

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on
EWA APARTMENTS NO. 1
Puuloa, Ewa, Oahu
State of Hawaii

REGISTRATION NO. 341

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 but may only take reservations therefore after

- (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: September 21, 1970

Expires: October 21, 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 JULY 10, 1970 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF AUGUST 19, 1970. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIME ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. The registration is in compliance with the requirements of the law and regulations. The Developer has given the Commission adequate information on its intention to offer the described dwelling units for sale.
2. EWA APARTMENTS NO. 1 is a proposed fee simple cluster condominium having forty-eight (48) units arranged throughout ten (10) 2-story residential apartment buildings. Sixty (60) parking stalls are available of which twelve (12) will be for guest parking.
3. No advertising or promotional matter has been filed pursuant to the Rules and Regulations promulgated by the Commission.

4. The Developer has arranged for insurance by the Federal Housing Administration pursuant to Section 235 of Title II of the National Housing Act, of individual mortgages by qualified purchasers of apartments in the project. As a condition to its providing such insurance, the Federal Housing Administration requires that the Association of Apartment Owners enter into with that agency and record a Regulatory Agreement whereby the Association may be regulated and restricted by that agency. The Regulatory Agreement is proposed to be executed and recorded with the Declaration of Horizontal Property Regimes. Purchasers in the project should, therefore, familiarize themselves with the provisions of the proposed Regulatory Agreement.
5. 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 which relate to Horizontal Property Regime.
6. The Developer of the project has submitted to the Commission for examination a filing of documents and exhibits which are complete except for some particular requirement, or requirements, which can be expected to be completed as part of this registration.
7. This Preliminary Public Report is made a part of the registration on EWA APARTMENTS NO. 1 condominium project. The Developer has the responsibility of placing a true copy of the Preliminary Public Report (yellow 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 when it is issued is also the responsibility of the Developer.
8. This Preliminary Public Report automatically expires thirteen (13) months from the date of issuance, September 21, 1970, unless a supplementary report is published or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: EWA APARTMENTS NO. 1

LOCATION: The project is located on a lot situated at the southeast corner of Fort Weaver Road and Kimopelekane Road, in Ewa Beach, Puuloa, Ewa, Oahu, and containing 2.3394 acres. The description of the land by Land Court Map Number and the reserved easements, rights, powers and privileges are more fully set forth in the Declaration.

TAX KEY: FIRST DIVISION 9-1-01-20

DEVELOPER: The Notice of Intention reveals the Developer to be QUALPAC, INC., a Hawaii corporation, 1105 Dillingham Boulevard, Honolulu, Hawaii. The officers of the corporation are:

T. M. Valdez	President
Philip Ing	Vice President
Saburo Yamashita	Secretary-Treasurer

ATTORNEY REPRESENTING DEVELOPER: Harold T. Yamada, 1100 Amfac Building, Honolulu, Hawaii. Telephone 537-3338.

DESCRIPTION OF PROJECT: The Declaration of Horizontal Property Regime reflects that this is a fee simple cluster condominium apartment complex consisting of 2.3394 acres of land and ten (10) 2-story buildings designated as Buildings A to J, inclusive. All buildings will be constructed principally of wood and concrete hollow tile block on a concrete slab.

The number of apartment spaces in each building is as follows:

<u>Building No.</u>	<u>No. of Apartment Spaces</u>
A	5
B	4
C	7
D	4
E	3
F	3
G	6
H	6
I	5
J	5

There are three (3) types of apartment spaces which have been designated, for classification purposes only, as Model "A", Model "B" and Model "C". The area and the number of rooms contained in each of said types of apartment spaces are as follows:

Model "A" - a two-story apartment with an area of 1,043 square feet, more or less (exclusive of lanai containing approximately 63 square feet); containing three bedrooms, 1 bath, kitchen and living-dining room.

Model "B" - a one-story apartment with an area of 681 square feet, more or less (exclusive of lanai containing approximately 66 square feet); containing two bedrooms, 1 bath, kitchen-dining room and living room.

Model "C" - a two-story apartment with an area of 780 square feet, more or less (exclusive of lanai containing approximately 68 square feet); containing two bedrooms, 1 bath, kitchen-dining room and living room.

The apartment number of each apartment space, its location and model are as follows:

<u>Bldg. No.</u>	<u>Apt. No.</u>	<u>Model No.</u>
A	A-1	B
A	A-2	A
A	A-3	A
A	A-4	A (R)
A	A-5	A (R)
B	B-1	A
B	B-2	A
B	B-3	C (R)
B	B-4	C
C	C-1	A
C	C-2	A
C	C-3	A (R)
C	C-4	A
C	C-5	A (R)
C	C-6	C
C	C-7	C
D	D-1	C (R)
D	D-2	C
D	D-3	C (R)
D	D-4	C
E	E-1	A
E	E-2	A
E	E-3	A (R)
F	F-1	A (R)
F	F-2	A
F	F-3	A

(Cont'd.)

<u>Bldg. No.</u>	<u>Apt. No.</u>	<u>Model No.</u>
G	G-1	B
G	G-2	C (R)
G	G-3	C
G	G-4	C (R)
G	G-5	C
G	G-6	C
H	H-1	A
H	H-2	A (R)
H	H-3	C (R)
H	H-4	C
H	H-5	A
H	H-6	A (R)
I	I-1	B
I	I-2	A
I	I-3	A
I	I-4	A (R)
I	I-5	A (R)
J	J-1	A
J	J-2	A
J	J-3	A (R)
J	J-4	A (R)
J	J-5	B (R)

Apartment spaces designated with "(R)" after the model number on the plans are reverse type of such model.

