

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
ALOHALANI TROPICANA
814 Kinau Street
Honolulu, Hawaii

REGISTRATION NO. 563

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: August 24, 1973
Expires: September 24, 1974

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 ON MAY 25, 1973 AND INFORMATION SUBSEQUENTLY FILED AS LATE AT AUGUST 3, 1973. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. ALOHALANI TROPICANA is a leasehold condominium project with a total of twenty-four (24) one bedroom, one bath units situated in a four (4) story building with twenty-four (24) parking spaces; sixteen (16) being under cover and eight (8) uncovered. Each apartment will be assigned one parking stall.

The building was completed in April, 1970, and has since been occupied as rental units. The apartment building does not comply with the present Comprehensive Zoning Code, but, since the structure, when constructed, did meet the then existing zoning requirement the structure may be occupied so long as the use does not change. In the event the structure or apartments is or are damaged or destroyed, and rebuilding or restoration is required, the City and County of Honolulu will require that it be rebuilt or renovated in compliance with the zoning code in existence at that time.

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. The Developer of the project plans to sell the condominium units and grant apartment deeds to purchasers, but the land will be leased and Ground Leases shall be issued from the fee title owner to purchasers. Although purchasers will be granted Apartment Deeds, this condominium project is considered a leasehold project. Upon the termination of Ground Leases, unit owners may remove or dispose of the building and improvements situated on or placed on the land, or may sell the improvements to a third party who has negotiated a new lease. Purchasers are advised to study with care the "surrender" clause on page 20 of the the specimen Ground Lease.
4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a copy of Condominium Map) have been filed in the office of the recording officer.

The Declaration of Horizontal Property Regime dated May 17, 1973, with the By-Laws attached are recorded in the Bureau of Conveyances of the State of Hawaii in Liber 9159 at Page 213 and the map is designated as Condominium Map No. 280.
5. No advertising or 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 Condominium Rules and Regulations which relate to Horizontal Property Regime.
7. This Final Public Report expires thirteen (13) months from the date of issuance, August 24, 1973, unless a supplemental report is published or the Commission, upon review of the registration, issues an order extending the effective period of this Report.

NAME OF PROJECT: ALOHALANI TROPICANA

LOCATION: The approximate 10,050 square feet of real property committed to the regime as a leasehold condominium project is located on the Mauka side of Kinau Street between Alapai Street and Ward Avenue, Honolulu, Hawaii.

TAX KEY: First Division: 2-1-40-02

ZONING: A-4

DEVELOPER: HEADRICK ASSOCIATES, INC., a Hawaii corporation, whose mailing address is 2678 Kili Hau Street, Honolulu, Hawaii 96819. The officers of Headrick Associates, Inc. are as follows:

R. George Headrick	President
Harold B. Headrick	Executive Vice-President
James M. Ariyoshi	Vice President
H. Robert Hampton	Vice President
Florence T. Higa	Secretary-Treasurer

ATTORNEY REPRESENTING DEVELOPER: Lo, Youth & Ikazaki, 1412 Amfac Building, 700 Bishop Street, Honolulu, Hawaii 96813; Telephone: 521-1456 (Attention: Mr. Richard C. Lo).

DESCRIPTION: The Declaration of Horizontal Property Regime reflects that the project consists of the leasehold property and the existing four-story building containing a total of twenty-four (24) one-bedroom apartments situated on the second, third and fourth floors. The building is constructed basically of hollow tile, concrete, wood, glass and allied building materials. There will be twenty-four (24) parking stalls at ground floor level, with sixteen (16) covered and eight (8) open stalls. The stalls will be assigned to an apartment unit as the units are sold.

Access to the apartments is directly from the grounds, walkways and driveways.

The one-bedroom units are all similar in layout and are described as follows: Each unit contains 480 square feet, more or less, with a lanai area of 52 square feet, more or less. Each unit will have one bedroom, one bath, a living room-kitchen separated by a snack bar and an open lanai. The appliances include a range and oven, refrigerator, disposal and water heater. Also, included in the apartment's sales price is wall to wall carpeting in the living room.

Each apartment shall include the space and improvements within its perimeter walls, floors and ceiling, including all interior walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surface of all walls, floors and ceilings, all doors, window glass and screens, all fixtures and all appliances originally installed as fixtures therein.

The 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, ducts or other utility lines running through such apartment, the same being deemed common elements as hereinafter provided.

Each apartment has immediate access to the corridors on each floor leading to the stairway to the grounds.

