

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  
MAILI HOLIDAY  
Lualualei, Waianae  
Oahu, Hawaii

REGISTRATION NO: 713

**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: October 21, 1974  
Expires: November 21, 1975

SPECIAL ATTENTION

A comprehensive reading by the prospective purchaser is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the prospective Purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED AUGUST 27, 1974 AND INFORMATION SUBSEQUENTLY FILED AS OF OCTOBER 15, 1974. 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. Maili Holiday is a leasehold condominium project consisting of thirty-eight (38) buildings, with sixty (60) dwellings, all of which will be sold by the Developer upon and subject to the terms and provisions of Dwelling Deeds and Ground Leases to be issued by the Developer. There will be one hundred twenty (120) parking stalls.
2. The Developer of the project has filed all documents and materials deemed necessary by the Commission for the registration of this condominium project and the issuance of the Final Public Report.

3. The Developer has advised that the basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Dwelling Owners and a copy of Approved Floor Plans) have been filed in the Office of the Recording Officer. The Declaration, with the By-Laws attached thereto, has been filed in the Bureau of Conveyances starting at Liber 10105 at Page 230. The Registrar has designated Condominium File Plan No. 377 to the project.
4. No advertising or promotional matter has 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, and the Rules and Regulations promulgated thereunder which relate to Horizontal Property Regimes.
6. This Final Public Report is made a part of the registration of Maili Holiday condominium project. The Developer has the responsibility of placing a true copy of the Final Report (white paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed copy of the Receipt for the Final Horizontal Property Regime Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.
7. This Final Public Report expires thirteen (13) months from the date of issuance, October 21, 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: MAILI HOLIDAY

LOCATION: Lualualei, Waianae, Oahu, Hawaii. The site comprises 7.8 acres.

TAX MAP KEY: First Division, 8-7-5-11 and 8-7-5-14

ZONING: R-6

DEVELOPER: EDWIN YEE, LTD., a Hawaii corporation, registered with the Department of Regulatory Agencies of the State of Hawaii on January 24, 1957, whose business address is 801 Kaheka Street, Honolulu, Hawaii. The Officers of the Corporation are:

Edwin Yee	President
Clara Hee Yee	Vice President
Glenda K. Rother	Secretary
Edith M. Schick	Treasurer

ATTORNEY REPRESENTING DEVELOPER: Hogan, Rother, Grimes & Bybee (Edward J. Bybee), Suite 320, Dillingham Transportation Building, 735 Bishop Street, Honolulu, Hawaii, 96813, Telephone: 531-6851.

DESCRIPTION: The Declaration of Horizontal Property Regime reflects that the project shall consist of thirty-eight (38) separate buildings constructed on approximately 7.8 acres of land containing sixteen (16) separate dwellings and twenty-two (22) duplex dwellings constructed principally of wood, glass and allied building materials on footings, with a roof. The principal materials of the dwellings are as follows: the foundation, all bearing walls, all floors and the roof are of wood; the interior partition walls within each dwelling are of gypsum board; the interior floors of each dwelling are covered with tile.

The sixteen (16) dwellings shall consist of the space enclosed by and within the outside surfaces of the exterior walls and roof and the bottom surfaces of the footings and foundation structures of each of such dwellings. Each of the forty-four (44) duplex dwellings shall consist of the spaces enclosed by and within the outside surfaces of the exterior walls and adjacent roof and the bottom surfaces of the footings and foundation structures and where applicable the mid-line of the party wall of each such dwelling.

The dwellings will be numbered as shown on the Condominium File Plan. Each dwelling shall contain three bedrooms, two baths, one kitchen, one livingroom and one dining area. Each dwelling contains a floor area of 966.75 square feet except dwellings numbered 87-555, 87-559, 87-223, 87-219, 87-215, 87-209, 87-205, 87-102, 87-104, 87-108, 87-114, 87-118, 87-122, 87-130, 97-134, 87-156 and 87-160 which each contain a floor area of 1,032.03 square feet. All square footage figures are approximate and are based on measurements to the inside of outside walls and to the center lines of walls.

