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
EWA COLONY ESTATES
Fort Weaver Road and Kilaha Street
Ewa Beach, Ewa, Hawaii

REGISTRATION NO. 401

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: September 27, 1971
Expires: October 27, 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 29, 1971 AND INFORMATION SUBSEQUENTLY FILED AS LATE AS SEPTEMBER 15, 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, EFFECTIVE JUNE 6, 1967.

1. EWA COLONY ESTATES is a proposed FHA insured, fee simple condominium project with a total of twenty-six (26) apartments, all being 4-bedroom condominium dwelling units. There will be three (3) 2 story townhouse buildings referred to as a cluster. Cluster 1 will have ten (10) units, Clusters 2 and 3 will have eight (8) units each. There will be 45 parking stalls. Units numbered 1 through 10 inclusive and 20 through 26 inclusive, will be entitled to 2 stalls each, and the others to 1 stall each and 2 set aside for guest parking. There will also be a sewage treatment plant situated on the project site.

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 Developer has arranged for mortgage insurance by the Federal Housing Administration pursuant to Section 234 of Title II of the National Housing Act, as amended, 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 has been executed and recorded with the Declaration. Purchasers of units in the project should, therefore, familiarize themselves with the provisions of the Regulatory Agreement.

   The specimen Subscription and Purchase Agreement filed with the Commission indicates that 80 percent of the total value of the family units in the project must be sold to purchasers approved by the Federal Housing Administration before its insurance of individual mortgages under Section 234.

4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners, Regulatory Agreement, and a copy of the approved Floor Plans) have been filed in the office of the recording officer as Document No. 551090. The recording officer has designated Condominium Map No. 120 to the project.

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

6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, (particularly ACT 244, L. 1967, effective June 6, 1967) and the Condominium Rules and Regulations which relate to Horizontal Property Regime.

7. This Final Public Report automatically expires thirteen (13) months after date of issuance, September 27, 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: EWA COLONY ESTATES

LOCATION: The approximate 1.5841 acres of real property to be committed to the regime, as a fee simple condominium project is situated at Fort Weaver Road and Kilaha Street, Ewa Beach, Ewa, Hawaii.

TAX KEY: FIRST DIVISION 9-1-01: 14 and 23

ZONING: Apartment A-1

DEVELOPER: BENGE CORPORATION and B. L. SNOW ENTERPRISES, INC., a joint venture, whose mailing address is P. O. Box 7527, Honolulu, Hawaii 96821, is the developer. The officers of Benge Corporation are as follows:

William H. Benge	President and Treasurer
Shirley J. Benge	Vice-President
Vernon T. Tashima	Secretary

The officers of B. L. Snow Enterprises, Inc. are as follows:

B. L. Snow	President
Nancy A. Snow	Vice-President and Secretary
Jean Y. Yonaha	Treasurer

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

DESCRIPTION: The specimen Declaration of Horizontal Property Regime reflects that the project is to consist of the fee simple land located at Fort Weaver Road and Kilaha Street and three (3) 2-story townhouse type buildings containing a total of twenty-six (26) 4-bedroom apartments. The buildings will be constructed principally of wood, except division walls between units which will be of concrete block masonry. The foundation and lower floor slab are reinforced concrete. There will be forty-five (45) uncovered parking stalls. The stalls are numbered to correspond to the apartment numbers and are as shown on the Plan.

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

There will be three (3) separate 2-story buildings, all containing 4-bedroom units. The buildings are also referred to as "clusters" and the apartments contained therein are all Type B 4-bedroom units described as follows:

> All twenty-six (26) units are 4-bedroom units located in three buildings or clusters. Building or Cluster No. 1 will contain ten (10) units; Building Nos. 2 and 3 will contain eight (8) units each. Each is a 2-story townhouse style apartment with three bedrooms, one bathroom, laundry space and hallway upstairs and entry, one bedroom, one-half bath, kitchen, dining room and living room downstairs with an interior stairway connecting the upstairs and downstairs. Each apartment in Clusters 1 and 3 contains an approximate floor area of 660 square feet upstairs and 660 square feet downstairs and an enclosed rear lanai patio and garden area containing 330 square feet. The gross area, including the enclosed rear area, is 1,650 square feet. The apartments in Cluster 2 are similar in all respects as the foregoing, except that the areas of the upper and lower levels are each smaller by 20 square feet.

Each apartment has immediate access to the grounds, walkways and parking lot on the ground level.