COMMON ELEMENTS: The Declaration reflects that the common elements consist of: (a) said land in fee simple (which land is intended to be leased to an apartment owner separately and apart from a conveyance or other transfer of an apartment); (b) all foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter and load-bearing walls, corridors, stairs, stairways, roofs, and walkways around and between said building; (c) all yards, grounds, landscaping, mail boxes, refuse facilities, shed and like facilities; (d) all driveways and parking areas; (e) all ducts, sewer lines, sanitary equipment, electrical equipment, pipes, wiring and other central and appurtenant transmission facilities, installations for services including power, light, water, sewer, gas, refuse, telephone and radio and television signal distribution; and (f) any and all other apparatus and installations of common use and all other parts of the property necessary or convenient to its existence, maintenance or safety, or normally in common use.

LIMITED COMMON ELEMENTS: The Declaration reflects that the limited common elements consist of the following: (a) one automobile parking space so designated on said Condominium Map and assigned to each apartment shall be appurtenant to and for the exclusive use of such apartment, with which the same is conveyed upon the initial conveyance by lease or deed; and (b) all other common elements of the project which are rationally related to less than all of said apartments shall be limited to the use of such apartments.

INTEREST TO BE CONVEYED PURCHASER: The Declaration states that the undivided interest in the common elements appertaining to each apartment is one-twenty fourth (1/24th) or 4.1667%. According to the Declaration and By-Laws, each apartment's share of common expense and voting rights shall be in proportion to its undivided interest in the common elements.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration states that each apartment shall be occupied and used only as private dwelling by the respective owners thereof, their tenants, families, domestic servants and guests and for no other purpose. Each owner shall comply with the terms of the Declaration, By-Laws and House Rules of the Association of Apartment Owners.

OWNERSHIP TO TITLE: The Notice of Intention reflects that ownership to fee title to the land is vested in Robert and Nancy Teruya, husband and wife.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report of Security Title Corporation as of May 21, 1973, certifies that title to the land is subject to the following:

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent Grant 3317.
2. Mortgage dated May 6, 1969, made by Robert Teruya and Nancy Teruya, husband and wife, as mortgagors, to International Savings and Loan Association, Limited, a Hawaii corporation, as mortgagee, recorded in said Bureau of Conveyances in Liber 6510 at Page 413.
3. Mortgage dated January 22, 1970, made by Robert Teruya and Nancy Teruya, husband and wife, as mortgagors, to National Mortgage and Finance Company, Limited, a Hawaii corporation, as mortgagee, recorded in said Bureau of Conveyances in Liber 6878 at Page 95.
4. Master Ground Lease dated February 23, 1973, between said Robert and Nancy Teruya, as Lessors, and Headrick Associates, Inc., as Lessee, recorded in said Bureau of Conveyances in Liber 8964 at Page 16.
5. Apartment Building Deed dated February 23, 1973, between said Robert and Nancy Teruya, as Grantors, and Headrick Associates, Inc., as Grantee, recorded in said Bureau of Conveyances in Liber 8964 at Page 35.
6. Mortgage dated February 23, 1973, made by Headrick Associates, Inc., a Hawaii corporation, as Mortgagor to Robert and Nancy Teruya, husband and wife, as mortgagees recorded in said Bureau of Conveyances in Liber 8964 at Page 41.
7. Condominium Map No. 280, filed in said Bureau of Conveyances on May 21, 1973.
8. Declaration of Horizontal Property Regime, and the By-Laws attached thereto, dated May 17, 1973 recorded in said Bureau of Conveyances in Liber 9159 at Page 213.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated May 17, 1973, identifies Security Title Corporation as "Escrow". On examination, the Escrow Agreement is found to be in compliance with Chapter 514, Hawaii Revised Statutes.

The Developer has advised the Commission that the specimen Deposit, Receipt and Sales Contract shows that if less than 20 apartments are sold by December 31, 1973, the seller may at its option cancel the

contract, refund to purchaser without interest, all sums paid, and be released from all further liability under the contract.

It is incumbent upon the purchaser and prospective purchaser that he reads with care the Sales Contract and the Escrow Agreement. The Escrow Agreement establishes how the proceeds from the 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 By-Laws of this project state that the Board of Directors may employ for the Association of Apartment Owners, a management agent to perform such duties as the Board shall authorize, including the collection of all assessments from the owners. The Developer has filed with the Commission an executed Management Agreement naming Melemanu Realty and Finance, Inc. as the initial managing agent. The term of said agreement shall terminate December 31, 1974.

STATUS OF PROJECT: The Developer has advised the Real Estate Commission that the building in this project has already been completed.

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 on May 25, 1973.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 563 filed with the Commission on May 25, 1973.

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


(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. 563

August 24, 1973