

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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

SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

INN ON THE PARK
1920 Ala Moana Boulevard
Honolulu, Oahu, Hawaii

REGISTRATION NO. 772

This Report Is Not an Approval or Disapproval of This Condominium Project

It was prepared as a supplement to an earlier Report dated May 28, 1975 issued by the Real Estate Commission on the above 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: December 12, 1975
Expires: June 28, 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED MAY 8, 1975 AND INFORMATION SUBSEQUENTLY FILED ON DECEMBER 10, 1975. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, HAWAII REVISED STATUTES, CHAPTER 514, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report of May 20, 1975, on INN ON THE PARK, Registration No. 772 (the "Project"), Developer reports that certain changes have been made in the Project. This Supplementary Report (pink paper stock) amends the Preliminary Public Report (yellow paper stock) becoming a part of registration. The Developer is responsible for placing a true copy of the Supplementary Public Report in the hands of all purchasers and prospective purchasers along with a copy of the Preliminary Public Report. The Developer is also

responsible for securing from each purchaser or prospective purchaser a signed receipt signifying that he has had an opportunity to read the 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 the issuance of this Supplementary Public Report.
3. Advertising or promotional materials have been submitted to the Commission pursuant to its rules and regulations.
4. The Developer reports that the Declaration of Horizontal Property Regime, the Bylaws and the Condominium Map will be filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii and will be recorded in the Bureau of Conveyances, Honolulu, Hawaii, immediately prior to the application for a Final Public Report.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of the Hawaii Revised Statutes, Chapter 514, as amended, and the Rules and Regulations of the Hawaii Real Estate Commission which relate to Horizontal Property Regimes.
6. This Supplementary Public Report automatically expires on June 28, 1976, unless a Final Public Report or a further Supplementary Public Report issues, or the Commission, upon review of registration, issues an order extending the effective date of this report.

Information in the Preliminary Public Report of May 20, 1975, under the topical headings, DESCRIPTION OF PROJECT AND APARTMENTS, LIMITED COMMON ELEMENTS and MANAGEMENT AND OPERATION, has been changed. Additional changes not earlier noted under topical headings are set forth herein. The Developer reports that no information in the Preliminary Public Report other than that set forth herein has been changed.

DESCRIPTION OF PROJECT AND APARTMENTS: The proposed Declaration of Horizontal Property Regime has been revised to provide with respect to Commercial Apartment 104 as follows:

"Commercial Apartment 104 on the first floor will serve as a 'front desk' with 24-hour clerk service and facilities for registration and keeping of records relating to hotel guests and security for the Project."

LIMITED COMMON ELEMENTS: The limited common elements made appurtenant to Commercial Apartment 104 are no longer so designated "in connection with the Common Rental Program" as reported in the Preliminary Public Report. As described hereafter, the Common Rental Program has been eliminated.

MANAGEMENT AND OPERATION: Neither General Management Corporation, Developer nor any affiliate of Developer shall serve as managing agent.

An independent Hawaii real estate management institution shall be selected as the initial managing agent.

NOTES:

1. Elimination of Common Rental Program and Hawaii Residence Restrictions

Apartments are now offered in the Project without the Common Rental Program described in the Preliminary Public Report or any other rental or hotel operation program sponsored, promoted or arranged by the Developer or any third party. The restrictions on apartment sales and resales by purchasers to residents of Hawaii have been eliminated. Purchasers will be free to rent their apartments on either a hotel or long-term basis; however, any such rentals will be through the purchaser's own arrangements and not through the Developer nor with its participation or involvement in any manner. The various condominium documents filed with the Commission have been amended consistent with the foregoing. The Developer has advised the Commission that in order to assure that no purchasers have bought apartments with the expectation of economic benefits from the efforts of Developer or the Common Rental Program, the Developer has cancelled all Reservation and Sales Contracts for the Project entered into prior to this Supplementary Public Report pursuant to the mutual right of cancellation contained in paragraph 18(a) of the Reservation and Sales Contract (the "Sales Contract").

2. The "Front Desk" Apartment and Hotel-Use of the Project

The Declaration of Horizontal Property Regime provides that Commercial Apartment 104 of the Project will serve as a "Front Desk" Apartment with 24-hour clerk service and facilities for the registration and keeping of records relating to hotel guests and security for the Project. It is intended that INN ON THE PARK will maintain a permanent hotel and multi-family dwelling character, consistent with its Waikiki environs and the requirements of local B-5 (resort commercial) zoning.

The Sales Contract has been amended to provide that title to Apartment 104 will be held by the Association of Apartment Owners or a title-holding trustee for the Association and that all costs and expenses incurred in connection with such apartment ownership and the maintenance of 24-hour clerk service will be the common expense of all apartment owners regardless of their respective use of such apartment and such clerk service.

Further, the Sales Contract provides that the Developer will not sponsor, arrange or promote any program for the rental or hotel use of the apartments and that the Buyer must make such arrangement without the involvement or participation of the Developer.

The Association will be empowered to make such lease or other disposition of the Apartment as it deems prudent, provided that the "front desk" with 24-hour clerk service and facilities for the registration and keeping of records relating to hotel guests of the Project are maintained at all times under any such disposition.

3. Reservation and Sales Contract

As noted, the Sales Contract has been amended consistent with the changes outlined herein, (e.g., the warranties and representations as to Hawaii residency have been eliminated). Revision has also been made to provide that if Developer has not sold 200 living apartments by September 30, 1976, then Developer may cancel any or all Sales Contracts and refund all monies paid by the purchasers without interest and subject to a \$25 escrow cancellation fee. The Sales Contract formerly provided for such cancellation upon inability to sell 215 apartments within a period of time after issuance of the Preliminary Public Report.

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 May 8, 1975, and information subsequently filed on December 10, 1975.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 772 filed with the Commission on May 8, 1975.

This report, when reproduced, shall be a true copy of the Commission's Public Report. The paper stock used in making facsimiles must be pink.



(For) DOUGLAS R. SODEVANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

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PLANNING DEPARTMENT, CITY AND COUNTY OF HONOLULU
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ESCROW AGENT

December 12, 1975
REGISTRATION NO. 772