

# 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

EAST LAKE APARTMENTS  
1077 Ala Napunani Street  
Honolulu, Hawaii 96818

REGISTRATION NO. 438

### **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: April 28, 1972

Expires: May 28, 1973

#### 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 MARCH 6, 1972, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED ON APRIL 26, 1972. THE DEVELOPERS, IN NOTIFYING THE COMMISSION OF THEIR INTENTION TO SELL, ARE COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514, HAWAII REVISED STATUTES.

1. EAST LAKE APARTMENTS is a proposed leasehold condominium project consisting of an apartment building of eight (8) stories containing forty-two (42) dwelling units arranged throughout a single high-rise structure. Forty-five (45) parking stalls are available at the project.
2. No promotional and advertising matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
3. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of the Horizontal Property Act, Chapter 514 of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.

4. The Developers have submitted to the Commission all documents deemed necessary for the registration of this Final Public Report prior to completion of construction.
5. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners, and a copy of the approved Floor Plans) have been filed in the office of the recording officer.

The Declaration of Horizontal Property Regime, executed on March 6, 1972, with By-Laws attached, was filed in the Office of the Assistant Registrar of the Land Court on April 6, 1972 as Land Court Document No. 576856, Transfer Certificate of Title No. 132,407. The Assistant Registrar designated the project as Land Court Condominium Map No. 128.

This Final Public Report is made a part of the registration on the EAST LAKE APARTMENTS condominium project. The Developers are responsible for placing a true copy of this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed copy of the Receipt for the Horizontal Property Regime Public Report, from each purchaser and prospective purchaser is also the responsibility of the Developers.

This Final Public Report expires thirteen (13) months after the date of issuance, April 28, 1972, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: EAST LAKE APARTMENTS

LOCATION: The approximate 22,973 square feet of land committed to the project is situated at 1077 Ala Napunani Street at Moanalua (Salt Lake area), Honolulu, Island of Oahu, Hawaii.

TAX KEY: FIRST DIVISION 1-1-62-49

ZONING: Class 2 Apartment-Hotel-Resort

DEVELOPERS: Alfred Ching and Edith Tom Ching, husband and wife, whose residence and post office address is 4150 Papu Circle, Honolulu, Hawaii 96816, and whose business office address is 1610 Kanunu Street, Suite A, Honolulu, Hawaii 96814. Administrative matters on this project are handled at 1610 Kanunu Street, Suite A, Honolulu, Hawaii, by Alfred Ching. Telephone 737-6108.

ATTORNEY REPRESENTING DEVELOPERS: Mr. Elton H. Sakamoto, 1019 Smith Street, Honolulu, Hawaii 96817. Telephone 536-2271.

DESCRIPTION: The executed and recorded Declaration of Horizontal Property Regime and Developers' approved floor plans reflect that the building under construction will be eight (8) stories, containing forty-two (42) dwelling units, constructed of reinforced concrete, steel, glass and allied building materials, integrated walls, columns, supports and parking facilities. The forty-two (42) apartments shall not be deemed to include 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 which are utilized for or serve more than one apartment, the same being common elements as provided in the Declaration. Each apartment shall include any adjacent lanai shown on the Condominium Map. Each apartment shall 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 the built-in fixtures including garbage disposal unit, drop-in range and oven, refrigerator, and dishwasher. Hot water is by centralized water heater.

BUILDING:

- a. Floors: One (1) parking level, situated on the ground floor, together with 7 typical apartment floors situated on the 2nd to the 8th floors.

- b. Apartment Units: 42 total, one (1) bedroom units with combination living room-kitchen, one (1) bathroom and lanai of approximately 612 Square feet of total area each.
- c. Parking: 42 tenant parking stalls together with 3 guest parking stalls on the ground level.
- d. Elevator: One (1) Westinghouse automatic elevator with a capacity of 2,500 pounds.
- e. Systems and Extras: Central air conditioning of all apartments; an inter-phone system and all entrances locked for security.

