

# 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  
WAIKIKI SKYTOWER  
2410 Cleghorn Street  
Honolulu, Hawaii

REGISTRATION NO. 740

### 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 1, 1976  
Expires: November 1, 1977

### 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 DECEMBER 23, 1974, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF SEPTEMBER 28, 1976. 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. WAIKIKI SKYTOWER is a leasehold condominium project consisting of one (1) multi-family structure of thirty stories comprised of one hundred two (102) units, including a resident manager's apartment. The Developer intends to sell one hundred one (101) of the apartments together with an undivided interest in the common elements of the project.

There will be a total of one hundred thirty (130) assigned parking stalls (97 standard and 33 compact), of which two (2) are guest parking stalls, located on parking decks designated one through four within the building. Each apartment will have appurtenant to it one (1) or two (2) parking stalls.

2. Since the issuance of the Commission's Preliminary Public Report on Waikiki Skytower, Registration No. 740 dated January 23, 1975, the Developer has forwarded additional information and documents, and requested a Final Public Report on the Project. This Final Public Report (white paper stock) replaces the Preliminary Public Report (yellow paper stock) in its entirety.

3. This Final Public Report is made a part of the registration on WAIKIKI SKYTOWER 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 purchaser and 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.

The Developer reports that the basic documents (Declaration of Horizontal Property Regime, with By-Laws of the Association of Apartments Owners attached, and a copy of the approved Floor Plans) have been filed in the office of the recording officer.

The Declaration of Horizontal Property Regime, dated May 17, 1976, with By-Laws attached, was filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 782712.

Land Court Condominium Map No. 289 showing the layout, location and apartment numbers was filed with the Assistant Registrar of the Land Court.

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 Regimes.

7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, October 1, 1976, unless a Supplementary Public Report issues, or the Commission, upon the review of the registration, issues an order extending the effective period of this report.

NOTE: This Final Public Report supercedes and replaces the Preliminary Public Report in its entirety.

NAME OF PROJECT: WAIKIKI SKYTOWER

LOCATION: The approximately 22,050 square feet committed to the regime is located at 2410 Cleghorn Street, Honolulu, Hawaii.

TAX MAP KEY: 2-6-24-53

ZONING: H-2 (Hotel District)

DEVELOPER: Hawaii Takenaka International, Ltd., a Hawaii corporation, whose principal place of business is Suite 1408, 2222 Kalakaua Avenue, Honolulu, Hawaii, and whose telephone number is 922-1988.

The principals of the corporation are:

Kohei Takenaka, President  
Toshiyuki Matsumoto, Executive Vice President  
Tatsu Segawa, Secretary  
Kenji Ohashi, Treasurer

ATTORNEY REPRESENTING DEVELOPER: Kashiwa and Kanazawa, Suite 302 Town Tower at Harbor Square, 225 Queen Street, Honolulu, Hawaii. (Attention: Milton M. Motooka) Phone: 521-4943.

DESCRIPTION: The project consists of a 22,050 square feet parcel of land situated at Waikiki, Honolulu, Oahu, Hawaii, with improvements to be constructed thereon consisting of one (1) multi-family structure, together with parking facilities. Said structure is constructed principally of reinforced concrete columns, floor slabs, shear walls and roof, with non load bearing partition walls of steel stud and gypsum board and aluminium frame.

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

(a) The twenty-five (25) type "A" apartments contain a gross floor area of 694 square feet, more or less, including a lanai area, and consists of:

One bedroom, a living room-dining room area, a kitchen, a hallway, a bathroom and a lanai.

(b) The forty-nine (49) type "B" and "BR" apartments contain a gross floor area of 692 square feet, more or less, including the lanai area, and consists of:

One bedroom, a living room-dining room area, a kitchen, a hallway, a bathroom and a lanai.

The Type "BR" units are the reverse of the type "B" units.

(c) The twenty-five (25) type "C" apartments contain a gross floor area of 675 square feet, more or less, including the lanai area, and consists of:

One bedroom, a living room-dining room area, a kitchen, a hallway, a bathroom and a lanai.

(d) The one type "D" apartment contains a gross floor area of 1,428 square feet, more or less, including the garden area, and consists of:

One bedroom, a living room-dining room area, a kitchen, a hallway, a bathroom and a garden area fenced off with a concrete block wall.

