

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
LAKEVIEW TERRACE
2889 Ala Ilima Street
Honolulu, Hawaii

REGISTRATION NO. 451

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: June 23, 1972

Expires: July 23, 1973

SPECIAL ATTENTION

A comprehensive reading by the prospective purchasers 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED MAY 2, 1972 AND INFORMATION SUBSEQUENTLY FILED AS OF JUNE 20, 1972. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514, HAWAII REVISED STATUTES.

1. LAKEVIEW TERRACE is a leasehold condominium project consisting of twenty-eight (28) units arranged throughout a single fifteen (15) story building, without basement. Twenty-eight (28) residences are being offered for sale. Forty-two (42) parking spaces are available out of which twenty-eight (28) spaces will be assigned one to each apartment, with the remaining fourteen (14) spaces to be reserved for the Owners of the land (hereinafter referred to as "Owners") to sell or lease to apartment owners who desire additional parking spaces.

The documentation reflects that the purchasers will acquire a leasehold interest in the residential unit purchased for a term of 55 years.

2. This Final Public Report is made a part of the registration of the LAKEVIEW TERRACE condominium project. The Developer is responsible for placing 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 Final Horizontal Property Regime Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.
3. 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 Final Public Report.
4. The Declaration of Horizontal Property Regime, with By-Laws of the Association of Apartment Owners attached, was executed on June 2, 1972.

The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a copy of the approved Floor Plans) was filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 583704 and noted on Transfer Certificate of Title No. 143,326. The Assistant Registrar has designated said Floor Plans filed with said Declaration as Condominium Map No. 131.

5. No advertising and 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, and the rules and regulations of the Hawaii Real Estate Commission which relate to Horizontal Property Regimes.

This Final Public Report automatically expires thirteen months after date of issuance, June 23, 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: LAKEVIEW TERRACE

LOCATION: The 20,443 square feet of land committed to the regime is situated at 2889 Ala Ilima Street, in Moanalua, Honolulu, City and County of Honolulu, State of Hawaii, being Lot No. 3348, as shown on Map 471, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1074.

TAX KEY: FIRST DIVISION 1-1-62 Parcels 5 and 6

ZONING: A-3 Medium Density Apartment

DEVELOPER: American Realty and Investment Associates, a Joint Venture of Pacific Industries, Inc., and Lion Rock, Ltd., both Hawaii corporations, whose address is Suite 804, 677 Ala Moana, Honolulu, Hawaii.

The officers of Pacific Industries, Inc. are:

President	Priscilla L. F. Hsi
Secretary-Treasurer	Peter H. Y. Hsi

The officers of Lion Rock, Ltd. are:

President	Alex Lam
Vice President	Cheung Woon Choi
Secretary-Treasurer	Julia Choi

ATTORNEY REPRESENTING DEVELOPER: Sakae Takahashi, Room 404, Central Pacific Bank Building, 1019 Smith Street, Honolulu, Hawaii 96817. Phone: 538-7035.

DESCRIPTION: Twenty-eight (28) freehold estates are designated in the spaces within the perimeter walls, floors and ceilings and the adjacent lanais of each of the 28 apartment units of the project contained in one (1) fifteen story building without basement, constructed principally of reinforced concrete floors and roof slabs, containing structural concrete slabs, structural bearing walls, and consisting of two (2) wings designated as the Ewa Wing and the Diamond Head Wing respectively, on the same line, with stairwell and elevator shaft rising at the area in between the two wings. Every floor in the building, except the ground floor, shall have two (2) three (3) bedroom apartments with two (2) baths each. These spaces (hereinafter called "apartments") are designated on the plans and described as follows:

- (a) Apartments 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, 10A, 11A, 12A, 14A, and 15A, and PH-A are respectively located on the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, fourteenth, fifteenth, and Penthouse floors of the Ewa Wing, and Apartments 2B, 3B, 4B, 5B, 6B, 7B, 8B, 9B, 10B, 11B, 12B, 14B, 15B, and PH-B are respectively located on the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, fourteenth, fifteenth, and Penthouse floors of the Diamond Head Wing of the building. (There shall be no thirteenth floor.)
- (b) Each apartment contains three bedrooms, two bathrooms, a living room, kitchen and dining room combination with an aggregate floor area of 1,010 square feet, together with a lanai of 50 square feet, for a total apartment area of 1,060 square feet.
- (c) Each of the 28 apartments has immediate access to the elevator, lobby and the stairway landing of the respective floor of the building and thereby to the stairways and elevator between the floors of the building leading to the lobby and entrances to the project.
- (d) The 28 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 utility or service lines running through such apartment 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 adjacent lanai, all the walls and the partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings, and all doors, windows, glass walls and frames thereof, and all fixtures and equipment originally installed therein including refrigerator, gas range, garbage disposer, and all plumbing and light fixtures.

