

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

KEONI ANA
430 Keoniana Street
Waikiki, Honolulu, Hawaii

REGISTRATION NO. 808

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 7, 1975
Expires: November 7, 1976

SPECIAL ATTENTION

A comprehensive reading by the prospective purchaser is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION FILED SEPTEMBER 10, 1975, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF OCTOBER 3, 1975. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514, HAWAII REVISED STATUTES.

1. KEONI ANA is a leasehold condominium project consisting of one (1) building, without a basement. There are a total of one hundred eighty-three (183) apartments and two hundred thirty-one (231) parking spaces.

2. Materials. The principal material used in the construction of the building is concrete.

3. The Developer of the Project has filed all documents and materials deemed necessary by the Commission for the registration of this proposed condominium project and the issuance of this Final Public Report.

4. 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 Assistant Registrar of the Land Court of the State of Hawaii.

The Declaration of Horizontal Property Regime executed July 24, 1975, 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. 736074.

The approved Floor Plans showing the layout, location, apartment numbers, etc., have been designated Condominium Map No. 264.

5. No advertising or promotional matter has been filed 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 the Horizontal Property Act, Chapter 514 of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regime.

7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, October 7, 1975, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the period of this report.

8. This Final Public Report is made a part of registration on KEONI ANA condominium project. The Developer has the responsibility of placing a true copy of the Final Public Report (white paper stock) in the hands of all purchasers. Securing a signed copy of the Receipt for the Final Horizontal Property Regime Public Report from each purchaser is also the responsibility of the Developer.

NAME OF PROJECT: KEONI ANA

LOCATION: The 32,500 square feet of the Project is located at 430 Keoniana Street, Honolulu, Hawaii.

TAX MAP KEY: First Division: 2-6-15-50, 69, 70, 71, 72 & 73.

ZONING: H-2

DEVELOPER: Dillingham Land Corporation, a Hawaii corporation, whose principal place of business is 1441 Kapiolani Boulevard, Honolulu, Hawaii, and whose post office address is P.O. Box 3468, Honolulu, Hawaii 96801; telephone number 946-0771; Officers:

J. R. Jensen	Chairman of the Board
A. P. Sereno	President & Chief Executive Officer
E. K. Nishimoto	Executive Vice President
E. L. Carter	Vice President
C. E. Chafin	Vice President-Finance
F. K. Kwock	Vice President
S. H. Tabata	Vice President
R. W. S. Tom	Vice President
H. L. Robinson	Secretary
G. W. Robertson	Treasurer
C. W. L. Yim	Controller
J. J. Hogan	Assistant Secretary
E. S. Windrath	Assistant Secretary
J. R. Moore	Assistant Treasurer
C. W. Westbrook	Assistant Treasurer
J. V. Pollock	Assistant Controller

ATTORNEY REPRESENTING DEVELOPER: Conroy, Hamilton, Gibson, Nickelsen & Rush (Attention: Walter Beh, II and Dwight M. Rush), 20th Floor Hawaii Building, 745 Fort Street, Honolulu, Hawaii 96813, Phone: 521-2611.

DESCRIPTION: The said Declaration of Horizontal Property Regime and plans submitted by the Developer indicate a leasehold project consisting of one eighteen (18) story building, without a basement, containing a total of one hundred eighty-three (183) apartments.

Apartment Nos. 102, 103, 104, 105, 106, 107 and 108 are located on the first level (the fifth floor of the building), Makai Wing.

Apartment Nos. 109, 110, 111, 112, 113 and 114 are located on the first level, Mauka Wing.

Apartment Nos. 201, 202, 203, 204, 205, 206, 207 and 208 are located on the second level (the sixth floor of the building), Makai Wing.

Apartment Nos. 209, 210, 211, 212, 213 and 214 are located on the second level, Mauka Wing.

Apartment Nos. 301, 302, 303, 304, 305, 306, 307 and 308 are located on the third level (the seventh floor of the building), Makai Wing.

Apartment Nos. 309, 310, 311, 312, 313 and 314 are located on the third level, Mauka Wing.

Apartment Nos. 401, 402, 403, 404, 405, 406, 407 and 408 are located on the fourth level (the eighth floor of the building), Makai Wing.

Apartment Nos. 409, 410, 411, 412, 413 and 414 are located on the fourth level, Mauka Wing.

Apartment Nos. 501, 502, 503, 504, 505, 506, 507 and 508 are located on the fifth level (the ninth floor of the building), Makai Wing.

Apartment Nos. 509, 510, 511, 512, 513 and 514 are located on the fifth level, Mauka Wing.

Apartment Nos. 601, 602, 603, 604, 605, 606, 607 and 608 are located on the sixth level (the tenth floor of the building), Makai Wing.

Apartment Nos. 609, 610, 611, 612, 613 and 614 are located on the sixth level, Mauka Wing.