(e) The one type "E" apartment contains a gross floor area of 1,872 square feet, more or less, including the garden area, and consists of:

Two bedrooms, a living room-dining room area, a storage room, two bathrooms, two dressing room areas, hallways and a garden area fenced off with a concrete block wall.

Apartment types "A", "B", "BR", "C" and "D" will be furnished with wall to wall carpeting in the living room-dining room area, bedroom and hallway. Apartment type "E" will be furnished with wall to wall carpeting in the living room-dining room area, bedrooms, dressing room areas and hallways, and the storage room will be tiled with vinyl. Every other aspect of the furnishings of all of the apartments are similar. The kitchen and bathroom floors will be tiled with vinyl. The living room-dining room and bedrooms will be furnished with drapes.

The appliances included with each apartment are a dishwasher, a refrigerator-freezer, a garbage disposal, a range with hood, an air conditioner for the living room-dining room area, and a stacked washer and dryer. Each apartment shall be provided with a television cable.

The numbers of the apartment units, their location and type are shown on Exhibit "A" attached hereto and by reference made a part hereof. The parking stall assignments are shown on Exhibit "B" attached hereto and by reference made a part hereof.

COMMON ELEMENTS: One freehold estate is hereby designated in all of the remaining portions and appurtenances of the Project, being described and referred to in the Declaration as the "Common Elements" including specifically, but not limited to:

(a) Said land in fee simple.

(b) All foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter and load bearing walls, roofs and roof deck.

(c) All yards, grounds, landscaping, fences, mail room, refuse facilities, swimming pool, paddle tennis court, open recreational areas, men's and women's lockers and sauna, barbecue grills and like facilities.

(d) All ducts, sewer lines, electrical equipment, pipes, wiring and other central and appurtenant transmission facilities or installations, which serve more than one apartment for services such as power, light, water, gas, air conditioning, refuse, telephone, and radio and television signal distribution.

(e) The stairwells, elevators, vestibules, lobby restrooms and lobby areas for common use.

(f) All driveways, ramps, parking areas, loading areas and walkways.

(g) Apartment no. 602 and parking stall no. 424 for the use of the resident manager.

(h) Parking stalls nos. 130(c) and 131(c) for guests of Waikiki Skytower.

(i) 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) One (1) or two (2) automobile parking stalls have been assigned to each apartment as shown in Exhibit "B". Said Land Court Condominium Map provides the location of each stall within the building. Such stalls shall be appurtenant to and for the exclusive use of each apartment. Each apartment shall always have at least one parking stall appurtenant to it but otherwise any automobile parking stall easement may be transferred from apartment to apartment in the Project.

COMMON INTEREST: Each apartment shall have appurtenant thereto an undivided percentage interest (herein called the "common interest") in the common elements of the Project for all purposes, including voting, as follows:

Type "A" apartments:	0.971
Type "B" and "BR" apartments:	0.969
Type "C" apartments:	0.945
Type "D" apartment:	1.999
Type "E" apartment:	2.620

USE: 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.

OWNERSHIP: According to a Preliminary Report issued September 2, 1976, by Title Guaranty of Hawaii, Incorporated, title to the land committed to the project is vested in Hawaii Takenaka International, Ltd., a Hawaii corporation.

ENCUMBRANCES AGAINST TITLE:

Said Preliminary Report also reflects that the following easements encumber the limited common elements, the apartments and common elements:

1. A Grant in favor of the City and County of Honolulu, dated July 16, 1930, filed as Land Court Document No. 22229, granting an easement to construct, operate and perpetually maintain a sewer main.

2. A Grant in favor of the City and County of Honolulu, dated July 9, 1930, filed as Land Court Document No. 23093, granting an easement to construct, operate and perpetually maintain a sewer main.

3. Designation of Easement 2 (784 square feet) situate over and across the center portion of Lot 112, as shown on Map 48, as set forth by Land Court Order No. 41098, filed December 13, 1974.

4. Mortgage for \$6,000,000 dated December 11, 1975, in favor of Bank of Hawaii, filed as Land Court Document No. 745078.

5. The real property taxes for the fiscal year 1976-1977 are now a lien. The real property taxes have been fully paid up to and including June 30, 1976.

