

# 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

McCULLY VILLA  
2121 Algaroba Street  
Honolulu, Hawaii

REGISTRATION NO. 775

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

It was prepared as a supplement to an earlier Report dated July 17, 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: January 30, 1976

Expires: August 17, 1976

### SPECIAL ATTENTION

Particular attention of purchaser and prospective purchasers are directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED MAY 15, 1975 AND INFORMATION SUBSEQUENTLY FILED AS OF JANUARY 26, 1976. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND SUBMITTING INFORMATION AND DATA ON MATERIAL CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIME ACT SET FORTH IN CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Final Public Report of July 17, 1975 on this proposed Horizontal Property Regime Project, the developer has advised that changes have been incorporated into the development by information subsequently filed as of January 26, 1976. The changes subsequently made are determined to be a material revision to the information disclosed earlier.

This Supplementary Public Report (pink paper stock) amends the Final Public Report (white paper stock), becoming a part of the McCULLY VILLA registration. The developer is responsible for placing a true copy of this Supplementary Public Report in the hands of all purchasers and prospective purchasers along with copies of the Final Public Report. The Buyer shall sign the required receipts signifying that he has had an opportunity to read said reports.

2. The Developer has submitted to the Commission for examination all documents deemed necessary for the registration and updating of the information disclosed therein.
3. Promotional and advertising materials have been submitted pursuant to the rules and regulations promulgated by the Commission.
4. 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 the Horizontal Property Regime.
5. This Supplementary Public Report automatically expires August 17, 1976 unless another supplementary public report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information under the topical headings, ATTORNEY REPRESENTING DEVELOPER; DESCRIPTION OF THE BUILDING; APARTMENTS; LIMITED COMMON ELEMENTS; ENCUMBRANCES AGAINST TITLE; HOUSE RULES and STATUS OF THE PROJECT have been updated. All other headings are as recited in the Final Public Report of July 17, 1975.

ATTORNEY REPRESENTING DEVELOPER: Hiroshi Sakai, Attorney at Law, A Law Corporation, Suite 602, City Bank Building, 810 Richards Street, Honolulu, Hawaii 96813, Telephone No. 531-4171.

DESCRIPTION OF THE BUILDING: McCULLY VILLA is a proposed leasehold condominium project consisting of a fifteen (15) story reinforced concrete building with a semi-basement and containing one hundred and four (104) apartment units. There will be seventy-eight (78) regular size parking spaces and thirty (30) compact size parking spaces located on the semi-basement level and on the first and second floors. (Note, however, that four (4) of the one hundred and eight (108) parking stalls are unassigned stalls for guest parking.

The Developer discloses that a Second Amendment to Declaration of Horizontal Property Regime dated January 13, 1976 and recorded in Book 11180, Page 487, and as Land Court Document No. 750782, reflects among other things:

1. The installation of the "tub shower" in each of the fourteenth and fifteenth floor apartments in place of the "shower".

2. The "as built" drawings for the Condominium Map have been changed to reflect the change of parking stalls assigned to certain apartments.

APARTMENTS: The Declaration of Horizontal Property Regime has been amended to reflect the fact that the units numbered 1401-1408 inclusive, 1501-1508 inclusive, and 1601-1608 inclusive are on the thirteenth, fourteenth and fifteenth floors of the building.

LIMITED COMMON ELEMENTS: There has been a change of two of the parking stalls assigned to apartments since one of the "as built" stall (formerly 508) is insufficient in size and the other (formerly 902) was eliminated because of driving clearance problem. Stall 508 has been relocated to the 2nd floor; Stall 903 redesignated to 902 on the 1st floor; and unassigned stall on 2nd floor redesignated to 903.

ENCUMBRANCES AGAINST TITLE: The Developer has advised the Commission that the following encumbrances have been amended:

1. The Master Lease dated December 28, 1973 between Harry Masami Tanabe, husband of Toshiko Okura Tanabe, and George Teruhisa Tanabe, husband of Sadako Tanabe, and Kaluanui Ventures, a Hawaii registered limited partnership, has been further amended by Amendment to Master Lease on January 13, 1976 to substitute the condominium description in place of the land description and recorded in Book 11180, Page 473 in the Bureau of Conveyances and filed as Land Court Document No. 750780 in the Office of the Assistant Registrar of the Land Court, State of Hawaii.
2. The Mortgage and Security Agreement dated January 13, 1975 in favor of City Bank has been amended on January 13, 1976 to substitute a condominium description in place of the land description to provide for partial releases and the Amendment to Mortgage has been recorded in Book 11180, Page 480 in the Bureau of Conveyances, and as Land Court Document No. 750781 in the Office of the Assistant Registrar.
3. The Declaration of Horizontal Property Regime dated May 6, 1975 has been further amended on January 13, 1976, by Amendment to Declaration and By-Laws recorded in Book 11180, Page 487.

HOUSE RULES: There has been an addition to the House Rules to clarify that air conditioning units can be placed in the apartments.

STATUS OF PROJECT: The Certificate of Occupancy was issued by the Building Department of the City and County of Honolulu on January 19, 1976.

-----  
The purchaser or prospective purchaser should be cognizant of the fact that this report represents information disclosed by the

developer in the required Notice of Intention submitted May 15, 1975 and information subsequently filed as of January 26, 1976.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 775 filed with the Commission on May 15, 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 in color.

*cc: Hon. Yano*  

---

MEMBER, REAL ESTATE COMMISSION  
STATE OF HAWAII

Distribution:

Department of Taxation  
Bureau of Conveyances  
Planning Department, City & County of Honolulu  
Federal Housing Administration  
Escrow Agent

January 30, 1976

Registration No. 775