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
CATHEDRAL POINT - MELEMANU WOODLANDS
Waikalani Drive and Waihonu Street
Wahiawa, Oahu, Hawaii

REGISTRATION NO. 397

## 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 8, 1971
Expires: October 8, 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JULY 28, 1971 AND INFORMATION SUBSEQUENTLY FILED AS LATE AS SEPTEMBER 7, 1971. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. "CATHEDRAL POINT - MELEMANU WOODLANDS" is a proposed fee simple condominium project with a total of two hundred twenty two (222) units consisting of eighty-two (82) 2-bedroom and one hundred forty (140) 1-bedroom condominium dwelling units. There will be six (6) separate buildings, four (4) of which will be 4-story walkups; one (1) 10-story and one (1) 11-story buildings. There will be parking for 355 cars, 283 of which will be in a 3-story parking facility (188 covered and 95 uncovered stalls) and 72 separate uncovered stalls in the adjoining parking areas at grade level. Each apartment will be assigned at least one stall.

   This project is a part of an overall development approved by the City and County of Honolulu as a Planned Unit Development, ultimately to consist of 698 residential units.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and issuance of this Public Report.

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 not been filed as of this date.

4. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.

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. This Preliminary Public Report automatically expires thirteen (13) months after date of issuance, September 8, 1971, unless a Supplementary Public Report issues or the Commission upon review of registration issues an order extending the effective period of this report.

NAME OF PROJECT: CATHEDRAL POINT - MELEMANU WOODLANDS

LOCATION: The approximate 4.181 acres of real property to be committed to the regime, as a fee simple condominium project is situated at Waikalani Drive and Waihonu Street, Wahiawa, Oahu, Hawaii.

TAX KEY: FIRST DIVISION 9-5-12: 17

ZONING: Planned Unit Development

DEVELOPER: HEADRICK DEVELOPMENT, INC., a Hawaii corporation, whose mailing address is 2678 Kilihau Street, Honolulu, Hawaii 96819, is the Developer.

The officers of Headrick Development, Inc. are as follows:

GEORGE HEADRICK - President
HAROLD HEADRICK - Vice-President
FLORENCE HIGA - Secretary

ATTORNEY REPRESENTING DEVELOPER: Vernon T. Tashima, Suite 400, AMFAC Building, 800 Bishop Street, Honolulu, Hawaii 96813. Telephone: 521-2951.

DESCRIPTION: The Declaration of Horizontal Property Regime reflects that the project is to consist of the fee simple land located at Waikalani Drive and Waihonu Street, Wahiawa, Hawaii, and six buildings containing a total of two hundred twenty two (222) apartments. The buildings will be constructed basically with concrete, wood, steel, glass and allied building materials. There will be parking for three hundred fifty five (355) cars, distributed in a 3-level parking facility and adjoining parking areas at grade. The parking structure will have 188 covered stalls and 95 uncovered, and 72 uncovered stalls in the adjoining parking areas at grade. The stalls, which are assigned to an apartment unit, shall be numbered to correspond to the apartment numbers, subject, however, to renumbering without notice; provided, however, that the owners shall not be deprived of stalls which have been assigned to them, unless they consent to any change. The Declaration reflects that the Developer reserves the right to sell or rent the unassigned parking spaces to any owner in said project. Said unassigned stalls have no common interest appurtenant thereto.

Access to the apartments is directly from the grounds, walkways and driveways.

There will be six separate buildings, designated as Buildings C, D, E, F, G and H. Building C is a 10-story building with 60 units; Building D is an 11-story building with 66 units; E and F are 4-story with 20 units each, and G and H are 4-story with 28 units each. Buildings C and D shall have 2 elevators each.

