

**REAL ESTATE COMMISSION**  
PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES  
STATE OF HAWAII  
1010 HIGHWAY STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

**FINAL**  
**HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)**  
**PUBLIC REPORT**

on  
NOB HILL II  
Mililani Town  
Oahu, Hawaii

REGISTRATION NO. 618

**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: November 2, 1973  
Expires: December 2, 1974

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 SEPTEMBER 13, 1973. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, HAWAII REVISED STATUTES, CHAPTER 514.

1. NOB HILL II is a proposed fee simple condominium project containing 72 apartments located in 12 separate two-story buildings consisting of 24 two-bedroom apartments and 48 three-bedroom apartments. There will be a total of 121 parking stalls, 120 of which will be allocated to specific apartments and 1 of which will be used for guest parking.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and the issuance of this Final Public Report.
3. The Developer reports that the Declaration of Horizontal Property Regime and attached Bylaws have been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. 655989 and that the Condominium Map has been filed in the Office of the Assistant Registrar as Condominium Map. No. 186.
4. Advertising and promotional materials have been submitted to the Commission pursuant to its rules and regulations.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of the Hawaii Revised Statutes, Chapter 514, and the Rules and Regulations of the Hawaii Real Estate Commission which relate to Horizontal Property Regimes.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance unless a Supplementary Public Report issues, or the Commission, upon review of registration, issues an order extending the effective date of this report.
7. This Final Public Report is made a part of the registration of NOB HILL II condominium project. The Developer has the responsibility of placing a true copy of this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers and securing a signed copy of the receipt for the Final Public Report from each purchaser.

NAME OF PROJECT: NOB HILL II

LOCATION: The project is located in Mililani Town, Oahu, Hawaii, and consists of approximately 7.327 acres of land, Lot 4946, Map 364.

TAX KEY: First Division 9-4-05 por. 26

ZONING: That portion of the property shown on the Condominium Map as "preservation area" is zoned Preservation District. The remainder of the property is zoned A-2 Apartment District.

DEVELOPER: Mililani Town, Inc. is the developer of the project and has its principal place of business at 130 Merchant Street, Honolulu, Hawaii 96813.

Officers

W. G. Haight	President
Wendell Brooks, Jr.	Vice President and General Manager
George Yim	Vice President and Secretary
R. A. Minckler	Treasurer
Stanley Lee	Controller

ATTORNEY REPRESENTING DEVELOPER: Cades Schutte Fleming & Wright (Attention: Douglas E. Prior or Bernice Littman), 17th Floor, First Hawaiian Bank Building, P.O. Box 939, Honolulu, Hawaii 96808; telephone: 531-7232.

DESCRIPTION OF PROJECT: The project will consist of twelve two-story buildings, containing a total of 72 apartments consisting of twenty-four (24) two-bedroom apartments and forty-eight (48) three-bedroom apartments. Each apartment will have two floors and are numbered 201 through 272, inclusive. The location of the seventy-two (72) apartments within the twelve (12) buildings and the location of the buildings on the land are shown on the plans of the project on file at the Real Estate Commission and at the Mililani Town Sales Information Center.

Each two-bedroom apartment will contain seven (7) rooms consisting of two (2) bedrooms, one and one-half (1-1/2) bathrooms, living room, dining room and kitchen, and will have an interior living area of approximately 812.99 square feet, a ground floor lanai of 84 square feet, and a storage area of 14.76 square feet, for a total apartment area of 911.75 square feet. Each three-bedroom apartment will contain nine (9) rooms consisting of three (3) bedrooms, two and one-half (2-1/2) bathrooms, living room, dining room and kitchen, and will have an interior living area of approximately 1158.20 square feet, a ground floor lanai of 110.64 square feet, and a storage area of 14.76 square feet, for a total apartment area of 1283.60 square feet.

Each apartment shall have a CATV outlet providing connection to a cable television system at the election of the owner upon payment of the monthly charge imposed by the Mililani Cablevision, Inc.

The buildings will be constructed principally with wood frame, concrete floors (on ground floors), masonite siding and asphalt shingle roofs.

COMMON ELEMENTS: The common elements will include all of the project except the apartments, specifically, but not limited to the following: (a) The land in fee simple; (b) All foundations, bearing walls, walkways, and landscaped areas; (c) The roof; (d) All driveway areas as well as one unnumbered parking stall designated on the Condominium Map which shall be used for guest parking; (e) All ducts, electrical equipment, wiring and other central appurtenant installations for services including power, light, cold and hot water, refuse and telephone; (f) All other devices or installations upon the land existing for or rationally of common use to all the owners of apartments within the project.

LIMITED COMMON ELEMENTS: One hundred twenty (120) parking stalls will be limited common elements reserved for the exclusive use of the apartments to which they are appurtenant, as set forth in the Declaration of Horizontal Property Regime. The remaining stall will be used as guest parking. The back yard area adjacent to and at the rear of each apartment and completely enclosed by a wood fence as shown on the Condominium Map will be a limited common element reserved for the exclusive use of the apartment which it adjoins.

PERCENTAGE OF UNDIVIDED OWNERSHIP TO BE CONVEYED: The percentage of undivided interest in all of the common elements appertaining to each apartment will be 1.092 for two-bedroom apartments and 1.538 for three-bedroom apartments except for apartments numbers 227 and 228 which will have 1.522. The voting rights of apartment owners, as well as his share of the common expenses shall be in proportion to the common interest.

