

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

THE SUMMER PALACE
1848 Kahakai Drive
Honolulu, Hawaii

REGISTRATION NO. 744

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: May 22, 1975

Expires: June 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION FILED WITH THE REAL ESTATE COMMISSION ON JANUARY 6, 1975, AND INFORMATION SUBSEQUENTLY FILED ON MAY 22, 1975. 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. Since the issuance of the Commission's Preliminary Report of January 9, 1975, on SUMMER PALACE, Registration No. 744, the Developer has submitted additional information and requested the issuance of a Final Public Report.

This Final Public Report is made a part of the registration on Summer Palace condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers along with a copy of the Preliminary Public Report (yellow paper stock). The Developer is responsible for securing from each purchaser and prospective purchaser a signed receipt, signifying that he has had an opportunity to read both reports.

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 Final Public Report.
3. The Developer advises that the Declaration of Horizontal Property Regime and attached Bylaws are filed in the Office of the Assistant Registrar of the Land Court as Document No. 719079, and that the Condominium Map has been filed with the Assistant Registrar as Map No. 250.
4. All advertising or promotional matter has been submitted to the Commission pursuant to its rules and regulations.
5. The Developer has advised the Commission that pursuant to the terms of The Summer Palace Sales Contract and The Summer Palace Escrow Agreement, purchasers' escrowed down-payments may, under certain circumstances, be used to defray construction and other costs of the project after the issuance of a Final Report. The prospective purchaser is advised to acquaint himself specifically with the provisions of The Summer Palace Sales Contract and The Summer Palace Escrow Agreement.
6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of the Horizontal Property Act, Chapter 514, Hawaii Revised Statutes, and the Rules and Regulations promulgated pursuant thereto.
7. This Final Public Report automatically expires June 22, 1976, thirteen (13) months after date of issuance, May 22, 1975, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: THE SUMMER PALACE

The information in the topical headings of the Preliminary Public Report of January 9, 1975, has not been disturbed except as noted below.

OWNERSHIP OF LAND AND ENCUMBRANCES AGAINST TITLE: A preliminary report issued on November 11, 1974, and updated April 18, 1975, by Long & Melone, Ltd., certifies that title to LOT 54 is

held by Edwin Yoshihiro Fujinaga and Andrea Shinayo Fujinaga, husband and wife, as tenants by the entirety, under Transfer Certificate of Title No. 170,201; a preliminary report issued on November 25, 1974, and updated April 1, 1975, by Long & Melone, Ltd., certifies that title to LOT 55 is vested in Torao Iwai, Trustee under a Trust Indenture dated October 24, 1955, filed as Land Court Document No. 180,625, under Transfer Certificate of Title No. 74,586; a preliminary report issued on November 11, 1974, and updated April 1, 1975, by Long & Melone, Ltd., certifies that title to LOT 56 is vested in George Dung Loy Mau and William Goon Seong Mau, Trustees under Agreement of Trust dated July 8, 1974, under Transfer Certificate of Title No. 169,617; a preliminary report issued on November 11, 1974, and updated April 1, 1975, by Long & Melone, Ltd., certifies that title to LOT 57 is vested in Kim Fook Lyau, widower, under Transfer Certificate of Title No. 41,905. Each preliminary report issued reflects the issuance of a lease by the respective owners of these parcels in favor of In-Sites: A Land Corporation, on July 30, 1974, the term of that lease being 65 years commencing August 1, 1974, and ending July 30, 2039.

The preliminary reports described above state that title to the parcels of land is vested as set forth in the preceding paragraph subject to the following encumbrances:

1. As to Lot 54: Portion of Easement A-4 (5 feet wide), as shown on Map No. 12, Land Court Consolidation No. 6, for purposes of storm drain, located along the westerly boundary of said Lot 54. Grant of easement in favor of City and County of Honolulu for the purpose of constructing an underground drainage structure, dated March 12, 1957, filed in the Office of the Assistant Registrar of the Land Court as Document No. 203,116, located over and across a portion of said Easement A-4. Lease dated August 1, 1974, by and between Edwin Yoshihiro Fujinaga and Andrea Shinayo Fujinaga, husband and wife, as lessors, and In-Sites: A Land Corporation, as lessee, filed in said Office of the Assistant Registrar of the Land Court as Document No. 692,198. Mortgage in favor of Rainbow Finance Corporation dated January 9, 1975, filed in the Office of the Assistant Registrar of the Land Court as Document No. 707810. Mortgage in favor of Rainbow Finance Corporation dated January 9, 1975, filed in the Office of the Assistant Registrar of the Land Court as Document No. 707809.
2. As to Lot 55: Lease dated July 30, 1974, by and between Torao Iwai, husband of Matsue Iwai, Trustee under Trust Indenture dated October 24, 1955, as lessor, and In-Sites: A Land Corporation, as lessee, filed in said Office of the Assistant Registrar of the Land Court as Document No. 692,204.
3. As to Lot 56: Lease dated July 30, 1974, by and between George Dung Loy Mau and William Goon Seong Mau, Trustees under Agreement of Trust dated July 8, 1974, as lessors, and In-Sites: A Land Corporation, as lessee, filed in said Office of the Assistant Registrar of the Land Court as Document No. 692,203.

4. As to Lot 57: Easement 10 feet wide as shown on Map No. 18, Land Court Consolidation No. 6, for the purpose of a storm drain located along the westerly boundary of said Lot 57. Grant of easement in favor of the City and County of Honolulu for the purpose of constructing a drainage structure as part of a drainage system, dated October 4, 1962, filed in said Office of the Assistant Registrar of the Land Court as Document No. 299,549, and located over and across the foregoing easement. Lease dated July 30, 1974, by and between Kim Fook Lyau and Violet Tung Mau Lyau, as lessors, and In-Sites: A Land Corporation, as lessee, filed in said Office of the Assistant Registrar of the Land Court as Document No. 692,201.
5. As to all lots: Taxes that are due and owing and a lien on the land.

It should be noted that Lot 55 is held in the name of Torao Iwai, Trustee under a Trust Indenture dated October 24, 1955, filed as Land Court Document No. 180,625. The Trust Indenture states in part that the Trust shall be terminated at the death of the settlor, Tokuichi Iwai, and subsequent to that death, the subject matter of the Trust shall be distributed to its beneficiaries. The Developer has been informed that a policy of title insurance will be issued by Lawyers Title Insurance Corporation, after the beneficiaries of the Trust have confirmed the lease between Torao Iwai and the Developer and have, by separate document, joined in the lease. The subject matter of the Trust will then be conveyed by trust deed to the beneficiaries, subject to that lease.


FINANCING: The Developer has received commitments for interim and permanent financing. The interim loan commitment for 5.9 Million Dollars has been made on a participating basis by State Savings and Loan Association and Anchor Savings Bank of New York. The permanent financing will be available through Gibraltar Savings and Loan Association, whose principal office is in Beverly Hills, California. The total amount of loans to be made available for permanent financing is anticipated at Six Million Dollars. The commitment letters indicating the conditions for the making of the interim and permanent loans have been forwarded to the commission and may be reviewed.

STATUS OF THE PROJECT: The Developer reports that a building permit has been issued by the Department of Public Works of the City and County of Honolulu for the project and that a construction contract for the project was executed on December 16, 1974, with Dynamic Industries Corporation. Construction will commence on May 15, 1975, and the estimated date of completion is January 1, 1977.

A 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 January 6, 1975, and additional information filed on May 22, 1975.

THIS FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 744 filed with the Commission on January 6, 1975.

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. SODEHANI 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 - CROWN ESCROW, INC.

REGISTRATION NO. 744

MAY 22, 1975