

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII  
1010 RICHARDS STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

## SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

NANIHALA  
1099 Green Street  
Honolulu, Hawaii

REGISTRATION NO. 321

### **This Report Is Not an Approval or Disapproval of This Condominium Project**

It was prepared as a supplement to an earlier Report dated \_\_\_\_\_ issued by the Real Estate Commission on the above 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: October 15, 1970  
Expires: November 15, 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED FEBRUARY 4, 1970, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS LATE AS OCTOBER 15, 1970. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND REPORTING CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Final Public Report of March 6, 1970, on NANIHALA, Registration No. 321, the Developer reports that changes have been made in the plan or setup as represented in the February 4, 1970, notice of intention to sell.

The changes subsequently made are determined to be a material revision to the information disclosed earlier. This Supplementary Public Report (pink paper stock) amends the Final Public Report (white paper stock), becoming a part of NANIHALA registration.

The Developer is responsible for placing a true copy of this Supplementary Public Report in the hands of all purchasers and

prospective purchasers, along with a copy of the Final Public Report. The buyers shall sign the required receipt signifying that he has had an opportunity to read both reports.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for registration of the project and the updating of information disclosed therein.
3. 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 February 2, 1970, with By-Laws attached, was filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 495551. The Registrar designated Condominium Map No. 94 to the project.

Amendment to Declaration of Horizontal Property Regime, executed July 29, 1970, was filed in said Office of the Assistant Registrar on August 18, 1970, as Document No. 509452. Amendments to Condominium Map No. 94 was filed on August 6, 1970, as Land Court Order No. 32069.

4. Promotional and advertising materials have not been submitted pursuant to the rules and regulations promulgated by the Commission.
5. The purchaser and 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.

Only the information under the topical headings "DEVELOPER," "LIMITED COMMON ELEMENTS," "OWNERSHIP OF TITLE," and "ENCUMBRANCES AGAINST TITLE" have been disturbed. All other headings are as recited in the Final Public Report dated March 6, 1970.

NAME OF PROJECT: NANIHALA

DEVELOPER: The Final Public Report of March 6, 1970, recites that the Developer is R. S. Ellsworth, Inc. Since the issuance of the Final Public Report, the Commission has been notified that Edward Keiji Kageyama and Jeanette Wo Sien Young Kageyama, husband and wife, has replaced R. S. Ellsworth, Inc., as the Developer.

LIMITED COMMON ELEMENTS: The amendment to Declaration of Horizontal Property Regime on July 29, 1970, discloses:

1. That there are 40 parking spaces, numbered 1 to 40, inclusive, as shown on amended Sheet No. 1 of Condominium Map No. 94; and
2. That 14 parking spaces are located on the first floor of Building "A" (five of which are fully covered and nine of which are partially covered); six parking spaces are located on the first floor of Building "B" (all of which are fully covered); and 20 parking spaces are located on the open areas.

OWNERSHIP OF TITLE: The Commission is in receipt of a Lien Letter Report dated October 14, 1970, prepared by First American Title Company of Hawaii, Inc., which reflects that fee title to said property is vested in Ah Chun Loo and Pearl Tom Loo. The Lien Letter Report further reflects that R. S. Ellsworth, Inc., the holder of leasehold title to the property, has entered into an Agreement of Sale dated May 8, 1970, to sell the leasehold interest to Purchasers, Edward Keiji Kageyama and Jeanette Wo Sien Young Kageyama. (Attorney for Developer has notified the Commission that the specimen contract of sale and the specimen apartment lease filed with the Commission

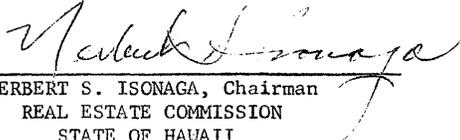
on February 4, 1970, will be amended to reflect the seller and lessor as Edward Keiji Kageyama and Jeanette Wo Sien Young Kageyama.)

ENCUMBRANCES AGAINST TITLE: The Lien Letter Report of October 14, 1970, discloses the following encumbrances against title to the property: Lease between Ah Chun Loo and Pearl Tom Loo, Lessors, and Philip Ing et al., Lessees, dated June 10, 1965, and filed at the Office of the Assistant Registrar of the Land Court as Document No. 364,963; said Lease, through mesne assignments, is now held by R. S. Ellsworth, Inc., as general partner for Nanihala, a limited partnership, by Assignment of Lease dated March 12, 1970, filed in the Office of the Assistant Registrar as Document No. 496845; Mortgage made by Philip Ing et al., Mortgagors, in favor of the Liberty Bank of Honolulu, in the sum of \$425,000.00, dated May 22, 1968, and filed as Document No. 444,801; Mortgage made by R. S. Ellsworth, Inc., Mortgagor, in favor of Philip Ing et al., Mortgagee, in the sum of \$87,000.00, dated August 27, 1969, and filed as Document No. 483,037, consent thereto filed as Document No. 483,038; Agreement of Sale made by R. S. Ellsworth, Inc., as Seller, and Edward Keiji Kageyama and Jeanette Wo Sien Young Kageyama, as Purchasers, dated May 8, 1970, and filed as Document No. 503,178, consent thereto filed as Document No. 506,368. Assignment of Security made by Edward Keiji Kageyama and Jeanette Wo Sien Young Kageyama to Hawaii Thrift and Loan, Inc., dated June 9, 1970, and filed as Document No. 503,601; Declaration of Horizontal Property Regime dated February 2, 1970, filed as Document No. 495,551, as amended by instrument dated July 29, 1970, filed as Document No. 504,452; Condominium Map No. 94, Nanihala, as set forth by Land Court Order No. 31350, filed February 25, 1970; as amended by Land Court Order No. 32069, filed August 6, 1970.

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 February 4, 1970, and information subsequently filed as late as October 15, 1970.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 321 filed with the Commission on February 5, 1970.

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

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

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Distribution:

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

October 15, 1970  
Registration No. 321

