

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

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

## PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on  
PUALANI MANOR  
1234 Pua Lane  
Honolulu, Hawaii

REGISTRATION NO. 734

### 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 but may only take reservations therefore after

- (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: January 9, 1975  
Expires: February 9, 1976

#### 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED DECEMBER 2, 1974 AND INFORMATION SUBSEQUENTLY FILED AS OF JANUARY 9, 1975. THE DEVELOPER BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514 OF THE HAWAII REVISED STATUTES.

1. PUALANI MANOR is a proposed leasehold condominium project consisting of sixty-four (64) residential apartment units including a manager's apartment, arranged throughout a single nine (9) story building. There will be sixty-two one bedroom, one bath apartments, one penthouse suite containing two bedrooms, two baths, and a resident manager's apartment containing one bedroom, one bath. There will be a total of sixty-four open parking spaces which include sixteen single compact stalls, forty-six single standard stalls, one tandem standard stall and a loading zone.

There will be a recreational lanai on the ninth floor and a recreational area on the rooftop.

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 issuance of this preliminary public report.
3. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a copy of the approved floor plans) have not been filed in the Bureau of Conveyances of the State of Hawaii.
4. No advertising or promotional matter has been submitted pursuant to 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 the Horizontal Property Act.
6. This Preliminary Public Report automatically expires thirteen (13) months after date of issuance, January 9, 1975, unless a supplementary public report is published or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: PUALANI MANOR

LOCATION: The project is located at 1234 Pua Lane, Honolulu, Hawaii, and contains an area of approximately 29,835 square feet.

TAX MAP KEY: First Division, 1-7-31-03

ZONING: A-3

DEVELOPER: James Kimo Kealoha, 97 Keokea Loop, Hilo, Hawaii.

ATTORNEY REPRESENTING DEVELOPER: Libkuman, Ventura, Moon & Ayabe (Attention: Sidney K. Ayabe) Suite 412, Amfac Building, 700 Bishop Street, Honolulu, Hawaii, 96813, Telephone: 537-6119.

DESCRIPTION: The proposed Declaration of Horizontal Property Regime and plans submitted by the Developer reflects that the project is to consist of sixty-four (64) apartment units contained in a single nine (9) story building constructed principally of reinforced concrete slab foundation, reinforced concrete block exterior walls, precast plank flooring and an astroturf covered rooftop recreation area. The first floor contains six (6) one bedroom, one bath apartments, a manager's office, a laundry room with a coin operation equipment, a manager's one bedroom, one bath apartment No. 105 and sixty-four (64) open parking spaces which include sixteen (16) single compact stalls, forty-six (46) single standard stalls, one (1) tandem

standard stall and a loading zone. The second through the eighth floors are similar in that each contains eight (8) one bedroom, one bathroom apartments. The ninth floor contains a penthouse suite containing two bedrooms, two bathrooms. There is a recreational lanai area on the ninth floor and a rooftop level housing a sun deck, elevator machine room and an equipment storage room. Two stairwells and an automatic elevator serves each living level except the ninth floor shall have no elevator service.

The respective apartment units shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits, or other utility lines running through such apartments which are utilized for or serve more than one apartment, the same being deemed common elements as hereinafter provided. Each apartment shall include the adjacent lanai shown on said condominium map and shall also include all the walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceiling and the fixtures originally installed therein.

The description and location of each apartment in the building are as follows:

(a) Location of Apartments. There are six (6) apartment units on the first floor (exclusive of the manager's apartment) eight (8) apartment units on each of the second through eighth floors and one apartment unit on the ninth floor. The apartments will be numbered in "01", "02", "03", "04", "05", "06", "07" and "08". The apartment number is preceded by the number denoting the floor on which such apartment is located: e.g. Apartment "101" is the corner apartment of the building on the first floor. The subsequent apartment numbers follow with the "02" units being immediately to the right of the "01" units. There is no "08" apartment on the first floor. The "08" apartments are the corner units on the opposite end from the "01" units. The apartment on the ninth floor shall be designated as Penthouse.

(b) Area of Apartments. The apartments are described as follows:

(i) Apartment 101 contains one bedroom, a bathroom, a kitchen and a living room with a living area of approximately 549 square feet plus a lanai of approximately 65 square feet and a window balcony of approximately 32 square feet. This apartment shall have appurtenant thereto a common interest of 1.91%.

(ii) Apartments 102, 103, 106 and 107 each contains one bedroom, a bathroom, a kitchen and a living room, with a living area of approximately 493 square feet, plus a lanai of approximately 65 square feet. Each of these apartments has appurtenant thereto a common interest of 1.65%.