SPACE DISTRIBUTION:

- a. Ground Floor: Contains elevator lobby-entrance, stairs, mailroom, laundromat and 45 parking stalls.
- b. Typical Apartments: 7 floors of 42 one-bedroom apartments.
- c. Roof: Contains elevator machinery room, related service spaces, and recreational deck.

BASIC BUILDING COMPONENTS: The basic building components will include the following:

- a. Foundation: Cast-in-place foundation.
- b. Building Structure: Reinforced concrete walls, columns and floors.
- c. Walls: Reinforced concrete bearing walls and concrete block interior and exterior walls.
- d. Partitioning: Gypsum board on metal studs. Party walls will be STC 52 sound walls.
- e. Finishing: Interior and exterior walls will be painted.
- f. Windows: Jalousie windows and sliding aluminum-framed glass doors.
- g. Flooring: Carpeting throughout, except vinyl asbestos tile in kitchen and ceramic tile in bathroom.

Residential Apartments: All apartments will be located as shown on said Condominium Map 128 filed in the Office of the Assistant Registrar of the Land Court. All apartments on the 2nd through the 8th floors will have immediate access to an outside corridor. There will be 6 apartments on every floor and the apartment numbers will run mauka to makai where the last two digits of each apartment will indicate the location of the apartment on the floor, and the digit preceding the last two digits will indicate the floor on which the apartment will be located. For example, Apartment 201 will be at the mauka end of the 2nd floor, and Apartment 806 will be located on the makai end of the 8th floor.

Each apartment and the area thereof, the number of bedrooms therein, its appurtenant parking stall and interest in the common elements, are as follows:

<u>Apt.</u>	<u>Bedroom</u>	<u>Parking Stalls</u>	<u>Gross Area (Sq. Ft.) (Approximate)</u>	<u>Living Area</u>	<u>Lanai</u>	<u>Interest in Common Elements</u>
201	1-bedroom	1*	612	590	22	2.42%
202	1-bedroom	2*	612	590	22	2.38%
203	1-bedroom	3*	612	590	22	2.38%
204	1-bedroom	4*	612	590	22	2.38%
205	1-bedroom	5*	612	590	22	2.38%
206	1-bedroom	6*	612	590	22	2.38%
301	1-bedroom	40*	612	590	22	2.38%
302	1-bedroom	41*	612	590	22	2.38%
303	1-bedroom	42*	612	590	22	2.38%
304	1-bedroom	43*	612	590	22	2.38%
305	1-bedroom	44*	612	590	22	2.38%
306	1-bedroom	45*	612	590	22	2.38%
401	1-bedroom	34*	612	590	22	2.38%
402	1-bedroom	35*	612	590	22	2.38%
403	1-bedroom	36*	612	590	22	2.38%
404	1-bedroom	37*	612	590	22	2.38%
405	1-bedroom	38*	612	590	22	2.38%
406	1-bedroom	39*	612	590	22	2.38%

<u>Apt.</u>	<u>Bedroom</u>	<u>Parking Stalls</u>	<u>Gross Area (Sq. Ft.) (Approximate)</u>	<u>Living Area</u>	<u>Lanai</u>	<u>Interest in Common Elements</u>
501	1-bedroom	23	612	590	22	2.38%
502	1-bedroom	22	612	590	22	2.38%
503	1-bedroom	21	612	590	22	2.38%
504	1-bedroom	20	612	590	22	2.38%
505	1-bedroom	32*	612	590	22	2.38%
506	1-bedroom	33*	612	590	22	2.38%
601	1-bedroom	29	612	590	22	2.38%
602	1-bedroom	28	612	590	22	2.38%
603	1-bedroom	27	612	590	22	2.38%
604	1-bedroom	26	612	590	22	2.38%
605	1-bedroom	25	612	590	22	2.38%
606	1-bedroom	24	612	590	22	2.38%
701	1-bedroom	16	612	590	22	2.38%
702	1-bedroom	17	612	590	22	2.38%
703	1-bedroom	18	612	590	22	2.38%
704	1-bedroom	19	612	590	22	2.38%
705	1-bedroom	31	612	590	22	2.38%
706	1-bedroom	30	612	590	22	2.38%
801	1-bedroom	10	612	590	22	2.38%
802	1-bedroom	11	612	590	22	2.38%
803	1-bedroom	12	612	590	22	2.38%
804	1-bedroom	13	612	590	22	2.38%
805	1-bedroom	14	612	590	22	2.38%
806	1-bedroom	15	612	590	22	2.38%