Apartment Nos. 701, 702, 703, 704, 705, 706, 707 and 708 are located on the seventh level (the eleventh floor of the building), Makai Wing.

Apartment Nos. 709, 710, 711, 712, 713 and 714 are located on the seventh level, Mauka Wing.

Apartment Nos. 801, 802, 803, 804, 805, 806, 807 and 808 are located on the eighth level (the twelfth floor of the building), Makai Wing.

Apartment Nos. 809, 810, 811, 812, 813 and 814 are located on the eighth level, Mauka Wing.

Apartment Nos. 901, 902, 903, 904, 905, 906, 907 and 908 are located on the ninth level (the thirteenth floor of the building), Makai Wing.

Apartment Nos. 909, 910, 911, 912, 913 and 914 are located on the ninth level, Mauka Wing.

Apartment Nos. 1001, 1002, 1003, 1004, 1005, 1006, 1007 and 1008 are located on the tenth level (the fourteenth floor of the building), Makai Wing.

Apartment Nos. 1009, 1010, 1011, 1012, 1013 and 1014 are located on the tenth level, Mauka Wing.

Apartment Nos. 1101, 1102, 1103, 1104, 1105, 1106, 1107 and 1108 are located on the eleventh level (the fifteenth floor of the building), Makai Wing.

Apartment Nos. 1109, 1110, 1111, 1112, 1113 and 1114 are located on the eleventh level, Mauka Wing.

Apartment Nos. 1201, 1202, 1203, 1204, 1205, 1206, 1207 and 1208 are located on the twelfth level (the sixteenth floor of the building), Makai Wing.

Apartment Nos. 1209, 1210, 1211, 1212, 1213 and 1214 are located on the twelfth level, Mauka Wing.

Apartment Nos. 1301, 1302, 1303, 1304, 1305, 1306, 1307 and 1308 are located on the thirteenth level (the seventeenth floor of the building), Makai Wing.

Apartment Nos. 1401, 1402, 1403, 1404, 1405, 1406, 1407 and 1408 are located on the fourteenth level (the eighteenth floor of the building), Makai Wing.

The apartments are constructed according to several different floor plans. A description of each of the floor plans, designating the layout, the number of rooms and the approximate area thereof, and the appurtenant common interest appurtenant to each of the apartments, are as follows:

(a) Thirteen (13) apartments, being Apartment Nos. 201, 301, 401, 501, 601, 701, 801, 901, 1001, 1101, 1201, 1301 and 1401, are built according to floor plan type "1E", and each consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 701 square feet, including the lanai of approximately 120 square feet. Each of these apartments shall have an appurtenant common interest of .4646 percent (.4646%).

(b) Twenty-six (26) apartments, being Apartment Nos. 102, 202, 302, 402, 502, 602, 702, 802, 902, 1002, 1102, 1202, 1302, 1402, 110, 210, 310, 410, 510, 610, 710, 810, 910, 1010, 1110 and 1210, are built according to floor plan type "2A-R", and each consists of six (6) rooms, including two (2) bedrooms, a bathroom, a one-half bathroom, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 915 square feet, including the lanai of approximately 95 square feet. Each of these apartments shall have an appurtenant common interest of .6064 percent (.6064%).

(c) Fourteen (14) apartments, being Apartment Nos. 103, 203, 303, 403, 503, 603, 703, 803, 903, 1003, 1103, 1203, 1303 and 1403, are built according to floor plan type "2C", and each consists of six (6) rooms, including two (2) bedrooms, a bathroom, a one-half bathroom, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 910 square feet, including the lanai of approximately 78 square feet. Each of these apartments shall have an appurtenant common interest of .6029 percent (.6029%).

(d) Fourteen (14) apartments, being Apartment Nos. 104, 204, 304, 404, 504, 604, 704, 804, 904, 1004, 1104, 1204, 1304 and 1404, are built according to floor plan type "2B", and each consists of six (6) rooms, including two (2) bedrooms, a bathroom, a one-half bathroom, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 910 square feet, including the lanai of approximately 95 square feet. Each of these apartments shall have an appurtenant common interest of .6029 percent (.6029%).

(e) Fourteen (14) apartments, being Apartment Nos. 105, 205, 305, 405, 505, 605, 705, 805, 905, 1005, 1105, 1205, 1305 and 1405, are built according to floor plan type "1D", and

each consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 739 square feet, including the lanai of approximately 78 square feet. Each of these apartments shall have an appurtenant common interest of .4897 percent (.4897%).

(f) Twenty-six (26) apartments, being Apartment Nos. 106, 206, 306, 406, 506, 606, 706, 806, 906, 1006, 1106, 1206, 1306, 1406, 111, 211, 311, 411, 511, 611, 711, 811, 911, 1011, 1111 and 1211, are built according to floor plan type "1A", and each consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 738 square feet, including the lanai of approximately 95 square feet. Each of these apartments shall have an appurtenant common interest of .4891 percent (.4891%).