COMMON ELEMENTS: The common elements will include the limited common elements hereinafter described and all other portions of the land and improvements other than the dwellings as they shall specifically include but not be limited to the above-described land and improvements thereon; all roadways, sidewalks, driveways; all ducts, electrical equipment, all wiring other central and appurtenant installations including power, light, water, sewer and telephone; and all other elements and facilities rationally in common use, or necessary to the existence, upkeep and safety of the project.

LIMITED COMMON ELEMENTS: The Declaration reflects that certain parts of the common elements herein called "limited common elements" are designated and set aside for the exclusive use of certain dwellings. Such dwellings shall have appurtenant thereto easements for the use of such limited common elements. The common elements so designated and reserved are as follows:

- (a) The site of each dwelling, consisting of the land beneath and immediately adjacent thereto, as shown and delineated on the above-said Condominium Map;
- (b) The walkway and driveway connecting the dwelling to public roadways or to the roadway of the project, as shown and delineated on said Condominium Map;
- (c) The carport, entranceway, fence and deck immediately adjacent to the dwelling, as shown and delineated on said Condominium Map.

NOTE: The Declaration provides that a dwelling owner has the responsibility to maintain the limited common elements appurtenant to his dwelling including the landscaping of the dwelling site which is a limited common element appurtenant to his dwelling.

INTEREST TO BE CONVEYED TO PURCHASER: Dwelling units shall have appurtenant to each an undivided interest in all common elements of the project as follows: All dwellings 1.6667 percent except dwellings numbered 87-555, 87-559, 87-223, 87-219, 87-215, 87-209, 87-130, 87-134, 87-156 and 87-160, which shall be 1.6665. The common interest, proportionate share in all common profits and expenses of the project and proportionate representation for voting purposes in the Association of Dwelling Owners and all other purposes shall be in said percentage for each dwelling.

USE: The Declaration provides that the dwellings shall be used only as private dwellings of the respective owners thereof, their tenants, families, domestic servants and social guests, and the owners of the respective dwellings shall have the absolute right to lease or rent such dwellings for transient purposes, subject to all provisions of the Declaration.

OWNERSHIP OF TITLE: The Title Report dated March 13, 1974, and updated on September 27, 1974, from Security Title Corporation, a licensed abstractor, indicates that title to the land is vested in Edwin Yee, Ltd. by Deed dated March 6, 1974, and filed March 13, 1974.

ENCUMBRANCES AGAINST TITLE: Said Title Report as updated indicates the following encumbrances:

1. Real Property Taxes are a lien on the land.
2. Easement D-6 for Drainage Purposes in favor of the City and County of Honolulu. (affects Parcel First only)
3. Easement D-7 for Drainage Purposes in favor of the City and County of Honolulu. (affects Parcel First only)
4. Easement S-2 for Slope Purposes in favor of the City and County of Honolulu. (affects Parcel First only)
5. Easement S-5 for Slope Purposes in favor of the City and County of Honolulu. (affects Parcel First only)
6. Easement S-1 for Slope Purposes in favor of the City and County of Honolulu. (affects Parcel Second only)
7. Easement S-7 for Slope Purposes in favor of the City and County of Honolulu. (affects Parcel Second only)

The foregoing easements are mentioned in that certain survey prepared by John K. McCandless, Registered Professional Land Surveyor No. 1753, dated November 24, 1972.

8. Final Order of Condemnation dated July 23, 1968, recorded on August 13, 1968, in the Bureau of Conveyances of the State of Hawaii in Book 6180 Page 194, made in the matter entitled "CITY AND COUNTY OF HONOLULU, a municipal

corporation, Plaintiff, vs. SAMUEL K. MURAKAMI and KENNETH H. INOUE, Defendants.", filed in the Circuit Court of the First Circuit, State of Hawaii under Civil No. 18638. Easements for slope construction or drainage easement over and across the real property described as Parcels S-5, S-7, D-6 and D-7 (besides other parcels) more particularly described in said Final Order of Condemnation, be and the same are hereby condemned for the public use of the City and County of Honolulu, free and clear from any and all encumbrances, and that the title to the same be and it is hereby vested in the City and County of Honolulu.