Note: \* indicate open parking stalls

Stalls 7, 8 and 9 reserved for guest parking.

All apartments have access to the main corridor of the building on each floor, and each shall have an undivided percentage interest ownership in all common elements as hereinabove shown.

COMMON ELEMENTS: The executed Declaration reflects all the common elements and will include the limited common elements hereinafter described and all other portions of the land and improvements other than the apartments, including the apartment building, the land on which it is located, and all other elements mentioned in the Horizontal Property Act which are actually constructed on the land described, and specifically shall include, but shall not be limited to: (a) said land in leasehold; (b) the foundations, columns, girders, beams, supports, bearing walls, roofs, halls, corridors, lobbies, stairs, stairways, fire escapes, entrances and exits of the building; (c) the ground floor, flat roof, yards, gardens, all driveways, storage spaces, and parking areas; (d) central and appurtenant installations for services such as power, light, telephone, water, television antenna and trash disposals; (e) the elevators, tanks, pumps, motors, fans, compressors, ducts, and in general all apparatus and installations existing for common use; and (f) all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, called and designated "limited common elements", are hereby set aside and reserved for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto exclusive easements for the use of such limited common elements. The limited common elements so set aside and reserved are as follows: One (1) parking space for each apartment as designated on said condominium map by numbers and letters, and further designated in Exhibit "A" as appurtenant to particular apartments, shall be appurtenant to and for the exclusive use of such apartment; (b) each entry hallway adjoining an apartment or apartments shall be appurtenant to and for the exclusive use of the apartment owners living on each level; (c) the corridors and elevator lobbies on each apartment level are restricted for the use of the apartment owners living on each level.

INTEREST TO BE CONVEYED PURCHASER: The percentage of undivided interest in the common elements appertaining to each apartment are as reflected above under the topical heading DESCRIPTION in the columnar arrangement.

PURPOSE OF BUILDING AND RESTRICTION AS TO USE: The building hereinabove described shall at all times be occupied and used as a residential apartment building and each of the apartments in said building shall be used as a single-family residence and for no other purpose. The apartments shall not be rented for transient or hotel purposes, which purposes are defined respectively, as (a) rental for any period less than ninety (90) days, or (b) rental under which the occupants of the apartment are provided such customary hotel services as room services for food and beverages, maid services, laundry and linen, or bellboy service. Except for rentals for transient or hotel purposes, the apartment owner shall have the absolute right to lease their apartments subject to the limitations, restrictions, covenants, and conditions contained in the Declaration or in any By-Laws of the Association of Apartment Owners or in any apartment lease.

The owner of an apartment shall not use the same for any purpose which will injure the reputation of the building. Such owner shall not suffer anything to be done or kept in said apartment or elsewhere which will jeopardize the soundness of the building, or which will interfere with or unreasonably disturb the rights of other owners, or which will obstruct the public halls or stairways of the building, or which will increase the rate of fire insurance on the building or the contents thereof or which will reduce the value of the apartment building.

The owner of an apartment shall not, without the prior written consent of the Board, make any structural alterations in or additions to the apartment or make any alterations in or additions to the exterior of the apartment (including awnings, jalousies or screens) or to any other portion or portions of the common elements unless otherwise provided in the By-Laws.