(g) Fourteen (14) apartments, being Apartment Nos. 107, 207, 307, 407, 507, 607, 707, 807, 907, 1007, 1107, 1207, 1307 and 1407, are built according to floor plan type "1C", and each consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 745 square feet, including the lanai of approximately 78 square feet. Each of these apartments shall have an appurtenant common interest of .4937 percent (.4937%).

(h) Thirty-eight (38) apartments, being Apartment Nos. 108, 208, 308, 408, 508, 608, 708, 808, 908, 1008, 1108, 1208, 1308, 1408, 109, 209, 309, 409, 509, 609, 709, 809, 1009, 1109, 1209, 114, 214, 314, 414, 514, 614, 714, 814, 914, 1014, 1114 and 1214, are built according to floor plan type "2A", and each consists of six (6) rooms, including two (2) bedrooms, a bathroom, a one-half bathroom, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 915 square feet, including the lanai of approximately 95 square feet. Each of these apartments shall have an appurtenant common interest of .6064 percent (.6064%).

(i) Twelve (12) apartments, being Apartment Nos. 112, 212, 312, 412, 512, 612, 712, 812, 912, 1012, 1112 and 1212, are built according to floor plan type "1A-R", and each consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 738 square feet, including the lanai of approximately 95 square feet. Each of these apartments shall have an appurtenant common interest of .4891 percent (.4891%).

(j) Twelve (12) apartments, being Apartment Nos. 113, 213, 313, 413, 513, 613, 713, 813, 913, 1013, 1113 and 1213, are built according to floor plan type "1B", and each consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 744 square feet, including

the lanai of approximately 95 square feet. Each of these apartments shall have an appurtenant common interest of .4930 percent (.4930%).

Each apartment has access to a corridor which leads to three (3) stairways and three (3) elevators, each of which leads to the grounds of the project.

The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter or party walls or interior load-bearing walls, the floor and ceiling surrounding each apartment, or any pipes, wires, conduits, or other utility or service 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 be deemed to include all fixtures originally installed therein, the lanai air space, all the walls and partitions which are not load bearing within its perimeter or party walls, the inner decorated or finished surfaces of all walls, floors and ceilings, doors and door frames, windows and window frames and lanai railings.

COMMON ELEMENTS: One freehold estate is designated in all of the remaining portions of the Project, herein called "common elements", including specifically but not limited to:

1. The land in fee simple;
2. All foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter, party and load-bearing walls, roofs, entries, stairways, walkways, entrances and exits of said building;
3. All yards, grounds and landscaping;
4. All roads, driveways and parking areas;
5. All elevators, pipes, cables, conduits, ducts, electrical equipment, wiring and other central and appurtenant transmission facilities and installations over, under and across the project which serve more than one apartment for services such as power, light, gas, water, sewer, telephone and television signal distribution, if any;
6. Mauka Recreation Deck;
7. Manager's apartment, being Apartment No. 101, and the Manager's Parking Space No. 1B-1C; and
8. Any and all other apparatus and installations of common use and all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, herein called the "limited common elements", are designated

and set aside for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto easements for the use of such limited common elements as follows: One or more parking spaces, each of which is designated on the condominium map by a number, which number or numbers are also set forth opposite to the number of each of the respective apartments in Exhibit "C" attached to the Declaration, shall be appurtenant to and for the exclusive use of each such apartment.

INTEREST TO BE CONVEYED TO PURCHASERS: Documents filed with the Real Estate Commission indicate that the purchaser will secure an Apartment Lease demising an apartment and an undivided percentage interest in the common elements of the Project, as set forth above. This same percentage interest for each apartment shall be used in determining each purchaser's proportionate share of all common profits and expenses of the Project and shall be used for all other purposes including determining the proportionate representation for voting purposes in the Association of Apartment Owners of the Project.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration provides that 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. No more than two (2) persons may occupy each bedroom in said apartments, except that said limit may be exceeded by guests on a temporary basis. The apartments shall not be rented for transient or hotel purposes, which are defined as (a) rental for any period less than 30 days, or (b) any rental in which the occupants of the apartment are provided customary hotel services such as room service for food and beverage, maid service, laundry and linen or bellboy service. Except for such transient or hotel purposes the owners of the respective apartments shall have the absolute right to lease such apartments subject to all provisions of the Declaration.