COMMON ELEMENTS: One freehold estate is designated in all remaining portions of the project, called the "common elements," including specifically but not limited to: (a) Said land in fee simple; (b) all foundations, floor slabs, columns, girders, beams, supports, bearing walls, corridors, fire escapes, roofs, chases, entries, exits, stairways, walkways and elevator housing of said building; (c) one elevator with appurtenant equipment; (d) all yards, grounds, refuse area, landscaping, mail boxes, utility equipment rooms, and meter rooms; (e) all parking areas, ramps and driveways; (f) a common lobby on the ground and each apartment floor; and (g) all ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, cold and hot water, sewer, telephone and master television antenna.

LIMITED COMMON ELEMENTS: Certain parts of the common elements herein called the "limited common elements," are hereby designated and set aside for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto easements for the use of such limited common elements as follows:

- (a) Forty-two (42) parking spaces are provided in the project out of which one parking space shall be assigned to each of the 28 apartments upon the original conveyance thereof and shall be appurtenant to and for the exclusive use of such apartment.
- (b) The remaining fourteen (14) parking spaces shall be reserved for the Owners to be sold or leased to apartment owners for use by them as additional parking spaces.

COMMON INTEREST: Each of the 28 apartments shall have appurtenant thereto an undivided 1/28 interest in all of the common elements (herein called the "common interest") of the project except for all parking areas, ramps and driveways. Each of the 28 apartments shall equally share all the common profits and expenses of the project except for all parking areas, ramps and driveways. For all other purposes including voting, each of the 28 apartments shall have a 1/28 interest.

Each of the 42 parking spaces shall have appurtenant thereto an undivided 1/42 interest in all of the parking areas, ramps and driveways, and shall equally share in all common profits and expenses allocated to said parking areas, ramps and driveways.

USE: The apartments shall be occupied and used only as dwelling units or transient living accommodations by the respective apartment owners thereof, their tenants, families, domestic servants and guests, and for no other purpose. Except for the limitations on use expressed in the preceding sentence, the apartment owners of the respective apartments shall have the absolute right to sublease such apartments subject to all provisions of the Declaration.

OWNERSHIP TO TITLE: The Developer, American Realty and Investment Associates, a joint venture of Pacific Industries, Inc., and Lion Rock, Ltd., both Hawaii corporations, in its Notice of Intention represents that said Pacific Industries, Inc., and Lion Rock, Ltd., are the owners of the land in fee simple as tenants in common. The lien letter issued by Security Title Corporation on April 24, 1972, verifies that said two corporations are vested with the fee as to Lot 3348, area 20,443.0 square feet, as shown on Map 471, Land Court Application No. 1074, being all of the land described in Transfer Certificate of Title No. 143,326.

The proposed condominium project consists of the land and improvements to be submitted jointly to a Horizontal Property Regime by the Developer and Owners of the fee simple title to the land, creating a leasehold condominium. The Developer represents, however, that the 28 residential units contained within the project to be offered for sale will be sold upon and subject to the terms and provisions of 55 year leases commencing in 1973, and terminating in 2028, to be issued by the Owners directly to each purchaser. The residential units themselves will be sold by the Developer, upon and subject to such leases. The Purchaser will, therefore, acquire a leasehold interest in the residential unit purchased for a term expiring in the year 2028.

