

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII  
1010 RICHARDUS STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

## FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on  
ONO VISTA  
68-090 Au Street  
Kaimananui, Waialua  
Oahu, Hawaii

REGISTRATION NO. 595

### **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: September 4, 1974  
Expires: October 4, 1975

#### 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JULY 20, 1973, AND INFORMATION SUBSEQUENTLY FILED AS OF AUGUST 29, 1974. DEVELOPER IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES ACT, CHAPTER 514, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report on November 29, 1973, on Ono Vista Registration No. 595, the Developer reports that certain material changes have been made in the project. This Final Public Report (white paper stock) amends the Preliminary Public Report (yellow paper stock) becoming a part of Ono Vista registration. The Developer is responsible for placing a true copy of

this Final Public Report in the hands of all purchasers and prospective purchasers along with a copy of the Preliminary Report. The Developer is responsible for securing from each purchaser or prospective purchaser a signed receipt, signifying that he has had an opportunity to read both reports.

2. The Developer has submitted to the Commission for examination all documents deemed necessary for the registration of the condominium project and the issuance of this Final Public Report.
3. The Developer advises that the Declaration of Horizontal Property Regime and attached Bylaws are filed in the Bureau of Conveyances of the State of Hawaii in Book 10036, Page 258. The Condominium Map has been filed in the Bureau of Conveyances as Map No. 369.
4. Advertising and promotional materials have been submitted pursuant to the Rules and Regulations promulgated by the Commission.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, as amended, and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Final Public Report automatically expires thirteen (13) months after issuance September 4, 1974, unless a Supplementary Public Report issues or the Commission upon review of the registration issues an order extending the effective period of this report.

The information in the Preliminary Report of November 30, 1973, under the topical headings DEVELOPER, DESCRIPTION OF PROJECT, OWNERSHIP OF TITLE, ENCUMBRANCES, PURCHASE MONEY HANDLING, MANAGEMENT AND OPERATIONS, and STATUS OF PROJECT has been changed. The Developer reports that no other information in the Preliminary Report has changed.

DEVELOPER: The Developer reports that L. Harold Whitaker has withdrawn as a venturer in Ono Vista East which is one of the joint ventures in Developer.

DESCRIPTION OF PROJECT: The Developer reports that the staircases and access balconies on floors 3 and 5 in each of the buildings will have outdoor carpeting. The apartments will not contain trash compactors. The range-oven will be slide-in and will not be self-cleaning and the cabinets will be made of wood products.

OWNERSHIP OF TITLE: The Preliminary Report prepared by Long & Melone, Ltd. and dated July 17, 1974, shows that the fee title to the property is held by Developer.

ENCUMBRANCES: The Preliminary Report prepared by Long & Melone, Ltd. certifies that as of the date thereof July 17, 1974, title to the property is subject to:

1. The reservation in favor of the State of Hawaii of all mineral and metallic mines.
2. A mortgage to American Savings and Loan Association dated June 26, 1974, and a Financing Statement recorded in the Bureau of Conveyances in Book 10036, Page 297, and Book 10036, Page 318, respectively.
3. The Declaration of Horizontal Property Regime and Bylaws recorded Book 10036, Page 268.
4. Restrictive covenant contained in Deed dated July 11, 1974, recorded in Book 10032, Page 375, namely:  
  
"The Purchaser shall not place any used or secondhand buildings on the property herein described, or use or incorporate any used or secondhand materials into any buildings placed thereon prior to December 31, 1992. ....the foregoing covenant shall run with the land and inure to the benefit of Lots 56-60, inclusive, Lots 65-71, inclusive, Lots, 79, 80, and 87, Lots 90-94, inclusive, Lots 96, 99, 100, 104, 105, 108, 109, 111, 112, and 120 as shown on File Plan No. 863, filed at the Bureau of Conveyances of the State of Hawaii."  
  
5. Taxes for the fiscal year 1974-75 and subsequent years.
6. Improvement district assessment for Improvement District No. 168 Assessment Lot No. 99-001 in the amount of \$6,073.06.

NOTE: The Developer advises the Commission that prior to the conveyance of any apartment in the project the above mortgage will be released as to that apartment and the above assessment will be released.

PURCHASE MONEY HANDLING: The Developer has submitted to the Commission a revised form of Sales Contract which Developer advises the Commission has been used in all sales purchases. Developer advises the Commission that construction of the project has commenced and therefore Sales Contracts will not be terminated for failure to commence construction prior to November 1, 1974.

MANAGEMENT AND OPERATION: The Developer on behalf of the Association of Owners of the condominium project has entered into a property management agreement with Reliance Realty & Management dated December 11, 1973, a copy of which has been filed with the Real Estate Commission. The Managing Agent's compensation is \$7.00 per unit per month and is terminable six months from its commencement on thirty (30) days notice by the Association or ninety (90) days by the Agent.

The Developer on behalf of the Association of Owners of the condominium project has entered into an agreement with the purchaser of Apartment E-106 to rent the apartment for a resident manager for at least one year at a rental of approximately \$300.00 per month; a copy of the agreement has been filed with the Commission.

STATUS OF PROJECT: A building permit for the project has been issued to Developer and construction of the project has commenced.

Developer advises the Commission that April 1, 1975, is the estimated date of completion of construction. It has been determined that no conditional use permit for the sewage treatment plant of the project is required. Developer advises the Commission that it has obtained a commitment for permanent financing for the project with American Savings and Loan Association, a copy of which has been filed with the Commission.

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A purchaser or prospective purchaser should be cognizant of the fact that this Public Report represents information disclosed by the Developer in the required Notice of Intention submitted July 20, 1973, and additional information filed as late as August 29, 1974.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 595, filed with the Commission on July 20, 1973.

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.

  
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(For) DOUGLAS R. SODEHANI, 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

September 4, 1974  
REGISTRATION NO. 595