

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
HALELOA
100 Haleloa Place
Honolulu, Hawaii

REGISTRATION NO. 447

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: May 31, 1972
Expires: June 30, 1973

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 APRIL 18, 1972. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514, HAWAII REVISED STATUTES.

1. The HALELOA is a proposed fee simple condominium consisting of 7 separate townhouse buildings, each with two stories, and containing fifty-one (51) residential townhouse condominium units, all in accordance with the plans recorded in the State of Hawaii Bureau of Conveyances. Each condominium unit includes a carport for parking, with space for two cars.
2. The developer of the project has submitted to the Commission for examination all documents deemed necessary for the issuance of this Final Public Report.
3. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.

4. 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 recorded in the office of the recording officer.

The Declaration of Horizontal Property Regime, together with the By-Laws of Association of Apartment Owners attached thereto, was recorded in the same Hawaii Bureau of Conveyances in Book 8249, at Page 202, and condominium map No. 223 has been assigned to the project by said office.

5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514 of the Hawaii Revised Statutes and the condominium rules and regulations which relate to horizontal property regimes.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, May 31, 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: HALELOA

LOCATION: The land submitted to the Regime, approximately 6.198 acres, is located at Kuliouou, mauka of Kalaniana'ole Highway, near Hawaii-Kai, Oahu.

TAX MAP KEY: FIRST DIVISION 3-8-06-12.

ZONING: PD-H Planned Development-Housing

DEVELOPER: COMMUNITY SYSTEMS CORPORATION, a Hawaii corporation, the principal place of business of which is Suite 2701, 1655 Makaloa Street, Honolulu, Hawaii.

ATTORNEY REPRESENTING DEVELOPER: Carlsmith, Carlsmith, Wichman and Case, 810 Richards Street, Honolulu, Hawaii 96813 (Attention: Thomas D. Welch, Jr.), Telephone 531-2071.

DESCRIPTION: The land will be improved, according to the Developer's plans and intention to sell, by constructing thereon seven separate townhouse buildings, five of which contain eight units each, and the remaining two townhouse buildings, seven and four units each, respectively. In addition, the project will contain a swimming pool and pool deck, comfort station, garden areas, walkways and driveways. Each unit includes all built-in fixtures including a range, hood-oven, refrigerator, garbage disposal, water heater, clothes washer, clothes dryer, rubbish compactor, dishwasher, drapery tracks, and carpet subbase material. Each unit includes all walls and partitions within its perimeter walls, the interior decorated or finished surface of all perimeter walls, the floor surface of the ground floor cement floor slab, any doors, glass windows or panels along the perimeter, the inner decorated or finished surfaces of the ceiling over the second floor, the carport shown on the condominium map and the interior garden shown on the condominium map.

1. Building Description. The project will consist of seven separate townhouse buildings, each with two stories (including the ground level). The buildings are numbered from A-1 through A-7. Each building contains eight townhouse units with the exception of Buildings A-4 and A-6, which contains seven and four townhouse units, respectively. In addition, a comfort station will be constructed adjacent to the swimming pool which will contain toilet, shower and kitchen facilities, and storage areas for pool equipment and general maintenance equipment.
2. Materials. The principal materials used in the construction of the townhouse buildings are concrete (floor slabs), wood, plywood siding, shake roof panels, wallboard and related materials. The comfort station will be constructed principally of concrete block and wood, with a concrete floor slab.

3. Description, Area, Numbering, and Percentage Interest of Townhouse Units.

Each townhouse unit has nine rooms, including bathrooms and downstairs lavatory, but not counting the entry hallway, upstairs hallway, carport, or the interior garden, and not counting the dining area adjacent to the living room or the laundry area within the combined kitchen and laundry area as separate rooms. Each unit has an approximate area of 2,200 square feet, including the carport and interior garden. The number assigned to each unit has the letter "A" and three digits. The first digit corresponds with the number of the building in which the unit is located, and the last digit indicates the position of the unit in its building. The units in each building are numbered consecutively from one end of the building to the other. For example, the unit numbered A-701 is at the extreme end of Building A-7, and the unit numbered A-404 is in approximately the center of Building A-4. The unit number of each unit and the building in which it is located is listed below.

<u>Unit Number</u>	<u>Building</u>
A-101, A-102, A-103, A-104, A-105, A-106, A-107, A-108	Building A-1
A-201, A-202, A-203, A-204, A-205, A-206, A-207, A-208	Building A-2
A-301, A-302, A-303, A-304, A-305, A-306, A-307, A-308	Building A-3
A-401, A-402, A-403, A-404, A-405, A-406, A-407	Building A-4
A-501, A-502, A-503, A-504, A-505, A-506, A-507, A-508	Building A-5
A-601, A-602, A-603, A-604	Building A-6
A-701, A-702, A-703, A-704, A-705, A-706, A-707, A-708	Building A-7

USE: The Declaration provides that the units shall be occupied and used as permanent single-family residences, and for no other purposes. The owners of units have the right to lease their units to third parties.

PARKING: As stated above, each apartment includes a carport with space for two cars. In addition, there are 18 parking spaces for visitor parking included in the common elements of the project, and 7 spaces located on Haleloa Place, a roadway to be dedicated to the City and County of Honolulu.