Each of the apartments shall have immediate access to a concrete walkway which is a common element.

COMMON ELEMENTS: The Declaration states that the owners of apartments will have undivided interests in the common elements which shall include, but are not limited to the following: (1) The land in fee simple; (2) All foundation, floor slabs, columns, girders, beams, supports, unfinished perimeter and load bearing walls, roofs, walkways, broadwalks, ducts, pumps, pipes, wires, conduits, fire sprinkler systems, and generally all equipment, apparatus, installations and personal property existing for common use in the buildings or located on the land; (3) All driveways, roads, and other common ways, landscaping, yards, garden and garden areas, fences, retaining walls, refuse collection areas, mail box areas, and parking areas situate on the land; (4) Community facilities and all utility facilities; and (5) All portions of the building not deemed to be included as an apartment space.

LIMITED COMMON ELEMENTS: A portion of the common elements are set aside and designated as limited common elements. Each apartment space will have appurtenant thereto a garden area and one parking space, which will bear the same designation as the apartment space, for the exclusive use of such apartment space. The parking spaces are shown on the plot plan of the project as filed with the Commission.

Parking space Nos. Guest 1 to Guest 12, a total of 12 spaces, have not been assigned to any apartment space and shall remain as a common element to be used for guest parking.

PERCENTAGE OF UNDIVIDED OWNERSHIP TO BE CONVEYED: The Declaration reflects that the percentage of undivided interest in all of the common elements of whatever kind appertaining to each apartment and its owner for all purposes shall be as follows:

<u>Model of Apartment</u>	<u>Common Interest</u>
A	2.341%
B	1.516%
C	1.736%

Said percentage shall be the basis for the determination and allocation of common assessments and expenses and common profits to be shared by the Apartment Owners. Each apartment purchaser will receive a deed in fee simple from QUALPAC, INC., the fee simple owner.

PURPOSE OF BUILDING AND RESTRICTION AS TO USE: The Declaration reflects that all buildings are intended for residential use, and the apartments may be rented or leased except for transient or hotel purposes.

OWNERSHIP OF TITLE: The Developer reports that title to the land is vested in QUALPAC, INC. The lien letters dated May 20, 1970 and July 7, 1970 issued by Long & Melone, Ltd., confirms such ownership.

ENCUMBRANCES AGAINST PROPERTY: The Developer has submitted lien letters prepared by Long & Melone, Ltd., a licensed abstractor. The report states that there were no liens or encumbrances against the land as of July 2, 1970, except as follows:

1. Easement 50 for roadway and utility purposes in favor of Ewa Acres, Inc., a Hawaii corporation, as shown on Map 179, filed with Land Court Application No. 242.
2. 20-foot setback line along Fort Weaver Road.
3. The restrictive covenants set forth in Land Court Document No. 472590 and the deed conveying title to Qualpac, Inc., filed as Document No. 505104.
4. Mortgage in favor of Bank of Hawaii, dated June 29, 1970, filed as Land Court Document No. 505105.

PURCHASE MONEY HANDLING: A copy of the specimen Subscription and Purchase Agreement and the executed Escrow Agreement have been submitted as part of the registration. The Escrow Agreement made July 23, 1970 identifies the Bank of Hawaii as the "Escrow." On examination, the specimen Subscription and Purchase Agreement and the executed escrow agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes. The language in the specimen agreement illustrates compliance with the requirements of Sec. 514-36 through 514-40, Hawaii Revised Statutes.

Among other provisions the executed Escrow Agreement provides the following which relates to refund of purchasers' monies:

If, at any time subsequent to the issuance of a building permit for the project, the building plans for the project are changed to such an extent as to require re-approval by the county officer having jurisdiction over the issuance of building permits, or, the final public report differs in any material respect from the preliminary public report, or, in the event that the final report is not issued within one (1) year from the date of the issuance of the preliminary report, or the Purchaser is entitled to a refund pursuant to the provisions contained in the Subscription and Purchase Agreement, any purchaser may have the funds deposited by him with Escrow refunded without interest. No refund shall be made to any purchaser who has previously approved such change in writing if a copy of such approval has been furnished to escrow.

It is incumbent upon the purchaser and prospective purchaser that he reads with care the Subscription and Purchase Agreement and the executed Escrow Agreement. The Subscription and Purchase Agreement indicate that Federal Housing Administration requires that 80% of the total value of the family units in the project must be sold to purchasers approved by FHA before its issuance of insurance of individual mortgages under Section 235 of the National Housing Act. 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 escrow, as well as the methods of disbursement of said funds.

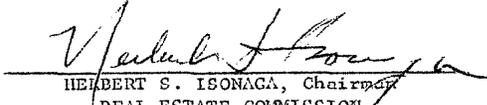
MANAGEMENT AND OPERATIONS: The Declaration discloses that the administration of the project shall be vested in the Association of Apartment Owners. The proposed By-Laws of the Association place the responsibility of employing a responsible Hawaii corporation as Managing Agent to manage and control the project, subject at all times to direction by the Board. Aaron M. Chaney, Inc., a Hawaii corporation, has been identified as the Managing Agent.

STATUS OF PROJECT: The Developer states that construction has not been started. The Developer advises that a construction contract was entered into on June 9, 1970 with Quality Pacific, Limited, the general contractor. No commencement date has been set and there is no estimated completion date as yet.

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 July 10, 1970 and additional information subsequently filed as of August 19, 1970.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 341 filed with the Commission on July 10, 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 yellow.


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

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ESCROW AGENT

September 21, 1970
Registration No. 341