

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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

**PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT**

on
HANOHANO HALE
53-549 Kamehameha Highway
Punaluu, Oahu, Hawaii

REGISTRATION NO. 352

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: March 1, 1971

Expires: April 1, 1972

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 REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED OCTOBER 7, 1970, AND INFORMATION SUBSEQUENTLY FILED AS LATE AS FEBRUARY 18, 1971. THE DEVELOPER IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT (CHAPTER 514, HAWAII REVISED STATUTES).

1. Hanohano Hale is a proposed leasehold condominium project consisting of a reinforced concrete seven (7) story building, with 47 apartment units and 82 hotel units, all of which will be sold by the Developer upon and subject to the terms and provisions of Apartment Leases to be issued by Condominium Hawaii, Inc., Sublessor. There will be one hundred thirty-two (132) parking stalls.
2. The Developer of the project has filed all documents and materials deemed necessary by the Commission for the registration of this proposed condominium project and the issuance of the Preliminary Public Report.

3. The Developer has advised that the basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a copy of Approved Floor Plans) have been filed in the Office of the Recording Officer. The Declaration, with the By-Laws attached thereto, has been filed with the Assistant Registrar on February 10, 1971 as Land Court Document No. 526,762. The Registrar has designated Condominium File Plan No. 110 to the project.
4. The Developer has advised the Commission that the advertising and promotional matter required to be filed pursuant to the rules and regulations promulgated by the Commission will be submitted prior to public exposure.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, and the Rules and Regulations promulgated thereunder which relate to Horizontal Property Regimes.
6. This Preliminary Public Report is made a part of the registration of Hanohano Hale 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.
7. If the Final Public Report is not issued within one (1) year from March 1, 1971, the date of this Preliminary Public Report, purchasers and prospective purchasers shall be entitled to a refund of all monies without further obligation.

NAME OF PROJECT: HANOHANO HALE

LOCATION: 53-549 Kamehameha Highway, Punaluu, Oahu, Hawaii. The site, comprising 114,859 square feet, is located on the makai side of Kamehameha Highway.

TAX MAP KEY: First Division, 5-3-08-1, Lots 11, 12, 13 and 14

ZONING: H-1

DEVELOPER: CONDOMINIUM HAWAII, INC., a Hawaii corporation, whose business address is 801 Kaheka Street, Honolulu, Hawaii. The Officers of the Corporation are:

Harry H. Otsuji	President
Abraham K. Iokioka	Vice President
August A. Yee	" "
Norman Fung	" "
Glenda Rother	Secretary
Edith M. Schick	Treasurer

ATTORNEY REPRESENTING DEVELOPER: Hogan, Howell & Rother (Phillip L. Rother), Suite 320, Dillingham Transportation Building, 735 Bishop Street, Honolulu, Hawaii, 96813, Telephone: 531-6851.

DESCRIPTION: The proposed Declaration of Horizontal Property Regime reflects that the proposed project shall consist of a reinforced concrete and hollow tile, seven (7) story building containing two (2) two-bedroom, one-bath units; forty-five (45) one-bedroom, one-bath units; and eighty-two (82) hotel units, for a total of one hundred twenty-nine (129) units, located on 114,859 square feet of land. The building will be rectangular in shape, capped with a flat slab roof and containing no basement, with two (2) two-bedroom apartment units, three (3) one-bedroom apartment units, ten (10) hotel units, a resident manager's unit, a lobby, an office and two (2) public restrooms on the first floor; seven (7) one-bedroom apartment units and twelve (12) hotel units on the second, fifth and seventh floors; and seven (7) one-bedroom apartment units, twelve (12) hotel units and one (1) laundry room on the third, fourth and sixth floors. Said building will contain two (2) stairways, one at each end of the building and two (2) elevators. The apartments will be number 101 (manager's unit) through 116 on the first floor and 201 through 219 on the second floor (third to seventh floors similar to second floor numbering except the first numeral correlates with the floor level).