9. Grant dated July 8, 1970, recorded on July 23, 1970, in said Bureau of Conveyances in Book 7103 Page 324, in favor of the CITY AND COUNTY OF HONOLULU, a municipal corporation of the State of Hawaii, granting an easement to construct, cut and maintain a slope along, through, over and across Parcels S-1 and S-2 of Waianae-Nui Watershed Project, Maili Channel Improvement, Lines M-5 and M-6.
10. Grant dated May 25, 1973, recorded on June 14, 1973 in said Bureau of Conveyances in Book 9226 Page 273, in favor of the CITY AND COUNTY OF HONOLULU, a municipal corporation of the State of Hawaii, granting forever, an easement to construct, etc., an underground sewer pipe line or pipe lines, etc., as part of a sewer system, through, under and across Parcel 127 of Maili Sewers, Section 1, Improvement District No. 237, affecting a portion of Parcel Second.
11. Mortgage dated March 13, 1974, recorded on March 13, 1974, in said Bureau of Conveyances in Book 9775 Page 455, made by EDWIN YEE, LTD., a Hawaii corporation, as Mortgagor, to PACIFIC SAVINGS AND LOAN ASSOCIATION, a Hawaii corporation, as Mortgagee, to secure the repayment of the sum of \$247,400.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor therein referred to.
12. Mortgage recorded on April 10, 1974 in said Bureau Book 9831 Page 447, by EDWIN YEE, LTD., as Mortgagor, to PACIFIC SAVINGS AND LOAN ASSOCIATION, as Mortgagee, to secure the repayment of \$2,160,000.00 according to the terms thereof.
13. Declaration of Horizontal Property Regime dated August 6, 1974 recorded in said Bureau in Book 10105, Page 230 and the By-Laws attached.
14. Condominium Map No. 377 filed in said Bureau on August 26, 1974.

PURCHASE MONEY HANDLING: An executed Escrow Agreement dated May 16, 1974, identifies Security Title Corporation as the Escrow Agent. Upon examination of the Escrow Agreement, it is found to be in consonance with Chapter 514, Hawaii Revised Statutes and particularly Section 514-35 through Section 514-40.

It is incumbent upon the purchaser and prospective purchaser that he reads with care the Escrow Agreement since it prescribes the procedure for receiving and disbursing purchaser's funds and the Contract of Sale specifically provides that the purchaser approves said Escrow Agreement.

FINANCING: Financing for each qualified purchaser of a unit has been arranged with Pacific Savings & Loan. Purchasers may secure financing from other sources provided that the schedule of downpayments as called for in the Contract of Sale is followed and the mortgage monies are paid into escrow.

MANAGEMENT OF PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the project shall be conducted for the Association under the direction of its Board of Directors by a responsible corporate managing agent. The Developer has submitted an executed Management Agreement to the Commission, dated May 28, 1974, with Dillingham Land Corporation, a Hawaii corporation, as Agent.

STATUS OF PROJECT: A construction contract with the general contractor, Superior Building Systems, Inc., a Hawaii corporation, was executed March 25, 1974, a copy of which contract is on file with the Commission. Construction has commenced and the estimated completion date is May 10, 1975. A performance bond and labor and material payment bond were issued on June 28, 1974, by Hawaiian Insurance & Guaranty Co., Ltd., as surety.

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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 August 26, 1974, and information subsequently filed as of October 15, 1974.

This is a Final Horizontal Property Regimes (Condominium) Public Report which is made a part of Registration No. 713, filed with the Commission on August 26, 1974.

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

  
(For) DOUGLAS R. SODEVANI, Chairman,  
REAL ESTATE COMMISSION  
STATE OF HAWAII

DISTRIBUTION:

DEPARTMENT OF TAXATION  
BUREAU OF CONVEYANCES  
PLANNING COMMISSION, CITY AND COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

REGISTRATION NO. 713

OCTOBER 21, 1974