

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

424 SO BERTANIA STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

## SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

ALA WAI TOWN HOUSE  
2421 Ala Wai Boulevard  
Honolulu, Hawaii

REGISTRATION NO. 332

### **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: July 29, 1970  
Expires: August 29, 1971

#### SPECIAL ATTENTION

A comprehensive reading by the prospective purchaser is urged in order 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:

THIS SUPPLEMENT TO THE FINAL REPORT REFLECTS INFORMATION FILED WITH THE REAL ESTATE COMMISSION ON JULY 20, 1970. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, SET FORTH IN CHAPTER 514, HAWAII REVISED STATUTES.

#### PENDING LITIGATION:

On the Ewa side of the project, there is a 20-story condominium apartment building called the Waikiki Skyliner. On October 30, 1969, the owners of three apartments in the Waikiki Skyliner filed suit in the United States District Court for the District of Hawaii against Hawaiian Empire, Ltd., Orlando Co., Ltd., City and County of Honolulu, Tsutomu Izumi, and S. & M. Sakamoto, Inc., seeking an injunction against the construction of the project or in the alternative, damages on the ground that the project is in violation of Ordinance 2007 of the City and County of Honolulu in that it does not allegedly meet certain setback requirements.

This suit was amended December 8, 1969, to add two additional officers of the City and County of Honolulu as defendants.

On July 21, 1970, the owners of 14 other apartments in the Waikiki Skyliner filed action in the Circuit Court of the First Circuit, State of Hawaii, against the same defendants seeking an injunction requiring that the City and County of Honolulu and its officials enforce Ordinance 2007, that Hawaiian Empire, Ltd., Orlando Co., Ltd., and/or S. & M. Sakamoto, Inc., abate and correct the alleged violations of Ordinance 2007 or if the Court finds that the alleged violations constitute a nuisance asking for compensatory and punitive damages against Hawaiian Empire, Ltd., Orlando Co., Ltd., and S. & M. Sakamoto, Inc.

The Developer, through its attorney, Howard K. Hoddick, advised the Commission that if either suit is successful and purchasers' interests are prejudiced, the purchase contract will be cancelled and any money paid will be refunded in full.

This SUPPLEMENT TO FINAL HORIZONTAL PROPERTY (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 332 filed with the Commission on May 18, 1970.

The Supplement to said Final Report when reproduced shall be a true copy of the Commission's aforesaid Supplement to the public report. The paper stock must be pink.



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

YH:sw

Distribution:

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July 29, 1970  
Registration No. 332