

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
AIEA KAHI
Aiea
City and County of Honolulu
Registration No. 597

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: February 22, 1974
Expires: March 22, 1975

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 or prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JULY 24, 1973 AND INFORMATION SUBSEQUENTLY FILED AS OF FEBRUARY 20, 1974. 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. AIEA KAHI is a proposed fee simple condominium project with a total of 6 duplex townhouse units located in 3 duplex buildings with 2 duplex units in each building 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.

3. The basic documents (Declaration and Horizontal Property Regime, By-Laws of the Association of Owners) were executed on December 28, 1973 and were filed with the Bureau of Conveyances, State of Hawaii on January 4, 1974 in Book 9678, Page 493. A copy of the floor plan has been filed as Condominium Map No. 330.
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 the three buildings have not been completed, and the project is to be sold on a "turn key" basis with no purchasers' funds being utilized for the construction of the improvements.
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 Final Public Report automatically expires thirteen (13) months after the date of issuance, February 22, 1974 unless a supplementary report is published or the Commission upon review of the registration issues an order extending the effective period of this report.

NAME OF PROJECT: AIEA KAHI.

LOCATION: The 62,784 square feet of property to be committed to the regime as a fee simple condominium project is situated about 25 feet northeasterly of the end of Kahilina Road, at Aiea, City and County of Honolulu, State of Hawaii.

TAX KEY: First Division, 9-9-23-33, Lots 2, 3, 4 and 5.

DEVELOPER: The developers are three limited partnerships authorized to do business in the State of Hawaii and the respective General Partners, their officers and their addresses are stated as follows:

Civic Realty, Inc.

George H. Sakoda President-Treasurer 1305 South King Street
 Dorothy Tokura Vice President-Secretary 1305 South King Street
 General Partner of Civic Development, a Hawaii limited partnership.

J. Tamashiro, Inc.

Jitsuichi Tamashiro President-Treasurer Section II, Rainbow Island

Jitsuo Tamashiro Vice President Section II, Rainbow Island
Wendy H. Tamashiro Secretary Section II, Rainbow Island
General Partner of J. T. Ventures, a Hawaii limited partnership
L.B.M., Inc.

Hiroshi Sakai President-Treasurer 602 City Bank Building
Lily S. Sakai Vice President-Secretary 602 City Bank Building
General Partner of Woodlawn Ventures, a Hawaii limited partnership

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

DESCRIPTION: The Declaration of Horizontal Property Regime reflects that the project is to consist of 62,784 square feet of land located about 25 feet northeasterly of the end of Kahilina Road at Aiea, City and County of Honolulu, State of Hawaii, which is subdivided into Lots 2, 3, 4 and 5. Lot 5 being the roadway areas servicing said Lots 2, 3 and 4. The project will consist of three wood-frame duplex buildings and garages located therein to be constructed in accordance with plans certified to by Robert M. Matsushita & Associates, Architects. The project is divided into 4 parcels and located on Parcel 2 is Duplex Unit 2 the structure of which is three stories in height and contains two apartments. Located on Parcel 3 there is a duplex unit the structure of which is three stories in height and contains two apartments. Located in Parcel 4 there is a structure of three stories in height containing two apartments. Each of the units is a three-story townhouse unit with a two car garage located on the ground floor.

DESCRIPTION OF DUPLEX UNIT:

A. Duplex Unit No. 2. Apartments 2A and 2B are located on Parcel 2 on the Condominium Map. Each apartment contains 1,453 square feet and a two-car garage of 546 square feet including a storage room. Each apartment consists of a two-car garage and storage room on the ground floor, a living room balcony, kitchen, laundry area and a one-half bath on the second floor and three bedrooms, two bathrooms and a balcony on the third floor.

B. Duplex Unit No. 3. The apartments located are numbered 3A and 3B and are located on Parcel 3 as depicted on the Condominium Map. Each apartment contains 1,497 square feet and a two-car garage of 500 square feet. Each apartment

consists of a two-car garage and two storage rooms on the ground floor, a living room balcony and kitchen, one-half bathroom and laundry on the second floor and three bedrooms, two bathrooms and a balcony on the third floor.

