

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
PARKWAY PHASE "A"
Mokulele Street
Kaneohe, Oahu, Hawaii

REGISTRATION NO. 714

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: July 22, 1975
Expires: August 22, 1976

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 AUGUST 28, 1974, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF JULY 18, 1975. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report of September 18, 1974, on PARKWAY PHASE "A", Registration No. 714, the Developer reports that material

changes have been made in the plan or setup in the Notice of Intention to Sell.

2. The Master Declaration has been filed in the Office of the recording officer of the Bureau of Conveyances in Liber 10786, Page 442, and in the Land Court of the State of Hawaii as Document No. 727416. The Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a copy of the approved floor plans have been recorded as aforesaid in Liber 10786, Page 492, and filed as aforesaid as Document No. 727417. Condominium Map Nos. 422 and 257 have been assigned, respectively.

3. This Final Public Report is made a part of the registration on PARKWAY PHASE "A" condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers and for securing a signed copy of the Receipt for Horizontal Property Regime Public Report from each prospective purchaser.

4. The Developer of the project 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.

5. Advertising and 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 automatically expires thirteen months after date of issuance, July 22, 1975, unless a Supplemental Public Report is issued or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information in the topical headings of the Preliminary Public Report of September 18, 1974, with the exception of TAX MAP KEY, LOCATION, APARTMENT TYPES, COMMON INTEREST, ENCUMBRANCES, LIMITED COMMON ELEMENTS and STATUS OF PROJECT, has not been disturbed.

LOCATION: There have been changes in the property as a result of the subdivision of a larger parcel of land. The approximately 7.1640 acres, more or less, committed to the regime is located at Mokulele Street, Kaneohe, Oahu, Hawaii.

TAX MAP KEY: 4-5-103: 5 & 7.

APARTMENT TYPES: There will be six (6) types of apartment units which have been designated, for classification purposes only as Model "A", "AR", "B", "BR", "C" and "CR". The description of said types of apartment units are as follows:

(a) The Design Type "A". Each of the Design Type "A" apartment units include: First Floor - stairwell, utility room,

bathroom, kitchen, living room-dining room combination and lanai; second floor - stairwell, hallway, two hallway closets, two bedrooms with wardrobe closets, two restrooms, bathroom and a balcony.

Each of the Design Type "A" apartment units contain an area of approximately 1,196 square feet, exclusive of lanai.

(b) Design Type "AR" is merely the reverse of Design Type "A".

(c) Design Type "B". Each of the Design Type "B" apartment units include: First Floor - stairwell, hallway, one bedroom with wardrobe closet, heater-washer-dryer closet, bathroom, kitchen, living room-dining room combination and lanai; second floor - stairwell, hallway, two hallway closets, two bedrooms with wardrobe closets, two restrooms, bathroom and a balcony.

Each of the Design Type "B" apartment units contain an area of approximately 1,316 square feet, exclusive of lanai.

(d) Design Type "BR" is merely the reverse of Design Type "B".

(e) Design Type "C". Each of the Design Type "C" apartment units include: First Floor - stairwell, hallway, heater-washer-dryer closet, one bedroom with wardrobe closet, bathroom, kitchen, living room-dining room combination and lanai; second floor - stairwell, hallway, two hallway closets, three bedrooms with wardrobe closets, two restrooms, bathroom and a balcony.

Each of the Design Type "C" apartment units contain an area of approximately 1,460 square feet, exclusive of lanai.

(f) Design Type "CR" is merely the reverse of Design Type "C".

All units will be furnished with wall to wall carpeting in the living room-dining room area, dressing room area and bedrooms. The appliances included with each unit are a continuous range-oven with hood and fan, a garbage disposal and dishwasher.

The numbers of the apartment units and types are shown on Exhibit "A" attached hereto and by reference made a part hereof.

NOTE: The area of the units as set forth in the Final Public Report is smaller than the area of the units as set forth in the Preliminary Public Report. The reason for the decrease is that the area of the lanai was included in the Preliminary Public Report where the same has been excluded in the Final Public Report. The lanai area in all cases is the same or greater than that set forth in the Preliminary Public Report.

The undivided interest of each unit owner in the common elements has been decreased as there has been an addition of three (3) units to Phase "A" from fifty-eight (58) units to sixty-one (61) units.

COMMON ELEMENTS: One estate is hereby designated in all of the remaining portions and appurtenances of the Project, herein called the "common elements" including specifically, but not limited to:

- (a) Said fee simple premises.
- (b) All foundations, supports, unfinished perimeter and load bearing walls, roofs and roof deck.
- (c) All yards, grounds, landscaping, planters, fences, mail boxes, refuse facilities and like facilities.
- (d) All ducts, sewer lines, electrical equipment, pipes, wiring and other central and appurtenant transmission facilities, installations which serve more than one apartment for services such as power, light, water, gas, refuse, telephone and radio and television signal distribution.
- (e) All driveways, parking areas and walkways.
- (f) Any and all other apparatus and installations of common use and all other parts of the Project necessary or convenient to its existence, maintenance or safety, and normally in common use.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, herein called and designated "limited common elements", are hereby set aside and reserved for the exclusive use of certain apartments and such apartments shall have appurtenant thereto exclusive easements for the use of such limited common elements. The limited common elements so set aside and reserved are as follows:

- (a) Two (2) automobile parking stalls have been assigned to each apartment. The Condominium Map provides the location of each stall beside the building. Such stalls shall be appurtenant to and for the exclusive use of each apartment. Each apartment shall always have two (2) parking stalls appurtenant to it.
- (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.