Each two-bedroom unit also contains a bathroom, kitchen, living-dining room and a floor area of 713 square feet plus a lanai with net floor area of 256 square feet; each one-bedroom unit also contains a bathroom, kitchen, living-dining room and a floor area of 475 square feet plus a lanai of 158 square feet; and each hotel unit contains a living-dining-sleeping room and a bathroom, with net floor area of approximately 358 square feet.

The apartments will be numbered in the manner shown on the Condominium File Plan. Each apartment will 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 all fixtures originally installed therein including refrigerator, gas range and garbage disposer in the one and two-bedroom units and a refrigerator in the hotel units. Each apartment will have immediate access to the walkway on its floor and the stairways between the upper and ground floors of the building, and the walkways connecting the building to the street entrances and parking areas of the project. There will be parking stalls for one hundred thirty-two (132) automobiles.

COMMON ELEMENTS: The common elements will include the limited common elements hereinafter described and all other portions of the land and improvements other than the apartments and they shall specifically include but not be limited to the above-described land and improvements thereon; all foundations, floor slabs, columns, girders, beams, supports, bearing walls, roofs, chases, entries, stairways and walkways of the building; all yards, grounds, landscaping, mail boxes, and refuse facilities; all parking areas and driveways; all ducts, electrical equipment, wiring and other central and appurtenant installations including power, light, water, sewer and telephone; the laundry areas; the swimming pool and equipment, two automatic electric passenger elevators, recreational areas, manager's unit and office, storage rooms, and all other elements and facilities rationally in common use, or necessary to the existence, upkeep and safety of the building of the project.

LIMITED COMMON ELEMENTS: The proposed Declaration reflects that certain parts of the common elements herein called "limited common elements" are designated and set aside for the exclusive use of certain apartments. Such apartments shall have appurtenant thereto easements for the use of such limited common elements as follows:

- (a) One parking space, designated on said plans by the number corresponding to the number of each apartment, shall be appurtenant to and for the exclusive use of each apartment (except that two parking spaces shall be assigned to each of the plan (iii) apartments).

NOTE: One additional parking space, designated on said plans by number 101 shall be appurtenant to and for the exclusive use of the resident manager; the hallways and walkways on any floor of the building shall be appurtenant to and for the exclusive use of the apartments on such floor.

INTEREST TO BE CONVEYED TO PURCHASER: Apartment units shall have appurtenant to each the undivided interest in all common elements of the project as follows: All two-bedroom apartment units - 1.55% per cent; all one-bedroom apartment units (except 101) - 1.06 per cent; and all hotel units - 0.6 per cent. The common interest, proportionate share in all common profits and expenses of the project and proportionate representation for voting purposes in the Association of Apartment Owners and all other purposes shall be in said percentage for each apartment.

USE: The proposed Declaration provides that the apartments shall be occupied and used for hotel and for residential purposes. The owners of the respective apartments shall have the absolute right to lease or rent such apartments for transient purposes, subject to all provisions of the Declaration.

OWNERSHIP OF TITLE: The Preliminary Title Report dated February 8, 1971 from Security Title Corporation, a licensed abstractor, indicates that title to the land is vested in Condominium Hawaii, Inc., as Sublessee, from Edwin Yee, Ltd., Lessee under the Master Lease from First National Bank of Hawaii, Successor Trustee under the Will and of the Estate of Grace Kahoalii, Deceased, and

Albert Gordon Kalaninuikaleleaukahoalii Hanohano, et al., the owners of the fee simple title to the land. The project will be located exclusively on Lots 11 through 14, area 114,859 square feet, all as described in Transfer Certificates of Title Nos. 26,667 and 133,566.

