

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
ALA WAI MANSION
2029 Ala Wai Boulevard
Honolulu, Hawaii

REGISTRATION NO. 312

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: February 9, 1970

Expires: March 9, 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 16, 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. ALA WAI MANSION is a proposed leasehold condominium project consisting of an apartment building of ten (10) stories containing thirty-four (34) dwelling units arranged throughout a single high-rise structure. Thirty-four (34) parking stalls are available at the project.
2. No promotional and advertising matter 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 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 December 15, 1969, with By-Laws attached, was filed in the Office of the Assistant Registrar of the Land Court on December 17, 1969 as Land Court Document No. 490922, Transfer Certificate of Title No. 125,594. The Assistant Registrar designated the project as Land Court Condominium Map No. 92.

This Final Public Report is made a part of the registration on the ALA WAI MANSION 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 Horizontal Property Regime Public Report, from each purchaser and prospective purchaser is also the responsibility of the Developer.

This Final Public Report expires thirteen (13) months after date of issuance, February 9, 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: ALA WAI MANSION

LOCATION: The approximate 9,914 square feet of land committed to the project is situate on the South corner of Kuamoo Street where it meets Ala Wai Boulevard, a major thoroughfare, in Waikiki, Honolulu, Island of Oahu, Hawaii.

TAX KEY: FIRST DIVISION 2-6-15-9 and 10

ZONING: H-2 Hotel District

DEVELOPER: ALA WAI MANSION, INC., a Hawaii corporation qualified in the Department of Regulatory Agencies, State of Hawaii, on February 26, 1969, its principal place of business and post office address is 1014 Kinau Street, Honolulu, Hawaii.

The officers and directors are as follows:

President-Director	Abraham Ng Kamsat	2016 Mauna Place Honolulu, Hawaii
Vice President-Director	Lian Kwong Au	933 Hookipa Way Honolulu, Hawaii
Secretary-Treasurer and Director	Wallace Ing Sum Chan	1014 Kinau Street Honolulu, Hawaii

Administrative matters of this project are handled at ALA WAI MANSION, INC., c/o Man Kwong Au, Suite 401, Bishop Insurance Building, 33 S. King Street, Honolulu. Telephone 536-2108.

ATTORNEY REPRESENTING DEVELOPER: Mr. Elton H. Sakamoto, 1019 Smith Street, Honolulu, Hawaii. Telephone 536-2271.

DESCRIPTION: The executed and recorded Declaration of Horizontal Property Regime and Developer's approved floor plans reflect that the building under construction will be ten (10) stories, containing thirty-four (34) dwelling units, constructed of reinforced concrete, steel, glass and allied building materials, integrated walls, columns, supports and parking facilities.

The thirty-four (34) apartments shall not be deemed to include 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, ducts or other utility lines running through such apartment which are utilized for or serve more than one apartment, the same being common elements as provided in the Declaration. Each apartment shall include any adjacent lanai shown on the Condominium Map. 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, and the built-in fixtures including garbage disposal unit, dishwasher, and water heater.

Building

- a. Floors: 2 parking levels, situated on the basement and lobby (ground) floors, together with 8 typical apartment floors situated on the 2nd to the 9th floors, and a penthouse floor, being the 10th floor.
- b. Apartment Units: 34 total units consisting of 16 two-bedroom units situated on the Mauka side with entry, living-dining room, kitchen-utility-hall, 2 bathrooms and lanai of approximately 1,251 square feet of total area each; 16 two-bedroom units situated on the Makai side with entry, living-dining room, kitchen, utility-hall, 2 bathrooms and lanai of approximately 1,186 square feet of total area each; and 2 penthouse units consisting of a 2-bedroom unit situated on the Ewa side with entry, living room, dining room, kitchen, family room, 2 bathrooms, sauna room, powder room, breakfast room-bar, hall-utility area, and 3 lanais of approximately 2,686 square feet of total area; and a 3-bedroom unit situated on the Diamond Head side with entry, living room, dining room, kitchen, 2 bathrooms, powder room, storage room and 3 lanais of approximately 2,696 square feet of total area.
- c. Parking: 34 tenant parking stalls (18 on the basement level and 16 on the lobby floor) together with one (1) emergency parking area on the basement level.
- d. Elevator: One (1) Otis automatic elevator with a capacity of 2,000 pounds.
- e. Tenant Storage: Storage cubicles located on each apartment floor.

Space Distribution

- a. Basement Floor: Contains elevator lobby, vestibule, laundry pickup room, trash room, pump room, transformer vault, switch room, stairs, storage room, and 18 parking stalls and one emergency parking area.
- b. Lobby (ground) Floor: Contains elevator lobby, lobby entrance, office, stairs, and 16 parking stalls.
- c. Typical Apartments & Penthouse: 8 floors of 32 two-bedroom apartments and 1 floor of 2 penthouses on the 10th floor.
- d. Roof: Contains elevator machinery room and related service spaces.

Basic Building Components. The basic building components will include the following:

- a. Foundation: Precast prestressed concrete pilings and cast-in-place foundation caps.
- b. Building Structure: Reinforced concrete walls, columns and floors
- c. Walls: Reinforced concrete walls.
- d. Partitioning: Gypsum board on metal studs. Party walls will be sound walls.
- e. Finishing: Interior and exterior walls will be painted.