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, or other utilities or service lines running through such apartments which are utilized for or serve more than one apartment, the same being deemed common elements as hereinafter provided. Each apartment shall be deemed to include the enclosed garden and lanais, designated on said Condominium File Plan, 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, doors, windows, and lanais as designated on the said Condominium File Plan, and all fixtures originally installed.

The apartments are numbered and are located as follows:

> Apartments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 are located in Cluster 1.
>
> Apartments numbered 11, 12, 13, 14, 15, 16, 17 and 18 are located in Cluster 2.
>
> Apartments numbered 19, 20, 21, 22, 23, 24, 25 and 26 are located in Cluster 3.

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

(i) Said land in fee simple;

(ii) All foundations, columns, beams, supports, unfinished perimeter and load-bearing walls, roofs, and walkways around and between said buildings;

(iii) All yards, grounds, landscaping, and other recreational facilities, all roads, guest parking areas and driveways, and refuse facilities;

(iv) All ducts, electrical equipment, wiring, pipes and other central and appurtenant transmission facilities and installation over, under and across the project for services such as power, light, water, gas, sewer, air conditioning, telephone and radio and television signal distribution; and

(v) The sewage treatment plant.

LIMITED COMMON ELEMENTS: The specimen Declaration states that the limited common elements and facilities allocated for the restricted use of the respective family units are the parking spaces for the apartments. There are 45 parking spaces, including 2 guest parking spaces. Units numbered 1 through 10 inclusive and 20 through 26 shall be entitled to 2 parking spaces and the remaining units to 1 space.

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
1 - 10 inclusive; 19 - 26 inclusive	3.8464% each unit
11 - 18 inclusive	3.8456% 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.

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. Each owner shall comply with the terms of the Declaration, By-Laws of the Association of Apartment Owners and the FHA Regulatory Agreement.

OWNERSHIP TO TITLE: The Notice of Intention reflects that ownership to fee title is vested in Benge Corporation and B. L. Snow Enterprises, Inc.

A copy of a Certificate of Title dated September 9, 1971, prepared by Title Guaranty of Hawaii, Inc., certifies that the fee simple title to the land is vested as aforesaid.

The Developer advises that although two (2) lots were originally purchased, there has been a legal consolidation of the lots into one, being Lot No. 1565 described in Transfer Certificate of Title No. 142,923 issued to the above-named owners.

ENCUMBRANCES AGAINST TITLE: The Certificate of Title as of September 7, 1971 certifies that the records reveal no liens or encumbrances against title to the land, save and except the following:

1. The restrictive covenants set forth in those certain Deeds dated May 20, 1971, filed as Document No. 538723, and May 24, 1971, filed as Document No. 538724.

2. Mortgage and Financing Statement dated August 17, 1971, filed as Document No. 549166, made by B. L. Snow Enterprises, Inc., and Benge Corporation to Hawaii Housing Authority, of the State of Hawaii.

3. Declaration Submitting Property to the Horizontal Property Regime and By-laws of "Ewa Colony Estates" dated August 9, 1971, filed as Document No. 551090, Condominium Map No. 120.

4. Real Property Taxes for the Fiscal Year 1971-1972. (Taxes for the Fiscal Year 1970-1971 have been fully paid.)

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated July 26, 1971 identifies Title Guaranty Escrow Services, Inc., as "Escrow". On examination, the executed Escrow Agreement was found to be in compliance with Chapter 514, Hawaii Revised Statutes and particularly Sec. 514-14, and Sec. 514-15(6).

It is incumbent upon the Purchaser and prospective Purchaser that he reads with care the Contract of Sale 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 EWA COLONY ESTATES 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.

The FHA Regulatory Agreement provides that the association shall establish and maintain a General Operating Reserve Fund and a Reserve Fund for replacements.

STATUS OF PROJECT: The Developer advises the Real Estate Commission that the Developer shall act as the general contractor, and construction of the building was commenced on June 20, 1971, and estimates completion in March, 1972.

The Developer has filed with the Commission copies of executed Uniform Performance Bond, Assignment of Contract and Agreement Bond in the total sum equal to 100% of construction cost. Said Bonds were executed on April 16, 1971 by Lewers & Cooke, Inc., as Surety.

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 29, 1971 and information subsequently filed as late as September 15, 1971.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 401 filed with the Commission on July 29, 1971.

The report, when reproduced, shall be a true copy of the Commission's Public Report. The paper stock must be white in color.

For DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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Distribution:

DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING COMMISSION, CITY AND COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

September 27, 1971
Registration No. 401