same floor as such limited common elements, and each apartment shall have appurtenant thereto exclusive easements for the use of such limited common elements located on the same floor as such apartment.

INTEREST TO BE CONVEYED PURCHASER: Each apartment shall have appurtenant thereto an equal twelve and one-half percent (12.5%) undivided interest in all common elements of the project.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration states that the apartments shall be used only for commercial, governmental, industrial or professional offices and for no other purpose whatsoever. The rentable space in the first story of said building shall be used only for such offices, and the rentable space in the basement of said building shall be used only for vehicular parking.

OWNERSHIP OF TITLE TO LAND: In the Notice of Intention submitted as part of the registration the Developer states that ownership of title to the land expressed to the regime is vested in the Trustees Under the Will and of the Estate of Bernice Pauahi Bishop, deceased, 519 Halekauwila Street, Honolulu, Hawaii. Telephone 531-1684. The Policy of Title Insurance executed June 12, 1969 by Lawyers Title Insurance Corporation, Richmond, Virginia, through its Honolulu agent, Long & Melone Title Insurance, Ltd., a Hawaii corporation, verifies that the title to the fee of the land rests with the Trustees of Bishop Estate.

ENCUMBRANCES AGAINST TITLE: Examination of title information and documents reflects the property is subject to the following: Master Lease - from Trustees of Bishop Estate to Hawaiian Government Employees' Association, Incorporated, dated February 1, 1962, recorded December 18, 1964, in the Bureau of Conveyances of the State of Hawaii, in Liber 4912, Page 131, which Lease was assigned to and now held by Hawaiian Government Employees' Association under Assignment of Lease from Mitsuo Shimizu and Richard Takeyama, doing business as 888 Associates, dated June 10, 1969, recorded June 12, 1969, in said Bureau of Conveyances, in Liber 6553, Page 268. Said Master Lease was modified by Indenture made by and between Trustees of Bishop Estate and Hawaiian Government Employees' Association, Incorporated, dated June 10, 1969, recorded June 12, 1969, in said Bureau of Conveyances, in Liber 6553, Page 273. The lease commences July 1, 1969 and continues for the term of 57 years and seven months. Modification of Lease - by the Trustees of Bishop Estate to Hawaiian Government Employees' Association, dated July 1, 1969, recorded December 8, 1969, in the Bureau of Conveyances of the State of Hawaii, in Liber 6802, Page 225. Mortgage by Hawaiian Government Employees' Association, Incorporated, to Real Estate Finance Corporation, a Hawaii corporation, dated June 12, 1969, recorded June 12, 1969, in the Bureau of Conveyances, in Liber 6553, Page 278, to secure \$1,400,000.00. Said mortgage was transferred to Pacific Standard Life Insurance Company, an Arizona corporation, by assignment from Real Estate Finance Corporation, dated June 12, 1969, and recorded June 12, 1969, in the Bureau of Conveyances. Taxes - for the fiscal year July 1, 1969 to June 30, 1970. Current Year Taxes - 1st installment (Paid) \$4,119.94; 2nd Installment (Delinquent after June 10, 1970) \$4,119.94. Reservation title to all mineral and metallic mines reserved to the Hawaiian Government. Declaration of Horizontal Property Regime - executed October 13, 1969 and recorded, with By-Laws of Association attached, December 8, 1969, in the Bureau of Conveyances, in Liber 6802, Page 237. Registrar of said Bureau assigned Condominium Map No. 156 to the project.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement, dated August 7, 1969, between Crown Escrow, Inc., as "Escrow", and Hawaiian Government Employees' Association, as "Seller", has been filed with the Commission. On examination the specimen Sale Contract For Leasehold Condominium Apartment and the executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly section 514-15, HRS.

It is incumbent upon the purchaser and prospective purchaser that he reads with care the Sale Contract For Leasehold Condominium Apartment and the executed Escrow Agreement. The latter document, the Escrow Agreement, establishes how the proceeds from the sale of apartments 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 executed Declaration gives notice that the operation of the project shall be governed by the By-Laws of the Association of Apartment Owners of the project. The Board of Directors of the Association are vested with the powers necessary for the administration of the affairs of the Association. Under the By-Laws the Board of Directors shall at all times manage and operate the project - including such duties and supervision of the immediate management and operation of the project and the employment, supervision and dismissal of such personnel as may be necessary for the maintenance and operation of the project.

As of the date of this Final Public Report no property management firm has been identified as the provider of property management services and responsive to the Board of Directors.

STATUS OF PROJECT: Examination of files, documents and records shows that a building permit was issued by the City and County of Honolulu early in 1965 and construction work commenced at the site. Near the end of 1965 work on the project, for which the building permit was issued, was interrupted. On May 10, 1969 a Construction Contract was entered into between Hawaiian Government Employees' Association, as "Owner", and Harris Construction, Inc., as "Contractor", for the completion of work already started and in place, and on June 30, 1969 work on the project was restarted. According to the terms of the Construction Contract the work is to be completed within 275 calendar days from the date after the issuance of a building permit.

As of the date of this Final Public Report, the Developer gives notice that the work on the project is 80% completed.

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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 8, 1969.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 310 filed with the Commission December 8, 1969.

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

  
HERBERT S. ISONAGA, 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

Registration No. 310  
January 14, 1970