OWNERSHIP OF TITLE: The Developer represents that following are the owners of the fee simple title to the property committed to the Project:

Richard James Boyen
Isabel Gonsalves Boyen
419 Keoniana Street, Apt. 203
Honolulu, Hawaii

Eugene Tsun Choy Yap
Grace Lum Yap
439 Keoniana Street, Apt. 203
Honolulu, Hawaii

Marystuart Robertson Sheldon
433-A Keoniana Street
Honolulu, Hawaii

Christine Fernie
412 Keoniana Street
Honolulu, Hawaii

David Young Darl Ha, husband of Rose
Chizuko Ha, as Co-Trustee,
847 7th Avenue
Honolulu, Hawaii

Bishop Trust Company, Limited,
as Co-Trustee,
140 S. King Street
Honolulu, Hawaii

Edith Redoble Apilado, wife
of Marcelino Apilado
91-2210-B Fort Weaver Road
Ewa, Hawaii 96706

By Master Lease dated June 25, 1974, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 688653, the Developer leased said property from the fee simple owners. The individual Apartment Leases to be issued to the purchasers will be executed by the fee simple owners.

ENCUMBRANCES AGAINST TITLE: Title Report dated September 26, 1975, issued by Title Guaranty of Hawaii, Inc., as submitted to the Commission provides that the following are encumbrances against the title to the property:

1. Designation of Easement A for underground electric line, Easement B for sanitary sewer and for underground telephone line, and Easement C for sanitary sewer, as shown on Map 1 of Land Court Consolidation No. 136.

2. The covenants contained in that certain deed dated April 16, 1974, filed as aforesaid as Document No. 676586.

3. Master Lease dated June 25, 1974, filed as aforesaid as Document No. 688653, by and between Richard James Boyen, et al., as Lessors, and Developer, as Lessee.

4. Mortgage And Security Agreement dated May 30, 1975, filed as aforesaid as Document No. 724861, made by Developer, as mortgagor, in favor of Bank of Hawaii, as mortgagee, to secure the repayment of the sum of \$10,000,000.00.

NOTE: The Developer informs the Commission that it proposes to grant various utility easements across certain portions of the lands of the project to Hawaiian Electric Company, Inc.,

Hawaiian Telephone Company and to the City and County of Honolulu.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated April 21, 1975, between Title Guaranty Escrow Services, Inc., as Escrow, and Developer has been filed with the Commission. On examination, the executed Escrow Agreement filed with the Commission is found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly Sections 514-36 through 514-40, H.R.S.

NOTE: The specimen sales contract filed with the Commission contains the following provision:

"Option to Terminate. In the event that on February 29, 1976, less than ninety-three apartments in the Project are subject to sales contracts binding on and enforceable against buyers who have delivered evidence satisfactory to Seller of their ability to pay or otherwise perform thereunder or that Seller is prevented by law from proceeding with the construction of the building, in accordance with the Plans and Specifications, Seller, at its option, may thereafter terminate this Sales Contract upon notice to Buyer, in which event Seller will cause the Escrow Agent to refund to Buyer all payments made by Buyer hereunder, without interest and Buyer and Seller shall be relieved and released of all further liability hereunder."

NOTE: Prospective purchasers should be aware that the Seller's mortgage loan (interim, renewals and extensions) used for the construction of the Project shall be and remain at all times a superior lien on the Project, and purchasers intentionally waive and subordinate the priority of lien under the sales contract in favor of the mortgage loan.

It is incumbent of the purchaser and prospective purchaser to read and understand the Escrow Agreement before signing the Sales Agreement since the Escrow Agreement prescribes the procedure for receiving and disbursing the purchaser's funds. The specimen sales agreement specifically provides that the purchaser approve said Escrow Agreement and assume the benefits and obligations therein provided. Purchasers and prospective purchasers are advised to read with care the provisions of the sales agreement.

BY-LAWS AND HOUSE RULES: The By-Laws attached to the Declaration and the House Rules provide in part that no animals whatsoever shall be allowed or kept in any part of the complex, without the prior written consent of the Board of Directors.

MANAGEMENT OF THE PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the Project shall be conducted for the Association of Apartment Owners under the direction of the Board of Directors by a responsible managing agent. The Developer will act as the initial managing agent.

NOTE: Developer advises that no representation or references will be made to either purchasers or prospective purchasers concerning rental of the apartment, income from the apartment or any other economic benefit to be derived from the rental of the apartment, including but not limited to, any reference or representation to the effect that Developer or the Managing Agent of the Project will provide, directly or indirectly, any services relating to the rental or sale of the apartment. Rental of the apartments and the provisions of management services in connection therewith is and shall be the sole responsibility of the purchaser.

STATUS OF PROJECT: The Developer advises that construction of the Project began on February 5, 1975, and that the estimated date of completion is May 24, 1976.

The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted September 10, 1975, and additional information subsequently filed as of October 3, 1975.

This is a FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT which is made a part of REGISTRATION NO. 808 filed with the Commission on September 10, 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 white.


(for) DOUGLAS R. SODETANI, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

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

REGISTRATION NO. 808

October 7, 1975