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

KAHUA PLACE
Kahua Place, Aiea
City and County of Honolulu

REGISTRATION NO. 542

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 5, 1973

Expires: August 5, 1974

SPECIAL ATTENTION

A comprehensive reading of the report is urged in order that personal requirements and expectation 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 MARCH 29, 1973 AND INFORMATION SUBSEQUENTLY FILED AS OF JULY 2, 1973. 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.

1. KAHUA PLACE is a proposed fee simple condominium project with a total of 10 four-bedroom apartments located in 10 buildings in the project.

2. The Developer of the project has submitted to the Commission for examination all the documents deemed necessary for the registration of the condominium project and the issuance of this Preliminary Public Report.

3. The basic documents (Declaration of Horizontal Property Regime and By-Laws of the Association of Owners) and a copy of the Condominium Map have not yet been filed with the Office of the Recording Officer.

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

5. The Developer advises the Commission that construction of the buildings has not commenced but shall commence as soon as the sales are made.

6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to the Horizontal Property Regime.

7. This Preliminary Public Report automatically expires thirteen (13) months after the date of issuance July 5, 1973, unless a Supplementary Public Report issues or the Commission, upon the review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: KAHUA PLACE.

LOCATION: The 131,039 square feet of property to be committed to the regime as a fee simple condominium project is situated on Kahua Place, Aiea, City and County of Honolulu, State of Hawaii.

TAX KEY: First Division, 9-9-06-88.

ZONING: R-3 (Residential)

DEVELOPER: Marcus K. Nishikawa, Inc., a Hawaii corporation, of 744 Kohou Street, Honolulu, Hawaii. The officers of the corporation are as follows:

Marcus K. Nishikawa	President
Kenneth K. Nishikawa	Vice President
Harold H. Ohama	Vice President
Jon J. Chinen	Secretary
Rogers M. Miyamoto	Treasurer

ATTORNEY REPRESENTING DEVELOPER: Hiroshi Sakai, Suite 602, 810 Richards Street, Honolulu, Hawaii 96813, Telephone 531-4171.

DESCRIPTION: The Declaration of Horizontal Property Regime reflects that the project is to consist of 131,039 square feet of land located at Kahua Place, Aiea, City and County of

Honolulu, State of Hawaii, on which will be located 10 four-bedroom wood frame buildings with shake roof and car ports for two garages with no basements. The floor plans of the project are certified to by Brian Gray & Associates, Inc., Engineers, as the Condominium Map.

DESCRIPTION OF APARTMENTS, LOCATION AND NUMBERING:

a. Eight Four-Bedroom Apartments. Each of the eight four-bedroom apartments has a car port attached to the utility and kitchen rooms which face the makai side of a one-story building without a basement constructed principally of wood construction and a wood shake roof which space herein called the "apartment" are designated on the Condominium Map as Apartments 1 through 5 inclusive and 8 through 10 inclusive and are located on Areas 1 through 10 with the same apartment numbers and designated by the same apartment numbers and includes the following rooms: living and dining room, family room, kitchen, four-bedrooms, two baths, covering 1,476 square feet, a covered patio of 220 square feet and car port, storage and utility room covering 474 square feet. The apartment will each have immediate access to the appurtenant entries and the walkways and driveways connecting such apartment to the Kahua Place roadway which leads into Napuanani Road.

b. Two Four-Bedroom Apartments. Each of the four-bedroom apartments are the same as the above eight apartments described except that the floor plan is reversed with the same square footage and room and facilities. They have the same access to the appurtenant entries and the walkways and driveways connect such apartments to the Kahua Place roadway which leads into Napuanani Road.

FREEHOLD AREAS: The project is divided into 12 freehold areas as described in the Condominium Map in the following manner:

Area	Square Foot
1	11,482
2	10,223
3	10,385
4	11,780
5	11,780
6	12,037
7	11,298
8	10,095
9	12,240
10	12,711
11 (Kahua Place)	15,870
12 (Street widening setback)	830

The Area 12 noted above is provided for any street widening that may take place on Napuanani Road.

COMMON ELEMENTS: The common elements include:

a. The land in fee simple for the project.

b. Area 11 designated as Kahua Place.

c. All ducts, electrical equipment, wiring, sewer, power, light, water, telephone and any other central and appurtenant installations.

d. All other parts of the project existing for the common use or necessary to the existence, maintenance and safety of the project.

LIMITED COMMON ELEMENTS: The limited common elements for each apartment is the yard and ground area reserved for each apartment as described in the Condominium Map with the same area number. As to Area No. 12 consisting of 830 square feet, the same shall be a limited common element for Apartment 1 up to such time as the same is condemned or utilized for purposes of the widening of Napuanani Road and in such event that the same is condemned of purchase the Association shall receive all condemnation or purchase proceeds. Apartment 1 shall be entitled to condemnation or purchase proceeds for the square footage of land taken in excess of Area 12 designated in the Condominium Map.

THE INTEREST TO BE CONVEYED TO PURCHASER: The fractional undivided interest in the common elements appertaining to each apartment and appurtenant thereto is as follows:

Apartment No.	Percentage Interest
1	11,480/114,860
2	10,220/114,860
3	10,385/114,860
4	11,780/114,860
5	11,780/114,860
6	12.030/114,860
7	11,290/114,860
8	10,985/114,860
9	12,240/114,860
10	12,700/114,860

PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE: The apartments shall be used for residential apartment uses in accordance with the terms of this Declaration and By-Laws and the House Rules as exist or as they may be amended from time to time and each owner shall observe, comply with and perform all rules, regulations, ordinances, laws made by the Board of Health and any governmental authority of the municipal, state and federal governmental applicable to the premises.