By letter dated September 28, 1976, the Developer has advised the Real Estate Commission that said Declaration with By-Laws attached was filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii on September 23, 1976, as Document No. 782712. Said Declaration is therefore an encumbrance against title.

\*NOTE: Under the laws of the State of Hawaii the title to all mineral and metallic mines are reserved to the State of Hawaii.

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

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.

PURCHASE MONEY HANDLING: An Escrow Agreement dated December 16, 1974, has been executed and a copy of same has been filed with the Commission. The Escrow Agent is Title Guaranty Escrow Services, Inc., a Hawaii corporation. Upon examination, the Specimen Sales Contract and the executed Escrow Agreement are found to be consonant with Chapter 514, Hawaii Revised Statutes, and particularly Sections 514-15(6) and 514-36 through 514-40.

It is incumbent upon the prospective purchaser that he reads with care the Sales Contract and the executed Escrow Agreement. The latter Agreement establishes how the proceeds from the sale of condominium units are placed in trust as well as the retention and disbursement of said funds.

MANAGEMENT AND OPERATIONS: The By-Laws of the Association of Owners vest the Board of Directors with the powers and duties necessary for the administration of the affairs of the project. An initial managing agent has been identified as CEN PAC PROPERTIES, INC., a Hawaii corporation, in the Specimen Sales Contract and Management Agreement submitted as part of the registration.

FINANCING OF PROJECT: Developer has filed an estimated total project cost of \$6,915,000. Developer has advised the Commission that it intends to finance part of the total project costs through existing construction loans of \$6,650,000 from the Bank of Hawaii. The balance of the total project cost will be financed by the Developer.

STATUS OF PROJECT: A building contract has been executed on December 9, 1975, between Developer and Swinerton and Walberg Co., as Contractor. The Developer advised the Commission that construction of the project began in December, 1975, and that the estimated date of completion is May, 1977.

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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 December 23, 1974, and information subsequently filed on September 28, 1976.

THIS FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 740 filed with the Commission on December 23, 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.

  
AH KAU YOUNG, 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. 740  
OCTOBER 1, 1976

EXHIBIT "A"

<u>Floor No.</u>	<u>Apartment No.</u>	<u>Apartment Type</u>
5	501	E
	502	D
6	601	A
	603	BR
	604	C
7	701	A
	702	B
	703	BR
	704	C
8	801	A
	802	B
	803	BR
	804	C
9	901	A
	902	B
	903	BR
	904	C
10	1001	A
	1002	B
	1003	BR
	1004	C
11	1101	A
	1102	B
	1103	BR
	1104	C
12	1201	A
	1202	B
	1203	BR
	1204	C
14	1401	A
	1402	B
	1403	BR
	1404	C
15	1501	A
	1502	B
	1503	BR
	1504	C
16	1601	A
	1602	B
	1603	BR
	1604	C
17	1701	A
	1702	B
	1703	BR
	1704	C

<u>Floor No.</u>	<u>Apartment No.</u>	<u>Apartment Type</u>
18	1801	A
	1802	B
	1803	BR
	1804	C
19	1901	A
	1902	B
	1903	BR
	1904	C
20	2001	A
	2002	B
	2003	BR
	2004	C
21	2101	A
	2102	B
	2103	BR
	2104	C
22	2201	A
	2202	B
	2203	BR
	2204	C
23	2301	A
	2302	B
	2303	BR
	2304	C
24	2401	A
	2402	B
	2403	BR
	2404	C
25	2501	A
	2502	B
	2503	BR
	2504	C
26	2601	A
	2602	B
	2603	BR
	2604	C
27	2701	A
	2702	B
	2703	BR
	2704	C
28	2801	A
	2802	B
	2803	BR
	2804	C
29	2901	A
	2902	B
	2903	BR
	2904	C

<u>Floor No.</u>	<u>Apartment No.</u>	<u>Apartment Type</u>
30	3001	A
	3002	B
	3003	BR
	3004	C
31	3101	A
	3102	B
	3103	BR
	3104	C

EXHIBIT "B"