COMMON ELEMENTS: The common elements will include the limited common elements described in the next topical heading of the Final Public Report, LIMITED COMMON ELEMENTS, and all other portions of the land and improvements other than the units, including an interest in the land on which the apartments are located, and all 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: (i) said land in fee simple; (ii) all foundations, concrete slabs on ground floors (except for the floor surface thereof within each apartment), supports, and bearing walls (except the inner decorated or finished surfaces of perimeter walls), and roofs; (iii) all entry porches, outside walkways, parking areas, planted areas, grounds, driveways and roadways; (iv) the swimming pool and appurtenant equipment, the comfort station, the trash enclosure area, the lawn sprinkler system, and all ducts and appurtenant installations for common services, including power, light, water, sewer, telephone and refuse disposal; (v) all other parts of the project necessary or convenient to its existence, maintenance, and safety, or normally in common use.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, herein designated as "limited common elements", are hereby set aside and reserved for the exclusive

use of certain units, and such units shall have appurtenant thereto exclusive easements for the use of such limited common elements. The limited common elements include (i) the entry porch adjacent to each unit which shall be appurtenant to and for the exclusive use of said unit, and (ii) each driveway area providing access to the carports in any building, which shall be appurtenant to and for the exclusive use of the units in the building or buildings to which said area is immediately adjacent, but excluding visitor parking spaces, which are not included as limited common elements. The cost of maintaining all limited common elements as well as common elements will be borne by each unit in proportion to its common interest.

INTEREST TO BE CONVEYED TO PURCHASER: Each unit has a 1/51 undivided interest called herein its "common interest", in the common elements for all purposes, including voting.

OWNERSHIP TO TITLE: The notice of intention reflects that title to the land is vested in the Developer by Deed from Mitsuo Shimizu dated August 11, 1969, recorded in the State of Hawaii Bureau of Conveyances in Book 6669, Page 207.

ENCUMBRANCES AGAINST TITLE: The Developer has filed with the Commission a title search report prepared by Long & Melone, Ltd., dated March 17, 1972. That report reflects a mortgage, dated January 26, 1965, in favor of the Bank of Hawaii in the principal amount of \$500,000, recorded in the Bureau of Conveyances of the State of Hawaii in Book 4959, Page 484. Developer has indicated that this mortgage will be released prior to the conveyance of any unit to a buyer, and funds for said release will be provided by the interim financing. In addition, the property is subject to several easements, assessments under Improvement District No. 185, Restrictive Covenants pursuant to City and County of Honolulu Ordinance No. 3628, and, as provided by the Declaration of Horizontal Property Regime, the right reserved by Developer to grant a license in favor of owners of a condominium project to be constructed on an adjacent property to use the pool and appurtenant facilities in the Haleloa.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement, dated March 8, 1972, between Long & Melone Escrow, Ltd., as Escrow Agent and Developer, has been filed with the Commission. On examination the specimen Sales Contract and the executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly Section 514-15(6).

It is incumbent upon the purchaser and the prospective purchaser that he reads with care the Sales Contract and the executed Escrow Agreement. The latter establishes how the proceeds from the sale of residential apartments are placed in trust, as well as the retention and disbursement of said trust fund.

MANAGEMENT OF THE PROJECT: The By-Laws of the Association of Apartment Owners vest in the Board of Directors the power and duties necessary for the administration of the overall affairs of the project. The By-Laws of the Association of Apartment Owners specify that the presence at any meeting in person or by proxy of fifty percent (50%) of unit owners shall constitute a quorum and at any meeting in which a quorum is present, action by a majority of the voting power represented at such meeting shall be valid and binding on the Association except as otherwise provided in the By-Laws. Voting shall be on a percentage basis, the percentage of the total vote to which each unit is entitled shall be the same as the percentage of the common interests assigned to such unit in the Declaration; and any percentage of units owners specified in the By-Laws means the owners of units to which are appurtenant such percentage of the common interest. The Board of Directors of the Association of Apartment Owners may employ necessary personnel to carry out management and operation function of the project. The By-Laws submitted to the Commission named Cosyco Realty, Inc., a Hawaii corporation, as initial managing agent for a minimum of three years.

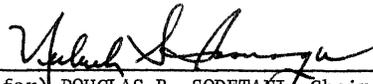
STATUS OF PROJECT: On March 31, 1972, Developer entered into a Construction Contract with Charles Pankow Associates to construct the project. The Developer advises that construction commenced on March 13, 1972. The specimen Sales Contract states that if less than thirty-nine apartments are sold prior to June 30, 1973, the Developer may at its option cancel all sales contracts, refund all amounts paid by buyers, and terminate the project.

PROGRAM OF FINANCING: The statement of the Program of Financing submitted by the Developer reflects that the Developer intends to pay the cost of the project from funds available through a construction loan commitment of \$2,500,000.00, and purchasers' funds deposited with Escrow.

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 April 17, 1972.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 447 filed with the Commission April 18, 1972.

This 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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ESCROW AGENT

Registration No. 447
May 31, 1972