

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
KUILIMA ESTATES
Koolauloa, Oahu, Hawaii

REGISTRATION NO. 467

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: July 26, 1972
Expires: August 26, 1973

SPECIAL ATTENTION

A comprehensive reading by the prospective purchaser 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JUNE 30, 1972, AND INFORMATION SUBSEQUENTLY FILED AS OF JULY 26, 1972. THE DEVELOPER IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT AND AMENDMENTS THERETO, CHAPTER 514, HAWAII REVISED STATUTES.

1. KUILIMA ESTATES is a proposed leasehold condominium project consisting of 23 wood and gypsum board two (2) story buildings, with one hundred ninety-nine (199) residential apartment units, all of which will be sold by the Developer upon and subject to the terms and provisions of Apartment Assignments and Ground Subleases to be issued by the Developer. There will be two hundred fifty-eight (258) parking stalls.
2. The Developer of the project has filed all documents and materials deemed necessary by the Commission for the registration of this proposed condominium project and the issuance of the Preliminary Public Report.

3. Basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a copy of Approved Floor Plans) have not been filed in the Office of the Recording Officer.
4. The Developer has advised the Commission that the advertising and promotional matter required to be filed pursuant to the rules and regulations promulgated by the Commission will be submitted prior to public exposure.
5. The Developer has submitted a statement of the estimated costs involved in completing the project and a loan commitment letter from The Prudential Insurance Company of America to provide both construction financing and long-term mortgage loans to individually qualified purchasers of the units.
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 promulgated thereunder which relate to Horizontal Property Regimes.
7. This Preliminary Public Report is made a part of the registration of Kuilima Estates condominium project. The Developer has the responsibility of placing a true copy of the Preliminary Public Report (yellow paper stock) in the hands of all purchasers and prospective purchasers.
8. If the Final Public Report is not issued within one (1) year from July 26, 1972, the date of the Preliminary Public Report, purchasers and prospective purchasers shall be entitled to a refund of all monies without further obligation.

NAME OF PROJECT: KUILIMA ESTATES

LOCATION: Northerly part of the District of Koolauloa, Oahu, Hawaii

The site, comprising 17.574 acres, is located on the makai side of Kanehaneha Highway.

TAX MAP KEY: FIRST DIVISION 5-7-01-29

ZONING: A-1

DEVELOPER: INSCON DEVELOPMENT COMPANY, a joint venture, whose business address is 828 Fort Street, Suite 201, Honolulu, Hawaii 96813, Telephone: 531-6815.

The joint venturers are Del E. Webb Corporation, an Arizona Corporation, and PIC Realty Corporation, a Delaware Corporation.

ATTORNEY REPRESENTING DEVELOPER: Hogan, Rother & Grimes (Phillip L. Rother), Suite 320 Dillingham Transportation Building, 735 Bishop Street, Honolulu, Hawaii, 96813, Telephone: 531-6851.

DESCRIPTION: The proposed Declaration of Horizontal Property Regime reflects that the proposed leasehold project shall consist of 23 wood and gypsum board 2-story buildings containing 120 type A and B 1-bedroom units, 47 type C and D 2-bedroom units, 16 type E 3-bedroom units and 16 type F studio units, for a total of one hundred ninety-nine (199) units, plus a resident manager's unit, located on 17.574 acres. The buildings will be rectangular in shape, consist of two-stories, is on a concrete slab and constructed principally of wood and gypsum board, with shake roofs and containing no basements.

Apartment numbers 1 through 8 are located in building number 1, 9 through 20 in building number 2, 21 through 30 in building number 3, 31 through 38 in building number 4, 39 through 46 in building number 5, 47 through 60 in building number 6, 61 through 70 in building number 7, 71 through 76 in building number 8, 77 through 84 in building number 9, 85 through 88 in building number 10, 89 through 92 in

building number 11, 93 through 96 in building number 12, 97 through 102 in building number 13, 103 through 108 in building number 14, 109 through 118 in building number 15, 119 through 124 in building number 16, 125 through 132 in building number 17, 133 through 144 in building number 18, 145 through 156 in building number 19, 157 through 162 in building number 20, 163 through 176 in building number 21, 177 through 192 in building number 22, 193 through 199 in building number 23.

The resident manager's apartment is number 200 which is located in building number 23.

The approximate square footage areas of the apartments, exclusive of any lanais, based on measurements to the center lines of the party walls, are as follows: type A - 658 square feet, type B - 738 square feet, type C - 1,072 square feet, type D - 1,152 square feet, type E - 1,394 square feet and type F - 459 square feet.

The apartments will be numbered in the manner shown on the Condominium Map. Each apartment will be deemed to include any adjacent lanai, 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 all fixtures originally installed therein including dishwasher, garbage disposer, refrigerator, range and vent hood, carpet, drapes and door chimes. Each apartment will have immediate access to an entryway and then via stairways and walkways to sidewalks, all of the foregoing being common elements. There will be parking stalls for two hundred fifty-eight (258) automobiles.