OWNERSHIP OF TITLE: A preliminary title report prepared by Long & Melone, Ltd., dated June 1, 1973 certifies that the fee simple title to the land is vested in Sarah W. Bauer, as to an undivided 1/4 interest, Reinold G. Wennrich as to an undivided 1/2 interest and Reinold G. and Harriet Y. Wennrich as to an undivided 1/4 interest.

The Developer has filed with the Commission a copy of an executed Assignment of Agreement of Sale dated March 23, 1973 to purchase the fee title to the land.

ENCUMBRANCES AGAINST TITLE: The foregoing title search notes that the following are encumbrances against the property:

a. Assessment being Aiea Heights Sewers Improvement District No. 228, Sec. 3, Assessment Lot No. 36.

b. A road easement (20 feet wide) which is more fully described as follows:

Beginning at the West corner of this easement, being also the end of Course 8 of the land above described and thence running by azimuths measured clockwise from True South:

1.	236°	05'		256.93	feet;
2.	22°	23'	30"	36.06	feet;
3.	56°	05'		226.93	feet;
4.	146°	05'		20.00	feet to the point of beginning and containing an area of 4,839 square feet.

c. The easement granted on December 13, 1946, recorded in the Bureau of Conveyances in Book 2013, Page 63 to The Hawaiian Electric Company, Limited and Mutual Telephone Company for utilities as shown on Map No. 1006-932 of The Hawaiian Electric Company, Limited.

d. Real Property Taxes that may be due and owing.

e. Agreement of Sale dated June 21, 1972, in favor of Rex S. Kuwasaki, recorded in Book 8417, Page 239.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated March 27, 1973 identified as Crown Escrow, Inc., as "Escrow". On examination, the specimen Condominium Reservation Agreement, Deposit, Receipt and Sales Contract and executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes. The provisions of the executed Escrow Agreement as filed with the Commission provides that disbursements from the Escrow fund will be

made by Escrow Agent upon the written request of the Developer for the following purposes:

a. To pay for construction of the building or buildings and other improvements and fixtures in such amounts and at such times and in proportion to the valuation of the work completed by the contractor as certified by a registered architect or professional engineer in accordance with the Sales Contract and upon bills approved or certified for payment by Seller's mortgagee;

b. To other persons as required for architectural, engineering, finance, advertising, printing, accounting, escrow fees, selling expenses, taxes, assessments and legal fees, and for other incidental expenses of the project, to the extent approved by Seller's mortgagee;

c. For the total or partial release of any master mortgage or other lien covering the project and for the removal of any other encumbrances required to be removed in order to place title of the apartments in the required state;

d. For such title reports and costs of recordation as may be necessary or proper in connection with recordation of deeds, mortgages and other documents required to effect transfer of title under the Sales Contracts;

e. To seller, or order, forty-six (46) days after the filing of the Affidavit of Publication of Notice of Completion as provided for under Chapter 507, Part II, Hawaii Revised Statutes, provided, however, if a notice of mechanic's or materialmen's lien has been filed against any of the property included in the project, or suit thereon is filed Escrow shall withhold one hundred and fifty per cent (150%) of the amount claimed thereunder until any lien existing or possible thereunder has been removed.

The executed Escrow Agreement illustrates compliance with the requirements of Section 514-36 to 514-39, Hawaii Revised Statutes. Purchaser shall be entitled to have a refund of his funds and Escrow Agent shall pay said funds to said purchaser without interest less Escrow Agent's cancellation fee the purchaser shall in writing request refund of his funds and if any one of the following shall have occurred:

a. Escrow receives a written request from seller to return to purchaser the funds of such purchaser then held hereunder by Escrow; or

b. If a purchaser's funds were obtained prior to the issuance of a final public report and if there is any change in the condominium building plans, subsequent to the execution of Purchaser's Sales Contract, 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

c. If a purchaser's funds were obtained prior to the issuance of a final public report and the request is prior to the time the final public report is issued; or

d. If the final public report differs in any material respect from the preliminary public report, unless the purchaser has given written approval or acceptance of the difference; or

e. If the final public report is not issued within one (1) year from the date of issuance of the preliminary public report.

Among other provisions the Sales Contract provides that in the event less than six (6) apartments are sold prior to December 31, 1973, Seller may at its option cancel this agreement, in which event Seller will cause Escrow to refund to Buyer all monies paid, without interest, and Seller shall be relieved and released of all further liability hereunder.

It is incumbent upon the purchaser and prospective purchaser that he reads, with care the Condominium Reservation Agreement, Deposit, Receipt and Sales Contract and the Escrow Agreement. The Escrow Agreement establishes how the proceeds from the apartment units and all sums received from any sort are placed in trust as well as retention and disbursement of said trust fund.

MANAGEMENT AND OPERATIONS: The initial managing agent shall be MARCUS K. NISHIKAWA, INC., a Hawaii corporation, whose principal place of business and post office address is 744 Kohou Street, Honolulu, Hawaii.

STATUS OF PROJECT: The Developer advises the Real Estate Commission as soon as sales are made the construction of the building will commence.

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The purchaser or prospective purchaser shall be cognizant of the fact that this published report represents information

disclosed by the Developer in the required Notice of Intention submitted March 29, 1973 and information subsequently filed as of July 2, 1973.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 542 filed with the Commission on March 29, 1973.

This report, when reproduced, shall be a true copy of the Commission's public report. The paper stock must be yellow in color.

(For) DOUGLAS R. SODETANI, 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

July 5, 1973

Registration No. 542