(iii) Apartment 104 contains one bedroom, a bathroom, a kitchen and a living room, with a living area of approximately 497 square feet, plus a lanai of approximately 65 square feet. This apartment shall have appurtenant thereto a common interest of 1.66%.

(iv) Apartments 201, 301, 401, 501, 601, 701 and 801 each contains one bedroom, a bathroom, a kitchen and a living room; with a living area of approximately 549 square feet, plus a lanai of approximately 32 square feet. Each of these apartments has appurtenant thereto a common interest of 1.72%.

(v) Apartments 202, 203, 206, 207, 302, 303, 306, 307, 402, 403, 406, 407, 502, 503, 506, 507, 602, 603, 606, 607, 702, 703, 706, 707, 802, 803, 806 and 807; each contains one bedroom, a bathroom, a kitchen and a living room; with a living area of approximately 493 square feet. Each of these apartments has an appurtenant common interest of 1.46%.

(vi) Apartments 204, 205, 304, 305, 404, 405, 504, 505, 604, 605, 704, 705, 804, and 805 each contains one bedroom, a bathroom, a kitchen and a living room, with a living area of approximately 497 square feet. Each of these apartments has appurtenant thereto a common interest of 1.47%.

(vii) Apartments 208, 308, 408, 508, 608, 708 and 808 each contains one bedroom, a bathroom, a kitchen and a living room, with a living area of approximately 525 square feet, plus a window balcony of approximately 33 square feet. Each of these apartments has appurtenant thereto a common interest of 1.65%.

(viii) The Penthouse apartment contains two bedrooms, two bathrooms, two kitchens, a family room and a living room, with a living area of approximately 1486 square feet. This apartment shall have appurtenant thereto a common interest of 4.40%.

Each apartment has immediate access to a foyer which leads to one elevator, to its entries, corridors, walkways and stairways, if any, appurtenant to such apartment and connecting its building to the roads and parking areas of the project. However, it should be noted that there is no elevator serving the ninth floor.

COMMON ELEMENTS: The proposed Declaration reflects that the common elements include specifically but not limited to:

One freehold estate is hereby designated in all remaining portions of the project, herein called the "common elements" including specifically but not limited to:

- (a) Said Land in fee simple;
- (b) All foundations, columns, girders, beams, supports, load-bearing walls, roofs, chases, entry halls, stairs, walkways, entrances and exits of said buildings;
- (c) All yards, grounds, landscaping and refuse areas;
- (d) All parking areas;
- (e) All pipes, cables, ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, cold and hot water, air conditioning, refuse and telephone;

(f) One automatic electric passenger elevator with elevator housing and appurtenant equipment;

(g) The recreational area on the ninth floor and the rooftop level;

(h) Storage room on the rooftop level;

(i) Resident Manager's apartment No. 105;

(j) All other parts of the project necessary or convenient to its existence, maintenance and safety or normally in common use for the operation of the building or the common elements.

LIMITED COMMON ELEMENTS: The proposed Declaration reflects that the limited common elements include:

Certain parts of the common elements, herein called the 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) One automobile parking space for each apartment shall be appurtenant to and for the exclusive use of such apartment.

(b) Any walkway, or corridor which connects the apartment or apartments adjoining it to the stairway, or exterior of the Project shall be appurtenant to and for the exclusive use of said adjoining apartment or apartments;

(c) All other common elements of the Project which are rationally related to less than all of said apartments or buildings shall be limited to the use of such apartments or buildings.

INTEREST TO BE CONVEYED TO PURCHASER. Each residential 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, as set forth above.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: Use. The proposed Declaration reflects that the apartments shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, domestic servants and social guests, and for no other purpose. The apartments shall not be rented for hotel purposes, which is defined as any rental in which the occupants of the apartments are provided daily or weekly rentals of customary hotel services such as room service for food and beverage, maid service, laundry and linen or bell-boy service. Except for such hotel purposes the owners of the respective apartment shall have the absolute right to lease such apartment subject to all provisions of the Declaration.