COMMON INTEREST: Each apartment shall have appurtenant thereto an undivided percentage interest in all common elements of the Project (herein called the "common interest") and the same proportionate share in all common profits and expenses of the Project and for all other purposes including voting, according to the plan of such apartment as follows:

Type "A" and "AR" apartments:	0.015065200
Type "B" and "BR" apartments:	0.016576850
Type "C" and "CR" apartments:	0.018390625

ENCUMBRANCES AGAINST TITLE: Said Certificate of Title also reflects that the following encumber the limited common elements, the apartments and common elements:

1. Master Lease dated January 1, 1972, filed as Land Court Document No. 702600, also recorded in Book 10246, Page

170. James C. Castle and Hawaiian Trust Company, Limited and James Gordon McIntosh, Trustees of the trust estates established pursuant to the Last Will and Testament, including Codicils First through Fifth, of Harold K. L. Castle, deceased, and Harold K. L. Castle Foundation, a Hawaii eleemosynary corporation and Henry Ho Wong, whose wife's name is Colene Smith Wong, to Shigeru Horita, husband of Mitsue Horita, and Herbert Kazuo Horita, husband of Miriam Reiko Horita, authorized general partners of HKH Ventures, a Limited Partnership.

2. Mortgage and Financing Statement made by Shigeru Horita and Herbert K. Horita, authorized general partners of HKH Ventures, in favor of First Hawaiian Bank, dated December 23, 1974, to secure \$5,000,000.00, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 707646 and also recorded in the Bureau of Conveyances of the State of Hawaii in Book 10362, Page 275.

3. Estoppel Certificate - Consent to Improvements dated January 6, 1975, filed as Land Court Document No. 707942 and also recorded in Book 10369, Page 177, by James C. Castle, James Gordon McIntosh and Hawaiian Trust Company, Limited, Trustees of the trust estates created by Articles Fifth and Eighth of the Last Will and Testament of Harold K. L. Castle, deceased.

4. AS TO LOT 1: (a) Designation of Easement 1 (34-feet wide) for road and utility purposes as shown on Map 121; (b) Designation of Easement 2 (10-feet wide) for sanitary sewer purposes as shown on said Map 121.

5. AS TO LOT 2: (a) Designation of Easement 5 (10-feet wide) for sanitary sewer purposes as shown on Map 121; (b) Designation of Easement 4 (34-feet wide) for road and utility purposes as shown on said Map 121; (c) Designation of Easement 5 (10-feet wide) for sanitary sewer purposes as shown on said Map 121; (d) Designation of Easement 11 (15-feet wide) for waterline purposes as shown on said Map 121.

6. AS TO LOT 5: Designation of Easement 6 (34-feet wide) for road and utility purposes as shown on File Plan 1438.

7. AS TO LOT 5 AND 7: (a) Designation of Easement 7 (10-feet wide) for sanitary sewer purposes as shown on File Plan 1438; (b) Designation of Easement 8 (15-feet wide) for waterline purposes as shown on File Plan 1438.

8. For any taxes that may be due and owing, reference is made to the Office of the Tax Assessor, First Division.

EASEMENTS: In addition to the above, the apartments and common elements shall also have and be subject to the following:

1. Each apartment shall have appurtenant thereto non-exclusive easements in the common elements designed for such purposes for ingress to, egress from, utility services for and support of such apartment; in the other common elements for use

according to their respective purposes, subject always to the exclusive use of the limited common elements as provided herein; and in all other apartments of the building for support.

2. If any part of the common elements now or hereafter encroaches upon any apartment or limited common element, a valid easement for such encroachment and the maintenance thereof, so long as it continues, shall exist. In the event the building shall be partially or totally destroyed and then rebuilt, minor encroachments of any part of the common elements due to construction shall be permitted, and valid easements for such encroachments and the maintenance thereof shall exist.

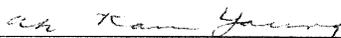
3. Each apartment shall be subject to an easement in favor of the owners of all other apartments for access to any common elements located in such apartment.

STATUS OF PROJECT: A building Contract was executed on December 12, 1974, between the Developer and S. Horita Construction Company. Developer has advised the Commission that the project is 100% complete.

The purchaser or prospective purchaser should be cognizant of the fact that this Final Public Report represents information disclosed by the Developer in the required Notice of Intention submitted August 28, 1974 and additional information subsequently filed with the Commission as of July 18, 1975.

THIS FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 714 filed with the Commission on August 28, 1974.

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:

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BUREAU OF CONVEYANCES
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FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

REGISTRATION NO. 714
July 22, 1975