There will be 82 2-bedroom units and 140 1-bedroom units, described as follows:

The 2-bedroom units are similar in layout and in size in both the high rise and low profile buildings and are described as follows: The 2-bedroom unit contains 896.11 square feet measuring from the inside surface of the party walls. Each 2-bedroom has an exclusive lanai area of 96.64 square feet with ground floor units having a somewhat larger lanai area (except for the high-rise buildings "C" and "D"). There are five rooms with connecting hall. The rooms are comprised of a complete bathroom with tub-shower combination; two bedrooms with closets; a kitchen with appliances including a refrigerator, garbage disposal, dishwasher, a range and oven, and a range hood ventilator; and a living room which is the largest room in the unit. Included in the unit's sales price is wall-to-wall carpeting in all rooms including the kitchen and bathroom.

The 1-bedroom units are similar in layout and in size in both the high rise and low profile buildings and are described as follows: The 1-bedroom unit contains 703.97 square feet measuring from the surface of the inside party walls; each 1-bedroom unit has an exclusive lanai area of 96.64 square feet with ground floor units having a somewhat larger area (except for the high-rise Buildings "C" and "D"). There are four rooms in each 1-bedroom unit and they are comprised of a complete bathroom similar to the bathroom in the 2-bedroom unit as is the kitchen. There is a bedroom complete with walk-in closet and a living room which is the largest room in the unit.

Each apartment shall include the space and improvements within its perimeter walls, floors and ceilings, including all interior walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surface of all walls, floors and ceilings, all doors, window glass and screens, all fixtures and all appliances originally installed as fixtures therein.

The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits, ducts or other utility lines running through such apartment, the same being deemed common elements as hereinafter provided.

Each apartment has immediate access to the corridors on each floor leading to the elevator and/or stairway or directly to the grounds, if on ground level.

COMMON ELEMENTS: The specimen Declaration reflects that the common elements consist of:

(i) Said land in fee simple.

(ii) All foundations, floor slabs, columns, girders, beams, supports, load-bearing walls, interior walls separating adjacent apartments in the same building, fences and roofs of the buildings.

(iii) All yards, grounds, landscaping, mail boxes and refuse facilities.

(iv) All building walkways, building sidewalks, pathways, parking areas, driveways and private roads.

(v) All ducts, electrical equipment, wiring and other central and appurtenant installations, including power, light, water, sewer, gas and telephone; all pipes, wires, conduits or other utility or service lines, including TV cables, which run through an apartment but which are utilized by or serve more than one apartment; and elevators, if installed.

(vi) The tot lots and all other non-public recreational and managerial facilities.

LIMITED COMMON ELEMENTS: The specimen Declaration reflects that each apartment shall have the exclusive use of a parking space to be designated on the Condominium Map to which it is assigned.

INTEREST TO BE CONVEYED PURCHASER: The specimen Declaration states that the undivided interest in the common elements appertaining to each apartment are as follows:

| Apartment Numbers | Percentage of Undivided Interest |
|---|---|
| All 82, 2-bedroom apartments | .5185% each unit |
| Apt. No. G-101 (1-bedroom) | .4096% |
| Remaining 139, 1-bedroom apartments | .4106% each unit |

According to the Declaration and By-Laws, each apartment's share of the common expense and voting rights shall be in proportion to its undivided interest in the common elements; however, in addition to the foregoing, Recreation Area No. 1, including swimming pool, and stream area shown on said condominium map, are deemed common to the entire Planned Development, ultimately comprising 698 residential units; and any provision herein to the contrary notwithstanding, each unit in this project shall have appurtenant thereto a 1/698th interest in said areas, and all taxes, maintenance and other costs allocable to these areas shall be pro-rated among all unit owners in the Planned Development as a special assessment according to said respective interest.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The specimen Declaration states that each apartment shall be used only as a private dwelling by the respective owners thereof, their tenants, families, domestic servants and guests. Each owner shall comply with the terms of the Declaration, By-Laws of the Association of Apartment Owners.

OWNERSHIP TO TITLE: The Notice of Intention reflects that ownership to fee title is vested in Headrick Development, Inc.