The owner of an apartment shall not, without the prior written consent of the Board or the Managing Agent, display any sign or other device in or upon any door, window, wall or other portion of the apartment or common elements, or otherwise so as to be visible from the exterior.

OWNERSHIP TO TITLE OF LAND: The Title Search by Title Guaranty of Hawaii issued April 13, 1972 states that ownership of title to the land expressed to the regime is vested in said Developers. Transfer Certificate of Title No. 132,407 issued to said Developers verifies this acquisition.

ENCUMBRANCES AGAINST TITLE: The Developer has submitted a title search dated April 13, 1972, by Title Guaranty of Hawaii. The title search certifies that no further liens or encumbrances against said title, save and except the following:

1. Rights of way for roadway purposes to be used in common with all others entitled thereto.
2. Excepting and reserving therefrom unto the Trustees under the Will and of the Estate of Samuel M. Damon, deceased, all artesian and other underground water and rights thereto appurtenant to said premises, as reserved in Deed dated October 7, 1965, filed as Document No. 372554; said Trustees released all right to enter upon surface of lands to exercise said exception and reservation in Document No. 372554 including any rights of ingress and egress upon said lands by Release dated October 12, 1965 and filed as Document No. 372562.
3. The covenants in Declaration dated December 6, 1968 and filed as Document No. 461355.
4. The covenant in Deed dated March 23, 1970 and filed as Document No. 496487.
5. Mortgage dated July 28, 1971 filed as Document No. 546904, made by Alfred and Edith Ching to State Savings and Loan Association.

6. Declaration of Horizontal Property Regime dated March 6, 1972 filed as Document No. 576856.
7. Real Property Taxes for Fiscal Year 1971-1972:  
1st installment - paid  
2nd installment - due May 20, 1972.

NOTE: Financing Statement filed July 29, 1971 in Bureau of Conveyances and recorded in Liber 7701, Page 211, made by Alfred and Edith Ching to State Savings and Loan Association.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated March 1, 1972 between Bank of Hawaii, as "Escrow" and said Developers, as "Seller", has been filed with the Commission. On examination, the copy of the executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly Section 514-15, Hawaii Revised Statutes.

The specimen Initial Payment Receipt and Contract states that "Apartment is to be inspected and accepted by buyers before completion of sale."

It is incumbent upon the purchaser and prospective purchaser that he reads with care the Sales Contract and the executed Escrow Agreement. 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 trust, as well as the retention and disbursement of said trust funds.

MANAGEMENT AND OPERATIONS: The executed Declaration gives notice that the operation of the project shall be governed by the By-Laws of the Association of Apartment Owners of the project. The Board of Directors of the Association are vested with the powers necessary for the administration of the affairs of the Association. Among the powers and duties of the Board of Directors, there is the responsibility for the employment and dismissal of the personnel necessary for the maintenance, operation, repair of the property, as well as the employment of a Managing Agent to manage and control the property. The initial Managing Agent has been designated - Mr. Alfred Ching, and his term shall expire one year after at least 50% of the apartments in the building are first occupied by the apartment owners.

STATUS OF PROJECT: A copy of the Standard Form of Agreement between Owner and Contractor (AIA Document A 101) executed May 28, 1971 by and between Alfred Ching and Edith Tom Ching, as "Owner" and Tower Construction, Inc., as "Contractor", has been submitted as part of the registration. The Developers state that work on the project is expected to be completed on or about May 15, 1972. As of the date of this Final Public Report, the Developers give oral notice that the building is about 97% complete.

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The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developers in the required Notice of Intention submitted March 7, 1972.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 438, filed with the Commission on March 7, 1972.

The report, when reproduced, shall be a true copy of the Commission's public report. The paper stock used in making facsimiles must be white.

  
(for) DOUGLAS R. SODEVANI, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

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REGISTRATION NO. 438  
April 28, 1972