Property Act which are actually constructed on the land described, and specifically shall include, but shall not be limited to: (a) said land; (b) the foundations, columns, girders, beams, supports, bearing walls, roofs, halls, corridors, lobbies, stairs, stairways, fire escapes and entrances and exits of the building; (c) the ground floor (basement and lobby floor), flat roof, yards, gardens, all driveways, parking areas, elevator lobbies, laundry pickup room, and storage spaces; (d) the office space for the use of the manager employed for the operation of the property; (e) central and appurtenant installations for services such as power, light, telephone, water, television antenna and trash disposals; (f) the elevators, tanks, pumps, motors, fans, compressors, ducts, and in general, all apparatus and installations existing for common use; and (g) all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, called and designated "limited common elements", are hereby set aside and reserved for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto exclusive easements for the use of such limited common elements. The limited common elements so set aside and reserved are as follows: (a) one (1) parking space for each of the 2-bedroom apartments situate on the 2nd to the 9th floor, and one (1) parking space for penthouse apartments A and B, situate on the 10th floor, all as designated on said Condominium Map by a letter(s) and number(s), and further designated in Exhibit "A" as appurtenant to particular apartments, shall be appurtenant to and for the exclusive use of such apartment; (b) each entry hallway adjoining an apartment or apartments shall be appurtenant to and for the exclusive use of such apartment or apartments which it adjoins; (c) the corridors and elevator lobbies on each apartment level are restricted for the use of the apartment owners living on each level; and (d) the storage closets designated in Exhibit "A" as appurtenant to particular apartments shall be appurtenant to such apartments.

INTEREST TO BE CONVEYED PURCHASER: The percentage of undivided interest in the common elements appertaining to each apartment are as reflected above under the topical heading DESCRIPTION in the columnar arrangement.

PURPOSE OF BUILDING AND RESTRICTION AS TO USE: The building hereinabove described shall at all times be occupied and used as a residential apartment building and each of the apartments in said building shall be used as a single-family residence and for no other purpose. The apartments shall not be rented for transient or hotel purposes, which purposes are defined respectively, as (a) rental for any period less than ninety (90) days, or (b) rental under which the occupants of the apartment are provided such customary hotel services as room services for food and beverages, maid services, 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, restrictions, covenants, and conditions contained in this Declaration or in any By-Laws of the Association of Apartment Owners or in any apartment lease.

The owner of an apartment shall not use the same for any purpose which will injure the reputation of the building. Such owner shall not suffer anything to be done or kept in said apartment or elsewhere which will jeopardize the soundness of the building, or which will interfere with or unreasonably disturb the rights of other owners, or which will obstruct the public halls or stairways of the building, or which will increase the rate of fire insurance on the building or the contents thereof or which will reduce the value of the apartment building.

The owner of an apartment shall not, without the prior written consent of the Board, make any structural alterations in or additions to the apartment or make any alterations in or additions to the exterior of the apartment (including awnings, jalousies or screens) or to any other portion or portions of the common elements unless otherwise provided in the By-Laws.

The owner of an apartment shall not, without the prior written consent of the Board or the Managing Agent, display any sign or other device in or upon any door, window, wall or other portion of the apartment or common elements, or otherwise so as to be visible from the exterior.

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 Ala Wai Mansion, Inc., a Hawaii corporation. A copy of the Warranty Deed, executed February 7, 1969, being Doc. No. 467239, filed in the Office of the Assistant Registrar of the Land Court on February 28, 1969, as to Transfer Certificate of Title No. 125594, verifies this acquisition.

ENCUMBRANCES AGAINST TITLE: The Developer in his notice of intention to sell reports a Mortgage, dated June 25, 1969 in favor of Territorial Savings and Loan Association for \$1,350,000 and said encumbrance is filed with the Assistant Registrar of the Land Court as Document No. 476898. Easements, reservations and covenants affecting Lot I-2-A, as set forth in Deed dated May 4, 1966, filed as Document No. 464029 and mentioned in Transfer Certificate of Title No. 124,940 are referred to in the documentation. Declaration of Horizontal Property Regime, with By-Laws attached, executed December 15, 1969 and filed with the Assistant Registrar of the Land Court on December 17, 1969 as Document No. 490,922 with Condominium Land Court Map No. 92 being designated to the recording in the office of the recording officer.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement, dated December 15, 1969, between First Hawaiian Bank, as "Escrow" and Ala Wai Mansion, Inc., as "Seller", has been filed with the Commission. On examination the specimen Sales Contract and the copy of the executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly Sec. 514-15, HRS.

It is incumbent upon the purchaser and prospective purchaser that he reads with care the Sales Contract 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. Among the powers and duties of the Board of Directors, there is the responsibility for the employment and dismissal of the personnel necessary for the maintenance, operation, repair of the property, as well as the employment of a Managing Agent to manage and control the property. The initial Managing Agent has been designated - Mr. Han Kwong Au.

STATUS OF PROJECT: A copy of the Standard Form of Agreement between Owner and Contractor (AIA Document A 101) executed April 30, 1969 by and between Ala Wai Mansion, Inc., as "Owner" and Town Construction Co., Ltd., as "Contractor", has been submitted as part of the registration. The Developer states that work on the project began on July 21, 1969 and the construction is expected to be completed on or about October 14, 1970. As of the date of this Final Public Report, the Developer gives oral notice that the building is at the fifth floor level - being about 30% complete.

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 16, 1969.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 312 filed with the Commission December 16, 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.

Distribution:

DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING DEPARTMENT, C&C OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT


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

Registration No. 312