ENCUMBRANCES AGAINST TITLE: The lien letter covering Lot 3348, certified that said lot is subject to the following encumbrances: (1) Restriction of access rights affecting Lot 3348, as shown on Maps 309 and 471, as set forth by Land Court Order No. 24630, filed September 3, 1965; (2) Exception and Reservation 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 in the Office of the Assistant Registrar of the Land Court of the State of Hawaii 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 Released dated October 12, 1965, and filed as Document No. 372562; (3) Designation of Easement 464 for transformer vault purposes, affecting said Lot 3348, as shown on Maps 314 and 471, as set forth by Land Court Order No. 24900, filed November 9, 1965; (4) Covenants as contained in that certain Declaration dated November 23, 1965, filed in said Office of the Assistant Registrar as Document No. 375914, as amended by Document No. 377276; (5) Grant dated January 28, 1966, filed in said Office of the Assistant Registrar as Document No. 381416, in favor of Hawaiian Electric Company, Inc., and Hawaiian Telephone Company, granting an easement for utility purposes within Easement 464, within Lot 3348; (6) Abutter's rights of vehicle access over the common boundary between Salt Lake Boulevard and Lot 3348, as shown on Maps 314 and 471 of Land Court Application No. 1074, as conveyed to the State of Hawaii by Quit-claim Deed dated March 8, 1966, filed in said Office of the Assistant Registrar as Document No. 397370; and (7) For any taxes that may be due and owing and lien on the lands, reference be made to the Office of the Assessor of the Taxation District in which said land is situated.

NOTE: Developer discloses that the land is further encumbered by the Declaration of Horizontal Property Regime dated June 2, 1972 and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 583704, noted on Transfer Certificate of Title No. 143,326. The Assistant Registrar has designated the floor plans as Condominium Map No. 131.

PURCHASE MONEY HANDLING: A copy of the Escrow Agreement, made February 29, 1972, by and between Hawaii National Bank, a Hawaii banking corporation, as "Escrow," and American Realty and Investment Associates, a Joint Venture, as "Seller" has been submitted to the Commission as part of the registration. On examination the Reservation Agreement, Sales Agreement and the executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly Section 514-15.

Among other provisions, the specimen Sales Agreement states that in the event that less than 23 apartments are sold by October 12, 1972, or the project cannot be built by September 12, 1973, or Seller is prevented by law from proceeding with the construction of the project, the Seller at its option may cancel the agreement upon written notice to Purchaser, and all funds paid by the Purchaser shall be refunded without interest. The Purchaser will have the option to cancel the agreement upon written notice to seller and receive a refund, without interest in the event that the project cannot be built by September 12, 1973; provided, however, the time of completion may be extended for any period of time during which Seller is actually and necessarily delayed if said delay is due to conditions beyond the control of Seller.

It is incumbent upon the purchaser and prospective purchaser that the reads with care the sales agreement and the executed Escrow Agreement. The latter document, the Escrow Agreement, establishes how the proceeds from the sale of dwelling units and all sums received from any source are placed in trust, as well as the retention and disbursement of said trust funds.

FINANCING OF PROJECT: Commitment for interim construction loan of \$928,000.00 secured by a valid first mortgage on fee simple land and the proposed improvements, has been obtained by the Developer from Hawaii National Bank, which sum will be sufficient to complete construction of the project. Financing for each qualified purchaser of a unit has been arranged also with Hawaii National Bank.

MANAGEMENT AND OPERATION: The Declaration of Horizontal Property Regime provides that the operation of the project shall be conducted for the Association of Apartment Owners by a responsible corporate or other managing agent and the initial managing agent is Reliance Realty and Management, a division of Reliance

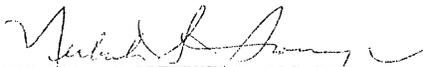
Industries, Inc., whose principal place of business and post office address is 1661 Kapiolani Boulevard, Honolulu, Hawaii. The specimen Sales Agreement authorizes the Developer to employ the managing agent, and authorizes it, as managing agent, to assume full control and responsibility for the management, operation, and maintenance of the completed project at the expense of the Association.

STATUS OF PROJECT: In the Notice of Intention the Developer advised the Commission that the contractor is Oceanic Construction Company. A construction contract dated February 17, 1972, is on file with the Commission. It is anticipated that the work to be performed will be completed on or before September 30, 1973.

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 May 2, 1972 and information subsequently filed as of June 20, 1972.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 451 filed with the Commission on May 2, 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 in color.



(For) DOUGLAS R. SODERANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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ESCROW AGENT

REGISTRATION NO. 451

June 23, 1972