PARKING STALL ASSIGNMENT  
BY APARTMENT NUMBER

<u>APT. NO.</u>	<u>STALL NO.</u>	<u>APT. NO.</u>	<u>STALL NO.</u>
3101	115	2701	303 304 (C)
3102	215 (C) 216 (C)	2702	305 306 (C)
3103	224 (C) 225 (C)	2703	307 308 (C)
3104	319 (C) 320 (C)	2704	309 310 (C)
3001	103 104 (C)	2601	401 402 (C)
3002	105 106 (C)	2602	403 404 (C)
3003	107 108 (C)	2603	405 406 (C)
3004	109 110 (C)	2604	301 302 (C)
2901	205 206 (C)	2501 2502	118 119
2902	207 208 (C)	2503	414 (C) 415 (C)
2903	209 210 (C)	2504	328 (C) 329 (C)
2904	101 102 (C)	2401 2402	112 111
2801	311 312 (C)	2403 2404	120 121
2802	313 314 (C)	2301 2302	122 123
2803	201 202 (C)	2303 2304	124 125
2804	203 204 (C)	2201 2202	126 127

(C) = denotes compact car stall

<u>APT. NO.</u>	<u>STALL NO.</u>	<u>APT. NO.</u>	<u>STALL NO.</u>
2203	128	1404	317
2204	129	1201	316
2101	221	1202	315
2102	222	1203	332
2103	223	1204	333
2104	226	1101	334
2001	227	1102	335
2002	220	1103	336
2003	219	1104	337
2004	218	1001	338
1901	217	1002	339
1902	214	1003	418 (C)
1903	213	1004	411
1904	212	901	412
1801	211	902	413
1802	228	903	416
1803	229	904	417
1804	230	801	410
1701	231	802	409
1702	232	803	408
1703	233	804	407
1704	234	701	419
1601	235	702	420
1602	325	703	421
1603	326	704	422
1604	327	601	423
1501	330	602 (Mgr.)	424
1502	331	603	425
1503	324	604	426
1504	323	501	113
1401	322		114
1402	321	502	117
1403	318	Guest	130 (C)
		Guest	131 (C)

(C) = denotes compact car stall

PARKING STALL ASSIGNMENT  
BY STALL NUMBER

<u>STALL NO.</u>	<u>APT NO.</u>	<u>STALL NO.</u>	<u>APT. NO.</u>
101	2904	205	2901
102 (C)		206 (C)	
103	3001	207	2902
104 (C)		208 (C)	
105	3002	209	2903
106 (C)		210 (C)	
107	3003	211	1801
108 (C)		212	1904
109	3004	213	1903
110 (C)		214	1902
111	2402	215 (C)	3102
112	2401	216 (C)	
113	501	217	1901
114		218	2004
115	3101	219	2003
117	502	220	2002
118	2501	221	2101
119	2502	222	2102
120	2403	223	2103
121	2404	224 (C)	3103
122	2301	225 (C)	
123	2302	226	2104
124	2303	227	2001
125	2304	228	1802
126	2201	229	1803
127	2202	230	1804
128	2203	231	1701
129	2204	232	1702
130 (C)	Guest	233	1703
131 (C)	Guest	234	1704
201	2803	235	1601
202 (C)		301	2604
203	2804	302 (C)	
204 (C)			

(C) = denotes compact car stall

<u>STALL NO.</u>	<u>APT. NO.</u>	<u>STALL NO.</u>	<u>APT. NO.</u>
303	2701	336	1103
304 (C)			
		337	1104
305	2702		
306 (C)		338	1001
307	2703	339	1002
308 (C)			
		401	2601
309	2704	402 (C)	
310 (C)			
		403	2602
311	2801	404 (C)	
312 (C)			
		405	2603
313	2802	406 (C)	
314 (C)			
		407	804
315	1202		
		408	803
316	1201		
		409	802
317	1404		
		410	801
318	1403		
		411	1004
319 (C)	3104		
320 (C)		412	901
321	1402	413	902
322	1401	414 (C)	2503
		415 (C)	
323	1504		
		416	903
324	1503		
		417	904
325	1602		
		418 (C)	1003
326	1603		
		419	701
327	1604		
		420	702
328 (C)	2504		
329 (C)		421	703
330	1501	422	704
331	1502	423	601
332	1203	424	602 (Mgr.)
333	1204	425	603
334	1101	426	604
335	1102		

(C) = denotes compact car stall