C. Duplex Unit No. 4. The apartments located herein are numbered 4A and 4B. Each apartment contains 1,570 square feet, a two-car garage of 380 square feet. Each apartment consists of a two-car garage and a storage room on the ground floor, a living room, balcony, kitchen, laundry, one-half bathroom and a balcony on the second floor, and three bedrooms, two bathrooms and a balcony on the third floor.

NUMBER AND LOCATION OF UNITS: Apartments 2A and 2B are located on Parcel 2 in Duplex Unit No. 2. Apartments 3A and 3B are located on Parcel 3 in Duplex Unit No. 3. Apartments 4A and 4B are located on Parcel 4 and in Duplex Unit No. 4.

Each apartment has immediate access to the outdoor common elements by way of steps leading from the ground floor to the living areas and in turn leading to Parcel 5 which is a roadway leading to a roadway easement leading to Kahilina Road, Aiea, City and County of Honolulu, State of Hawaii.

COMMON ELEMENTS: The common elements for the project include

- a. Six sevenths (6/7ths) undivided interest in Parcel 5 designated as a private road. The remaining 1/7th undivided interest is held by Parcel 1 which is not a part of the project.
- b. All ducts, electrical equipment, wirings, sewer, power, light, water, telephone and any other central appurtenant installations.
- c. All other parts of the project existing for the common uses as are necessary to the existence, maintenance and safety of the project.

COMMON ELEMENTS AND LIMITED COMMON ELEMENTS FOR VARIOUS PARCELS:

a. Duplex Unit No. 2. The common elements for Duplex Unit No. 2 is Parcel 2 and the party wall between the apartments. The portion of the parcel in which Apartment 2A is located and the land to the left of the party wall and the dotted boundary line is a limited common element appurtenant to said Apartment 2A. The portion of the parcel in which Apartment 2B is located and the land to the right of the party wall and the dotted boundary line is a limited common element appurtenant to said Apartment 2B.

b. Duplex Unit No. 3. The common elements for Duplex Unit No. 3 is Parcel 3 and the party wall between the

apartments. The portion of the parcel of which Apartment 3A is located and the land to the left of the party wall and the dotted boundary line is a limited common element appurtenant to said Apartment 3A. The portion of the parcel in which Apartment 3B is located and the land to the right of the party wall and the dotted boundary line is a limited common element appurtenant to said Apartment 3B.

c. Duplex Unit No. 4. The common elements for Duplex Unit No. 4 is Parcel 4 and the party wall between the apartments. The portion of the parcel in which Apartment 4A is located and the land on the left of the party wall and the dotted boundary line is a limited common element appurtenant to said Apartment 4A. The portion of the parcel in which Apartment 4B is located and the land to the right of the party wall and the dotted boundary line is a limited common element appurtenant to said Apartment 4B.

PERCENTAGE OF UNDIVIDED INTEREST IN THE COMMON ELEMENTS: Each apartment shall have an undivided 1/6th fractional interest in the common elements specified above. As between the owners of a duplex unit on a parcel, the fractional interest of ownership in the land is that allocated as a limited common element for the various Parcels 2, 3 and 4 stated above.

THE INTEREST TO BE CONVEYED TO PURCHASER: The percentage of undivided interest in the common elements appertaining to each unit thereto is as follows:

a. Each apartment to have a 1/6th undivided interest in the common elements. For purposes of percentage interest in the common elements of voting on all matters requiring action by the owner the percentages provided above shall govern.

PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE: Each apartment will be used for residential apartment uses and in accordance with the terms of this Declaration and By-Laws and the House Rules as they 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 or the municipal, state, and federal government applicable to the premises. There is currently no house or building rules.

OWNERSHIP OF TITLE: Civic Realty, Inc., General Partner of Civic Development, J. Tamashiro, Inc., General Partner of J. T. Ventures, and L.B.M., Inc., General Partner of Woodlawn ventures, a Hawaii limited partnership, are the fee owners of the subject property. A copy of the title search as of January 4, 1974 issued by Long & Melone, Ltd. certifies that the fee simple title to the land is vested as aforesaid.

