

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
HAWAIIANA APARTMENTS
1122 Hoolai Street
Honolulu, Hawaii

REGISTRATION NO. 771

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 14, 1975
Expires: June 14, 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 MAY 2, 1975 AND INFORMATION SUBSEQUENTLY SUBMITTED AS OF MAY 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, HAWAII REVISED STATUTES.

1. HAWAIIANA APARTMENTS is a proposed leasehold condominium project consisting of ten (10) residential apartment units arranged throughout a single three (3) story building. There will be eight one bedroom, one bath apartments and two studio apartments. There will be a total of ten (10) parking stalls, with the Developer assigning one stall to each unit.

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 basic documents (Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners 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 April 23, 1975, with the By-Laws of the Association of Apartment Owners attached thereto, has been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 719008.

Condominium Map No. 249 was filed in said Office of the Assistant Registrar on April 23, 1975.

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 Final Public Report automatically expires thirteen (13) months after date of issuance, May 14, 1975, unless a supplementary public report is issued, or the Commission, upon review of the registration, issues an order extending the effective period of this report.

7. This Final Public Report is made a part of the registration on Hawaiiana Apartments 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 of securing a signed copy of the receipt for the Final Public Report from each purchaser and prospective purchaser.

NAME OF PROJECT: HAWAIIANA APARTMENTS

LOCATION: The project is located at 1122 Hoolai Street, Honolulu, Hawaii, and contains an area of approximately 4,916 square feet.

TAX MAP KEY: First Division, 2-3-10-9.

ZONING: A-3

DEVELOPER: Lynn Jack Woolley and Antoinette Lee Woolley, husband and wife, whose address is 1122 Hoolai Street, Apartment No. 203, Honolulu, Hawaii, telephone: 524-2954; and Albert Theodore Wong and Patricia Lee Wong, husband and wife, whose address is 1650 Ala Moana Boulevard, Apartment No. 2801, Honolulu, Hawaii, telephone: 947-3574.

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

DESCRIPTION: The Declaration of Horizontal Property Regime reflects that the project is to consist of ten (10) apartment units of which there shall be two (2) studio apartments and eight (8) one bedroom, one bath apartments contained in a single three (3) story building constructed principally of hollow tile with reinforced concrete. The first floor shall be devoted to parking with ten (10) parking spaces.

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 ceiling 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. Each apartment shall be deemed to include all the walls and partitions which are not loadbearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings, and the fixtures originally installed therein.

Each apartment unit has immediate access to its entries, and to the corridors, walkways and stairways, if any, appurtenant to such apartment.

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

(a) There are five (5) apartment units on the second and third floors. The apartments units are numbered "01", "02", "03", "04" and "05". Each apartment unit number is preceded by a number denoting the floor on which said apartment unit is located: e.g., Apartment unit "201" is the apartment unit at the makai end of the building on the second floor. The subsequent apartment numbers follow with apartment unit "205" being the end unit on the mauka side of the building. The third floor is identical in its layout with the second floor.

(b) Area of Apartments. The apartment units are constructed according to two (2) different floor plans and each contains the number of rooms and appropriate floor area according to its respective floor plans, as follows:

(i) Studio Apartment Units. Apartment units 205 and 305 are studio apartments, each containing a studio living area a bathroom and a kitchenette with an approximate living area of 392 square feet, plus a lanai of approximately 76 square feet. There is one apartment of this type on each living floor.

(ii) One Bedroom Apartment Units. Apartment units 201, 202, 203, 204, 301, 302, 303 and 304 are one bedroom apartment units, each containing one bedroom, a bathroom, a living room and kitchenette with an approximate living area of 432 square feet, plus a lanai of approximately 72 square feet.