COMMON ELEMENTS: The common elements will include the limited common elements hereinafter described and all other portions of the land and improvements other than the apartments and they shall specifically include but not be limited to the above-described land and improvements thereon; all foundations, columns, girders, beams, supports, bearing walls, roofs, chases, stairways, walkways, entrances of the buildings; all yards, grounds, landscaping, mail boxes and refuse facilities; all parking areas and driveways; all ducts, electrical equipment, wiring and other central and appurtenant installations including all utilities; all swimming pools and equipment; all recreation areas; the manager's apartment and parking space; all visitors' parking spaces; and all other elements and facilities rationally in common use, or necessary to the existence, upkeep and safety of the project.

LIMITED COMMON ELEMENTS: The proposed Declaration reflects that certain parts of the common elements herein called "limited common elements" are designated and set aside for the exclusive use of certain apartments. Such apartments shall have appurtenant thereto easements for the use of such limited common elements as follows:

One parking space, designated on said plans by the number corresponding to the number of each apartment, shall be appurtenant to and for the exclusive use of each apartment.

INTEREST TO BE CONVEYED TO PURCHASER: Apartment units shall have appurtenant to each the undivided interest in all common elements of the project as follows: Type A - .407%, type B - .457%, type C - .664%, type D - .714%, type E - .863% and type F - .284%. The common interest, proportionate share in all common profits and expenses of the project and proportionate representation for voting purposes in the Association of Apartment Owners and all other purposes shall be in said percentage for each apartment.

USE: The Declaration provides that all apartments of the project may be used only for residential purposes. No apartment shall be used in connection with the carrying on of any trade or business whatsoever. The owners of the respective apartments shall have the absolute right to lease the same subject to the limitations, restrictions, covenants, and conditions of the Declaration.

OWNERSHIP OF TITLE: The Lien Letter executed July 10, 1972, by Title Guaranty of Hawaii, Inc., a licensed abstractor, indicates that title to the land is vested in Inscor Development Company as Lessee from the Trustees Under the Will and of the Estate of James Campbell, Deceased, the owners of the fee simple title to the land. The project will be located exclusively on Lot 469, area 17.574 acres, as described in Certificate of Title No. 17,354, and as shown on Map 68 filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1095.

ENCUMBRANCES AGAINST TITLE: Said Lien Letter indicates no encumbrances against the title except for the Master Lease recorded in Liber 6847 page 322, and designation of the following easements, all shown on Map 68, as set forth by Land Court Order No. 35003, filed April 28, 1972:

Easement 59 (46 feet wide) for utility;
Easement 60 for utility;
Easement 61 (36 feet wide) for utility;
Easement 62 (10 feet wide) for drainage;
Easement 64 (10 feet wide) for sanitary sewer;
Easement 65 for sanitary sewer; and
Easement 66 over and across Lot 469 for drainage.

PURCHASE MONEY HANDLING: An executed Escrow Agreement dated June 30, 1972, identifies Title Guaranty Escrow Services, Inc. as the Escrow Agent. Upon examination of the Escrow Agreement, it is found to be in consonance with Chapter 514, Hawaii Revised Statutes, and particularly Section 514-35 through Section 514-40.

Among other provisions, the Escrow Agreement provides that Escrow Agent shall refund to Purchaser all of Purchaser's funds, without interest, if Purchaser shall in writing request refund of his funds and any one of the following have occurred:

- (1) Escrow Agent receives a written request from Developer to return to Purchaser the funds of such Purchaser then held under the Escrow Agreement by Escrow Agent; or,
- (2) If a Purchaser's funds were obtained prior to the issuance of the Final Public Report and if there is any change in the condominium building plans, subsequent to the execution of Purchaser's Contract of Sale, requiring the approval of a county officer having jurisdiction over the issuance of permits for construction of buildings, unless the Purchaser has given written approval or acceptance of the specific change; or
- (3) If the Purchaser enters into a Contract of Sale prior to the time the Final Public Report is issued, and the Final Report differs in any material respect from this Preliminary Report; or
- (4) If the Final Report is not issued within one year from the date of issuance of this Preliminary Report.

It is incumbent upon the Purchaser and prospective Purchaser to read and understand the Escrow Agreement before executing the Contract of Sale, since the Escrow Agreement prescribes the procedure for receiving and disbursing Purchaser's funds and the Contract of Sale specifically provides that the Purchaser approves said Escrow Agreement.

The Contract of Sale provides that the Seller expressly reserves the right to sell or lease unsold apartments free from any restrictions on such sale or lease which may under the By-Laws apply to Buyer.

MANAGEMENT OF PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the project shall be conducted for the Association under the direction of its Board of Directors by a responsible corporate managing agent. The Developer has submitted a copy of an executed Management

Agreement to the Commission, date June 30, 1972, with Waikiki Realty, Limited, a Hawaii corporation, as Agent.

STATUS OF PROJECT: The Developer has submitted a copy of an executed construction contract to the Commission, dated April 26, 1972, with Del E. Webb Corporation as general contractor. Construction has not started on the project. The Developer has advised the Commission that it proposes to commence construction approximately August 1, 1972. Construction is expected to be completed within approximately sixteen (16) months from the commencement thereof.

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 June 30, 1972, and additional information subsequently filed as of July 26, 1972.

This is a PRELIMINARY HORIZONTAL PROPERTY REGIMES CONDOMINIUM PUBLIC REPORT which is made a part of REGISTRATION NO. 467, filed with the Commission on June 30, 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 yellow in color.


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

DISTRIBUTION:

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

REGISTRATION NO. 467

July 26, 1972