ENCUMBRANCES AGAINST TITLE: The Long & Melone, Ltd.'s title search notes that the following encumbrances against the property:

1. The following easements noted on File Plan 1357:

Drainage Easement 1 affecting Lot 2;
Drainage Easement 2 affecting Lot 2;
Transformer Vault Easement 3 affecting Lot 2;
Drainage Easement 4 affecting Lot 4;
Sewer Easement 5 affecting Lots 2 and 3 and also
noted in Book 6802, Page 93
Drainage and Sewer Easement 6 affecting the entire
Lot 5
Flowage Easement 7 affecting Lot 4.

2. The following easements noted in Deed of October 10, 1972 recorded in Book 8665, Page 174:

(i) The reservations set forth in that certain Deed made by Oahu Sugar Company, Limited, to Severo Dionis Urcia, et al, dated November 22, 1948, recorded in Book 2197, Page 118, to-wit:

Reserving unto said Oahu Sugar Company, Limited, its successors and assigns, all rights to underground waters and the right to construct, repair and maintain such tunnels as it may deem necessary for the development of such underground waters.

Easement reserved to said Grantor, its successors and assigns, of a right of way 20 feet in width along boundary adjoining Lot 170.

(ii) Portion of Drainage Easement A: Being a strip of land 10.00 feet wide and extending 5.00 feet on each side of the following described centerline:

Beginning at the southerly end of this centerline, the true azimuth and distance from the initial point of the land above described being 136° 24' 30" 34.71 feet, and running by true azimuths measured clockwise from south:

- | | | |
|----|----------|--------------|
| 1. | 218° 00' | 46.20 feet; |
| 2. | 208° 49' | 71.35 feet; |
| 3. | 200° 30' | 150.00 feet; |

4. 207° 30' 96.00 feet;
5. 134° 30' 115.00 feet to the middle of gully, containing an area of 4,785 square feet.

(iii) Drainage Easement B: Being a strip of land 10.00 feet wide and extending 5.00 feet on each side of the following described centerline:

Beginning at the easterly end of this centerline, the true azimuth and distance from the end of course 15 of the land first above described beint 204° 01' 5.03 feet, and running by true azimuths measured clockwise from south:

1. 108° 37' 28.00 feet to the easterly side of Drainage Easement A, containing an area of 280 square feet.

(iv) Grant of Easement in favor of the City and County of Honolulu for the purpose of construction and maintenance of a drainage ditch dated May 8, 1959, recorded in said Bureau in Book 3701, Page 314 which is located over Easement A described above.

Note: As to easements noted in encumbrances (ii), (iii) and (iv) above the Grantor reserves the right to extinguish the same with the concurrence of the City and County of Honolulu in whose favor the easements run in exchange for Easements 1, 2, 4 and 6 described above.

3. Any taxes that may be due and owing reference is hereby made to the Office of the Tax Assessor of the First Taxation Division.
4. The Declaration of Horizontal Property Regime dated December 28, 1973 and the By-Laws attached thereto recorded in Book 9678, Page 493. The floor plan has been filed as Condominium Map No. 330.

PURCHASE MONEY HANDLING: There is no escrow agreement as such. Each purchaser shall make arrangement to finance his own apartment and the purchasers' funds shall be placed in the

clients' trust account at Long & Melone, Ltd., an escrow company. Since the project has been self-financed by the Developer, there is no interim construction loan and there is only the financing for the purchase by the purchasers of the units.

According to the sales contract, the seller is selling the apartment on a completed basis, and the buyer is to examine and accept the unit on an "as is" condition. The buyer is to further acknowledge that the physical construction of the apartment will control over any building or construction plans. Seller does not make any warranty or representation as to what the apartment is.

MANAGEMENT AND OPERATION: The Declaration discloses that the administration of the project shall be vested in the Association of Apartment Owners. The initial managing agent is Civic Realty, Inc. of 1305 South King Street, Honolulu, Hawaii.

STATUS OF PROJECT: The Developer advises the Real Estate Commission that the construction of the buildings have commenced and the sale will be of the completed apartment units.

The purchaser or prospective purchaser shall be cognizant of the fact that this public report represents information disclosed by the Developer in the required Notice of Intention submitted July 24, 1973 and information subsequently filed as of February 20, 1974.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 597 filed with the Commission on July 24, 1973.

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


(FOR) DOUGLAS R. SODEANI, 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

February 22, 1974

Registration No. 597