ENCUMBRANCES AGAINST TITLE: The Preliminary Title Report indicates the following encumbrances:

1. Real Property Taxes are a lien on the land.
2. That portion of land bordering on the ocean:
 - (a) Decision by the Supreme Court of the State of Hawaii in case of Application of Ashford (1968) 50 H. 314, 440 P. 2d 76.
 - (b) The effect of Sections 205-31 to 205-37, inclusive, Hawaii Revised Statutes, as amended.
3. That portion of that certain stream that is included in Lot 14, as shown on Map 2 filed as Land Court Application No. 1365.
4. Lease dated September 23, 1968, filed in Office of the Assistant Registrar as Document No. 493549, made by and between FIRST NATIONAL BANK OF HAWAII (now FIRST HAWAIIAN BANK, a Hawaii corporation), Successor Trustee under the Will and of the Estate of Grace Kanoalii, Deceased, et al., as Lessor, and EDWIN YEE, LTD., a Hawaii corporation, as Lessee, for a term of 55 years commencing on December 16, 1968.
5. Said Lease mentions the following: "SUBJECT, HOWEVER, to a perpetual ten (10) foot right-of-way or easement for ingress and egress, extending from the highway to the sea over said Lot 11 along its entire boundary with contiguous Lot No. 10, said easement to be appurtenant to the remaining lots or parcels of land presently described in Transfer Certificate of Title No. 26,667."
6. Terms and provisions of Sublease dated September 23, 1970, filed as Land Court Document No. 526762, made by and between EDWIN YEE, LTD., a Hawaii corporation, as Sublessor, and CONDOMINIUM HAWAII, INC., a Hawaii corporation, as Sublessee.

PURCHASE MONEY HANDLING: An executed Escrow Agreement dated September 2, 1970, identifies Security Title Corporation as the Escrow Agent. Upon examination of the Escrow Agreement, it is found to be in consonance with Chapter 514, Hawaii Revised Statutes, and particularly Section 514-35 through Section 514-40.

Among other provisions, the Escrow Agreement provides that Escrow Agent shall refund to Purchaser all of Purchaser's funds, without interest, if Purchaser shall in writing request refund of his funds and any one of the following shall have occurred:

- (a) Escrow Agent receives a written request from Developer to return to Purchaser the funds of Purchaser held under the Escrow Agreement by Escrow Agent; or,
- (b) If, subsequent to the execution of the Contract of Sale, there is any change in the building plans requiring the approval of a County officer having jurisdiction over the issuance of permits for construction of buildings, unless Purchaser's written approval or acceptance of the specific change is obtained; or,
- (c) If Purchaser enters into a Contract of Sale prior to the time the Final Public Report is issued and the Final Public Report differs in any material respect from this Preliminary Report; or,
- (d) If the Final Public Report is not issued within one year from the date of the issuance of this Preliminary Public Report.

It is incumbent upon the purchaser and prospective Purchaser to read and understand the Escrow Agreement before executing the Contract of Sale, since the Escrow Agreement prescribes the procedure for receiving and disbursing Purchaser's funds and the Contract of Sale specifically provides that the Purchaser approves said Escrow Agreement.

The Contract of Sale provides that the Seller expressly reserves the right to sell or lease unsold apartments free from any restrictions on such sale or lease which may under the By-Laws apply to Buyer.

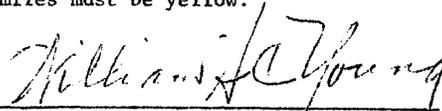
MANAGEMENT OF PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the project shall be conducted for the Association under the direction of its Board of Directors by a responsible corporate managing agent. The Developer has submitted an executed Management Agreement to the Commission, dated October 5, 1970, with Portrait of Homes, Inc., a Hawaii corporation, as Agent.

STATUS OF PROJECT: A construction contract is still being negotiated with a general contractor. Construction has not started on the project. The Developer has advised the Commission that it proposes to commence construction approximately May 15th, 1971. Construction is expected to be completed within approximately eleven (11) months from the Notice to Proceed.

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 October 7, 1970, and additional information subsequently filed as late as February 18, 1971.

This is a Preliminary Horizontal Property Regimes Condominium Public Report which is made a part of Registration No. 352, filed with the Commission on October 7, 1970.

This report, when reproduced, shall be a true copy of the Commission's Public Report. The paper stock used in making facsimiles must be yellow.


for DOUGLAS R. SODETANI, 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
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

Registration No. 352
March 1, 1971

