

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 COVE
509 University Avenue
Honolulu, Hawaii 96814

REGISTRATION NO. 330

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 18, 1971
Expires: February 18, 1972

SPECIAL ATTENTION

A comprehensive reading of this report is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the purchaser or prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED MAY 8, 1970, AND INFORMATION SUBSEQUENTLY FILED AS LATE AS JANUARY 11, 1971. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514, HAWAII REVISED STATUTES.

1. Since issuance of the Commission's Preliminary Public Report of June 9, 1970 on Ala Wai Cove, Registration No. 330, the developer has submitted additional information to that filed with its Notice of Intention of May 8, 1970. This Final Public Report is made a part of the registration on Ala Wai Cove. 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 receiving the Preliminary Public Report (yellow paper stock), and for obtaining from such purchasers and prospective purchasers the required receipts therefor.
2. All documents deemed necessary for the registration of a condominium project and issuance of this Final Public Report have been submitted by the developer to the Commission for examination.

3. The basic documents (Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners, Regulatory Agreement with the Federal Housing Administration, and a copy of the approved floor plans) have been filed in the office of the recording officer.
4. The Declaration of Horizontal Property Regime executed December 21, 1970, with By-Laws and Regulatory Agreement attached, was filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 523C50 and noted on Transfer Certificate of Title No. 79,156, with Condominium Map No. 109, and was also recorded in the Bureau of Conveyances of the State of Hawaii in Liber 7349, Page 109, with Condominium File Plan No. 150.
5. Promotional and advertising materials have been submitted pursuant to the rules and regulations promulgated by the Commission.
6. The substantial renovation of the existing 10-story reinforced concrete structure was completed in October 1970.
7. The purchaser or 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.
8. This Final Public Report automatically expires thirteen (13) months after the date of issuance, January 10, 1971, unless a supplementary public report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.

Only certain information disclosed in the Commission's Preliminary Public Report of June 9, 1970 in the topical headings hereinafter set forth has been amended and then only to the extent indicated below. Otherwise, the information recited in the Preliminary Public Report applies.

DEVELOPER: Park Terrace, Inc., the developer, reports that its officers are now the following persons:

President	Michael K. H. Limm
Senior Vice President	Hung Yee
Vice President and Treasurer	George K. P. Lau
Secretary	Zena M. Schuman

Otherwise, the balance of the information under this heading in the Preliminary Public Report applies.

LIMITED COMMON ELEMENTS: The only changes under this heading are that Apartment 601, which formerly was assigned Parking Stall 7C, is now assigned Parking Stall 27C; and that Apartment 70C, which formerly was assigned Parking Stall 27C, is now assigned Parking Stall 7C. The foregoing change is reflected in the recorded Declaration. Otherwise, the remaining information under this heading in the Preliminary Public Report applies.

OWNERSHIP OF AND ENCUMBRANCES AGAINST TITLE: The Developer has filed with the Commission an updated Title Report dated January 5, 1971 prepared by Security Title Corporation. In addition to those encumbrances reported in the June 9, 1970 Preliminary Public Report (yellow copy), said updated Title Report reports that title to the land is further subject to the following:

The terms and provisions of that certain Declaration dated December 21, 1970, filed in said Office of the Assistant Registrar as Document No. 523C50, and also recorded on January 5, 1971, in said Bureau of Conveyances in Book 7349, Page 113. Consent thereto filed as Document No. 523C51, and also recorded in Book 7349, Page 145 (Ala Wai Cove).

Taxes for the fiscal year 1970-1971 are a lien.

(Note: The records at the Tax Office do not reflect that any portion of the first installment has been paid. As of the date of January 5, 1971, the posting of tax payments made to the Tax Office for the first installment for the fiscal year 1970-1971 has not been completed.)

PURCHASE MONEY HANDLING: As reported to the Commission on July 2, 1970, the developer rescinded the Escrow Agreement dated May 22, 1970, between Security Title Corporation, as escrow agent, and Park Terrace, Inc., as seller, and thereafter entered into a similar Escrow Agreement dated June 26, 1970, between Honolulu Mortgage Co., Ltd., as escrow agent, and Park Terrace, Inc., as seller. Executed copies of the Rescission and the new Escrow Agreement have been submitted to the Commission. The Escrow Agreement dated June 26, 1970, and the proposed Purchase Agreement have been found to conform with the requirements of Horizontal Property Act relating to purchasers' rights and to the use and handling of purchasers' funds. Under those documents, purchasers' funds may not be disbursed, except by way of a refund, including but not limited to refunds acquired by Sections 514-37 through 514-39, Hawaii Revised Statutes, or upon default by the purchaser, until completion of the project.

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

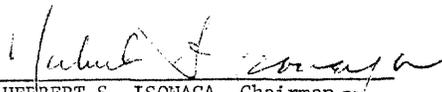
MANAGEMENT AND OPERATION: The developer advises that on behalf of the Association of Apartment Owners it has retained Dillingham Land Corporation as the initial managing agent, and has submitted to the Commission an executed copy of the Property Management Agreement dated December 1, 1970. Otherwise, the balance of the information under this heading in the Preliminary Public Report applies.

STATUS OF PROJECT: The developer advises that construction of the contemplated renovations was completed in October 1970, by K. Nagata Construction, Inc. pursuant to its construction contract dated June 1, 1970, a copy of which has been submitted to the Commission and which supersedes the construction contract dated March 11, 1970, mentioned in the Preliminary Public Report. A performance bond dated July 7, 1970 has also been submitted to the Commission. An affidavit of publication of completion of the contract was filed in the First Circuit Court on October 12, 1970, a copy of which has been submitted to the Commission, with the result that the 45-day period within which mechanics' liens could have been filed against the project expired on November 26, 1970. The Preliminary Report dated January 5, 1971 indicates that no mechanics' liens have been filed against the project.

The purchaser or prospective purchaser should recognize that this published report represents information disclosed by the developer in the required Notice of Intention submitted on May 8, 1970, and information subsequently filed as late as January 11, 1971. The information disclosed in the Commission's Preliminary Public Report of June 9, 1970 should be carefully reviewed by the purchaser and prospective purchaser.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 330 filed with the Commission on May 8, 1970.

This report, when reproduced, should 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

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Distribution:

Department of Taxation
Bureau of Conveyances
Planning Department, City & County of Honolulu
Federal Housing Administration
Escrow Agent

Registration No. 330
January 10, 1971