OWNERSHIP OF TITLE: A Preliminary Report issued November 22, 1974 and prepared by Security Title Corporation certifies that title is vested in Y. Uyenaka Zaidan, Limited, a Hawaii corporation. Y. Uyenaka Zaidan, Limited, by Lease dated June 6, 1972 has leased the premises of this project to Pualani Ventures, as Lessee, which Lease is recorded in Liber 8559, page 139. By unrecorded Assignment of Lease dated March 15, 1973, Pualani Ventures assigned all of its right, title and interest in and to said lease to the Developer herein.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report dated November 22, 1974 by Security Title Corporation certifies that there is a Mortgage dated August 4, 1967, recorded on August 4, 1967 in the Bureau of Conveyances of the State of Hawaii in Book 5753 at Page 251, made by Y. Uyenaka Zaidan, Limited, a Hawaii corporation, as Mortgagor, to City Bank of Honolulu, a Hawaii corporation, as Mortgagee; Additional Charge Mortgage dated April 28, 1970, recorded on April 29, 1970 in the Bureau of Conveyances in Book 6983, Page 100, made by Y. Uyenaka Zaidan, Limited, a Hawaii corporation, as Mortgagor, to City Bank of Honolulu, a Hawaii corporation, as Mortgagee; terms and provisions of that certain lease dated June 6, 1972, recorded on September 5, 1972, in said Bureau of Conveyances in Book 8559, Page 139, made by and between Y. Uyenaka Zaidan, Limited, a Hawaii corporation, as Lessors and Pualani Ventures, as Lessee, for the term of 65 years commencing June 1, 1972 and ending June 1, 2037, that certain Notice of Attachment, Certificate of Attachment, and Writ of Attachment, issued out of the Circuit Court of the First Judicial Circuit, State of Hawaii, made in the matter entitled "LEWERS & COOKE, INC., Plaintiff, vs. SYSTEM'S INDUSTRIES, INC., Y. UYENAKA ZAIDAN, LIMITED, GWENDOLYN S. ING, and DONALD CHANG, Defendants.", under Civil No. 37903, certified copies thereof having been filed in the Bureau of Conveyances of the State of Hawaii on November 8, 1972 in Book 8714 Page 29 and reservation in favor of the State of Hawaii of all mineral and metallic mines reserved in Royal Patent Grant 2059. For any taxes due and owing and a lien on the land herein described, reference is hereby made to the office of the Tax Assessor of the First Division.

PURCHASE MONEY HANDLING: A copy of the Escrow Agreement dated September 10, 1974 between King Escrow Services Corporation, as Escrow, and James Kimo Kealoha has been submitted to the Commission as part of this registration. On examination, the executed Escrow Agreement filed with the Commission is found to be in compliance with Chapter 514, Hawaii Revised Statutes and particularly Section 514-35 and Section 514-36 through 514-40, Hawaii Revised Statutes.

Among other provisions the executed Escrow Agreement states that a purchaser shall be entitled to a refund of his funds, and escrow shall pay said funds to said purchaser, without interest, and less escrow's \$15 cancellation fee, if purchaser shall in writing request refund of his funds and any one of the following shall have occurred: (1) Escrow receives a written request from Seller to return to Purchaser the funds of such purchaser then being held thereunder by Escrow; (2) if the Purchaser's funds were obtained prior to the issuance of a Final Public Report and there is a change in the condominium building plans subsequent to the execution of purchaser's sales contract requiring the approval of a county officer having jurisdiction over the issuance of permits for construction

of building (unless purchaser has given written approval or acceptance of the specific change); (3) the Final Public Report differs in any material respect from the Preliminary Public Report; or (4) If the Final Public Report is not issued within one year from the date of issuance of the Preliminary Public Report.

The specimen Sales Contract sets forth the conditions upon which Purchaser may elect to avoid the Sales Contract. The specimen Sales Contract also provides that the Developer shall have the option to cancel the Sales Contract if (a) the Purchaser's credit shall be found unsatisfactory to Seller or financing becomes unavailable to Purchaser; (b) if on January 30, 1975, less than thirty-two (32) apartment units have been sold; or (c) if the project is delayed due to governmental restrictions or regulations enacted after the date of the Agreement and such delay has caused an increase in construction costs.

It is incumbent upon the Purchaser and prospective Purchaser that he reads with care the specimen sales contract and the executed Escrow Agreement.

MANAGEMENT AND OPERATIONS: A Declaration of Horizontal Property Regimes states that the administration of the project shall be vested in the Association of Pualani Manor Condominium Owners, consisting of all apartment owners of the project in accordance with the By-Laws of the Association. The Developer has entered into a Management Agreement with Hawaiian Developers, Limited as the initial managing agent.

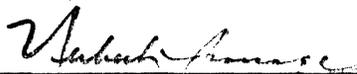
STATUS OF PROJECT: The Developer has entered into a contract with Ralph S. Inouye Co., Ltd. on September 26, 1973 for construction of said project. Construction began on September, 1973 and will be completed in approximately March, 1975.

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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 December 2, 1974.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 734 filed with the Commission on December 2, 1974.

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

  
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(for DOUGLAS R. SODETANI,  
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

Registration No. 734  
January 9, 1975