PURPOSES OF BUILDINGS AND RESTRICTIONS AS TO USE: The apartments hereinabove described shall at all times be used only for a private dwelling for the owner, his family, tenants, and social guests and such other purposes as are permitted by the Declaration of Horizontal Property Regime and the Bylaws of NOB HILL II, as well as the Declaration of Covenants, Conditions and Restrictions for Mililani Town more fully described below in the item captioned "Encumbrances". The Declaration of Horizontal Property Regime provides that no apartment shall be leased for less than three (3) months, except that appropriate provisions may be inserted in rental agreements for earlier terminations for hardship or military transfers. The Bylaws provide that a maximum of one dog and one cat may be kept in an apartment, except that the Board may permit additional pets. However, if the occupants of at least three (3) apartments complain about a pet, or if the Board on its own initiative deems it desirable, the Board may decide that a pet is a nuisance and direct the occupant of the apartment to remove the pet from the Project.

OWNERSHIP OF TITLE: The Developer has filed with the Commission a Preliminary Report dated October 23, 1973, prepared by Title Guaranty of Hawaii, Inc., which states that title to the land committed to this regime is vested in Mililani Town, Inc.

ENCUMBRANCES: The Preliminary Report prepared by Title Guaranty of Hawaii, Inc. states that as of the date of the search (October 23, 1973) title to the land is subject to:

1. Certain easements for drainage, water and utility purposes;
2. Mortgage dated June 16, 1972, filed as Document No. 585049 in favor of Aetna Life Insurance Company;
3. Mortgage dated June 16, 1972, filed as Document No. 585051 in favor of Castle & Cooke, Inc.;
4. Declaration as to Merger of Increments in a Condominium Project dated September 17, 1973, filed as Document No. 652191;
5. Declaration of Horizontal Property Regime and Bylaws filed as Land Court Document No. 655989 dated October 26, 1973, and Condominium Map No. 186;
6. Real property taxes for the fiscal year 7/1/73 - 6/30/74.

The developer has advised the Commission that the above mortgages will be released prior to the completion of construction of the project.

Prior to the conveyances of any apartment in the project, the property will be annexed to Mililani Town pursuant to, and so as to become subject to the provisions of, the Declaration of Covenants, Conditions and Restrictions for Mililani Town, a copy of which has been filed with, and which is available for public inspection at, the Office of the Real Estate Commission and which, additionally, has been filed with, and is available for public inspection at the Office of the Assistant Registrar of the Land Court as Document No. 441561 as amended.

This Declaration provides for certain monthly maintenance assessments to pay the expenses of the Mililani Town Community Association,

and reserves a lien upon each apartment to secure the payments of these assessments. The amount of the current monthly assessment is \$5.75, subject to increase in case of an increase in the cost of living, or in case 66-2/3% of the members of the Community Association approve an increase. Also, a special assessment of \$100.00 is imposed at the time each purchaser closes the initial purchase of his apartment.

Prior to the conveyance of any apartment in the project, the project will be made subject to the Declaration as to Merger of Increments in a Condominium Project by the filing of a Certificate of Compliance as provided in said Declaration as to Merger. The Declaration as to Merger provides that property adjacent to the project may be developed as condominium projects and if it is these additional projects may be merged with this project so that all the projects will be administered as a single condominium project with a single Board of Directors, one maintenance fund to which the owners in each merged project will contribute, and the reciprocal right of each owner to use the common areas in each of the merged projects. The property known as the Nob Hill I condominium project is already subject to the Declaration as to Merger.

The documents filed with the Real Estate Commission reveal that the Developer has reserved the right to grant the State of Hawaii, City and County of Honolulu, or any other governmental agencies or any public utility or other corporation easements under such terms and conditions as it shall deem appropriate, and it further states that each purchaser will be obligated upon request to join in the designating and granting of any such easement.

PURCHASE MONEY HANDLING: A copy of the specimen Sales Contract and the Escrow Agreement has been submitted as part of the registration. The Escrow Agreement dated August 20, 1973, identifies Bank of Hawaii as the Escrow Agent. Upon examination, the specimen Sales Contract and the executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly with Section 514-35 and Section 514-36 through Section 514-40, Hawaii Revised Statutes.

A prospective purchaser should carefully examine the form of Sales Contract and Escrow Agreement to determine the time for and the amount of installment payments on the purchase price, the estimated common monthly expenses and the sharing of the closing costs.

MANAGEMENT AND OPERATION: Two documents, each dated October 25, 1973, entitled Property Management Proposal and Property Management Agreement, respectively, have been filed with the Commission providing that Mililani Town, Inc. will provide fiscal and physical management services to the Association of Apartment Owners for a fee of \$7.00 per apartment per month. These agreements are terminable by either party on thirty (30) days written notice.

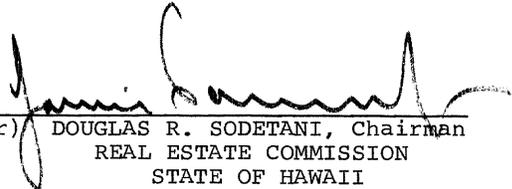
STATUS OF PROJECT: The Developer reports that a building permit has been issued by the Building Department of the City and County of Honolulu for the project. No construction contract is necessary because the Developer proposes to act as its own general contractor. Construction has commenced; the estimated date of completion is March 1, 1974. The Developer reports that financing for construction has been obtained from Bank of Hawaii, and that permanent financing has been arranged with Honolulu Federal Savings and Loan Association. The Developer reports that it has waived

the right reserved in the Sales Contract to cancel the Sales Contracts if contracts for less than seventy percent (70%) of the apartments were executed prior to the time this Final Public Report is issued.

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The 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 September 13, 1973, and information subsequently filed on November 2, 1973.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 618 filed with the Commission on September 13, 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.

  
(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

November 2, 1973  
REGISTRATION NO. 618