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

- (a) Said land in fee simple;
- (b) All foundations, columns, girders, beams, supports, loadbearing walls, roofs, chases, entry halls, stairs, walkways, entrances and exits of said building;
- (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) 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 Declaration reflects that the limited common elements include the following:

- (a) Each apartment shall have appurtenant thereto, for the exclusive use of such apartment, one parking space, each such parking space being designated on said Condominium Map by a number, which number is also set forth opposite to the number of the apartment to which it is appurtenant as follows:

<u>Apartment No.</u>	<u>Parking Space No.</u>
201	1
202	2
203	3
204	4
205	5
301	6
302	7
303	8
304	9
305	10

- (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 apartment shall have appurtenant thereto an undivided percentage interest in all common elements of the project and the same proportionate

share in all common profits and expenses of the project, in accordance with its respective apartment type, as follows:

One bedroom apartments	10.145%
Studio apartments	9.420%

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration reflects that the apartment 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 or customary hotel services such as room service for food and beverage, maid service, laundry and linen or bellboy 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 March 17, 1975 and prepared by Hawaii Escrow & Title, Inc. certifies that title is vested as follows: Lynn Jack Woolley and Antoinette Lee Woolley, husband and wife, as tenants by the entirety, as to an undivided one-half interest; and Albert Theodore Wong and Patricia Lee Wong, husband and wife, as tenants by the entirety, as to the remaining undivided one-half interest, as tenants in common.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report dated March 15, 1975, by Hawaii Escrow & Title, Inc. certifies that there are no liens or encumbrances of whatsoever kind or nature against said title save and except the following:

1. Mortgage executed by Lynn Jack Woolley and Antoinette Lee Woolley, husband and wife, and Albert Theodore Wong and Patricia Lee Wong, husband and wife, in favor of Honolulu Savings & Loan Company, Limited, a Hawaii corporation, (now known as Honolulu Federal Savings & Loan Association, a Federal savings & loan association), in the amount of \$127,500.00, dated March 24, 1972 and filed April 3, 1972 as Land Court Document No. 576357.

2. Taxes that may be due and owing and a lien on the land, reference is hereby made to the Office of the Tax Assessor, First Division.

PURCHASE MONEY HANDLING: The Developer has informed the commission that there shall be no Escrow Agreement involved in the assignment of the Apartment Lease since the initial lessees of the respective apartment units shall be the owner/developer of this project. There shall be no monetary transaction in the assignment of apartment lease.

NOTE: The Developer has advised the Commission that any sales made after the assignment of the initial apartment lease to the owner/developer will be made through a real estate licensee. Further, the Developer will be responsible for placing a copy of this Final Public Report in the hands of all purchasers and prospective purchasers, and of securing a signed copy of the receipt for the Final Public Report from each purchaser and prospective purchaser.

MANAGEMENT AND OPERATIONS: The Declaration of Horizontal Property Regimes states that the administration of the project shall be vested in the Association of Apartment Owners of Hawaiiana Apartments, consisting of all apartment owners of the project in accordance with the By-Laws of the Association. The Developer will enter into a Management Agreement with Metropolitan Management Corporation as the initial managing agent.

HOUSE RULES: The purchaser or prospective purchasers are advised to read with care the prepared House Rules which provides in part that the number of residents allowed to live in an apartment are two unless approved by the Board of Directors.

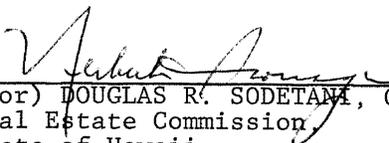
STATUS OF PROJECT: The apartment units in said project was completed in June, 1969 and serves as rental units up to the present time. Presently, the Developer has renovated the interior of each apartment units. The Developer has submitted a certificate of occupancy for said apartments dated May 12, 1969.

NOTE: The apartment is a nonconforming structure as defined under Section 21-110 Revised Ordinances. The term nonconforming structure is defined as "any structure which was previously lawful but which does not comply with the bulk, yard, setback or height regulations of the district in which it is located, either on the effective date of this chapter (Chapter 21, Revised Ordinance) or as a result of any subsequent amendment thereto."

The Purchaser or prospective Purchaser shall be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted May 2, 1975, and information subsequently submitted as of May 9, 1975.

This Final Horizontal Property Regime (Condominium Public Report) is made a part of REGISTRATION NO. 771 filed with the Commission on May 2, 1975.

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


(for) DOUGLAS R. SODEHAMA, Chairman
Real Estate Commission
State of Hawaii

Distribution:

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

Registration No. 771
May 14, 1975