A copy of a Preliminary Report issued by Security Title Corporation as of July 29, 1971 certifies that the fee simple title to the land is vested as aforesaid.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report as of July 29, 1971 certifies that title to the land is subject to the following:

(1) Grant to Waiahole Water Company, Limited, as set forth in that certain Indenture dated May 21, 1913, recorded in the Bureau of Conveyances in in Liber 392 at Page 276;

(2) A Notice of Pendency of Action to acquire abutter's rights for vehicle access appurtenant to Lot 2003, dated November 14, 1949, filed as Document No. 114012;

(3) The covenants as contained in those Deeds dated May 27, 1955 and April 1, 1957, filed as Document Nos. 175108 and 200457, respectively;

(4) The reservations as contained in Deed dated December 20, 1956, filed as Document No. 197831;

(5) Grant dated April 1, 1957, filed as Document No. 200459, in favor of Oahu Sugar Company, Limited and Waiahole Water Company, Limited, granting all rights in and to free flowing water in Waikakalaua Gulch;

(6) Grant dated November 21, 1967, filed as Document No. 433281, in favor of Hawaiian Electric Company, Inc., and the Hawaiian Telephone Company, granting an easement for utilities over Lot 2003;

(7) Mortgage dated March 23, 1971, filed as Document No. 531645, made by Headrick Development, Inc. to Hawaii Thrift & Loan, Inc.;

(8) Additional Charge Mortgage dated April 30, 1971, filed as Land Court Document No. 535541, made by Headrick Development, Inc., to Hawaii Thrift & Loan, Inc.;

(9) Taxes fro the fiscal year 1971-1972 constitute a lien on the land.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated July 27, 1971 identifies Security Title Corporation as "Escrow." On examination, the specimen Sales Agreement and executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes and particularly Sec. 514-35, and Sec. 514-36 through 514-40.

Among other provisions, the specimen Escrow Agreement reflects that a purchaser shall be entitled to a refund of his funds if any one of the following shall have occurred: (1) Escrow receives a written request from Seller to return to Purchaser the funds of such Purchaser then held hereunder by Escrow; or (2) if Purchaser's funds were obtained prior to the issuance of a Final Report and if there is any change in the building plans, subsequent to the execution of Purchaser's contract, requiring the approval of a county officer having jurisdiction over the issuance of permits for construction, unless the Purchaser has given written approval or acceptance of the change; or (3) if the Purchaser's funds were obtained prior to the issuance of a Final Public Report and the request is prior to the time the Final Public Report is issued; or (4) if the Final Report differs in any material respect from the Preliminary Report, unless the Purchaser has given written approval or acceptance of the difference; or (5) if the Final Report is not issued within one year from the date of issuance of the Preliminary Report.

Among other provisions, the specimen Sales Agreement states that Seller at its option may cancel the agreement upon written notice of Purchaser in the event that less than 156 apartments are sold by December 31, 1972, or the project cannot be built by June 30, 1973, or Seller is prevented by law from proceeding with construction of the project.

It is incumbent upon the Purchaser and prospective Purchaser that he reads with care the Sales Agreement and the Escrow Agreement. The Escrow Agreement establishes how the proceeds from the apartment units and all sums received from any source are placed in trust, as well as the retention and disbursement of said trust funds.

MANAGEMENT AND OPERATIONS: The By-Laws of this project states the Board of Directors may employ for the Association of Apartment Owners, a management agent to perform such duties as the Board shall authorize, including the collection of all assessments from the owners.

STATUS OF PROJECT: The Developer advises the Real Estate Commission that the construction of the building will commence in September, 1971. The Developer estimates that construction will be completed in March, 1973.

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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 28, 1971 and information subsequently filed as late as September 7, 1971.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 397 filed with the Commission on July 28, 1971.

The report when reproduced shall be a true copy of the Commission's Preliminary Public Report. The paper stock used in making facsimilies 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. 397
September 8, 1971