

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

KAPIOLANI ROYALE
2474 Kapiolani Boulevard
Honolulu, Oahu, Hawaii

REGISTRATION NO. 836

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: April 20, 1976

Expires: May 20, 1977

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 buyer and prospective buyer is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JANUARY 23, 1976 AND INFORMATION SUBSEQUENTLY FILED AS OF APRIL 15, 1976. 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. KAPIOLANI ROYALE is a fee simple condominium apartment consisting of sixty-eight (68) two-bedrooms units arranged in a twenty story building. There are eighty-seven (87) parking stalls of which sixty-five (65) are regular and twenty-two (22) are compact. Each purchaser will receive a fee simple apartment deed issued by the Developer.

This Final Public Report is made a part of KAPIOLANI ROYALE condominium registration.

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 reports that 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 with By-Laws attached, was filed on April 7, 1976 in the said Office of the Assistant Registrar as Document No. 759849. The Condominium Plans were filed as Map No. 277.
4. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
5. The buyer or prospective buyer is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, as amended, and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Final Public Report expires thirteen (13) months from the date of issuance, April 20, 1976, unless a Supplementary Public Report is published or the Commission, upon review of the registration, issues an order extending the effective period of this report.
7. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all buyers and prospective buyers.

Securing a signed copy of the Receipt for Horizontal Property Regime Public Report from each buyer and prospective buyer is also the responsibility of the Developer.

NAME OF PROJECT: "KAPIOLANI ROYALE"

LOCATION: The land submitted to the Horizontal Property Regime consists of three (3) parcels, consolidated into one parcel, and located at 2474 Kapiolani Boulevard, Honolulu, Hawaii, containing 19,491 square feet.

TAX KEY: 2-7-14, parcel 43, or 37, or 40 (exact parcel to be determined later by Tax Office).

ZONING: A-4

DEVELOPER: Budget Realty, Ltd., a Hawaii corporation, whose mailing address and principal place of business is 1405 N. King Street, 2nd Floor, Honolulu, Hawaii 96817.

The officers of Budget Realty are:

Richard Y. H. Mew, President, Treasurer and Director;
Stella Ng Mew, Secretary and Director;
Harriet Chang Mew, Director.

ATTORNEYS REPRESENTING DEVELOPER: Tkazaki, Devens, Lo, Youth & Nakano, (Christopher N. Visher) Suite 1412, 700 Bishop Street, Honolulu, Hawaii 96813. Telephone 521-1456.

DESCRIPTION OF PROJECT: The Declaration of Horizontal Property Regime reflects that the project is to consist of the fee simple land located as aforesaid and a twenty (20) story building containing a total of sixty-eight (68) apartments. The building will be constructed principally of concrete, wood, steel, glass and allied building materials. There will be parking for eighty-seven (87) cars in the first three (3) stories of the building. Each apartment will be assigned at least one (1) parking space and some apartments will have two (2) stalls or tandem stalls. The Developer reserves the right to sell, rent or assign any of the unassigned spaces to any apartment owner in the project.

There are sixty-eight (68) two-bedroom apartments. There are two (2) elevators, two (2) fire exit stairways, an elevator lobby on each floor, a trash chute, and electrical and telephone panels. There are also two (2) loading zones, a party room with kitchen and toilets, a storage room, lobby, manager's office, and transformer, pump and trash rooms. A swimming pool is located immediately adjacent to the party room.

DESCRIPTION OF APARTMENTS: The sixty-eight (68) apartments are similar in design and layout. Each contains two (2) bedrooms, two (2) full bathrooms, a living/dining area, a kitchen, and a lanai. Each apartment contains 793.5 square feet of living space and a lanai of 146 square feet.

Each apartment includes all built-in fixtures, including the range, oven, refrigerator, garbage disposal, drapes, carpets, a stacked clothes washer/dryer, a ductless exhaust fan, and an air conditioner.

LIMITS OF THE APARTMENTS: The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits, ducts, or other utility lines running through such apartment, the same being deemed common elements as hereinafter provided.

Each apartment shall have at least one (1) appurtenant parking stall and some apartments shall have an additional stall or tandem stalls. The parking assignments are set forth in Exhibit "B" attached to the Declaration.

INTEREST TO BE CONVEYED TO BUYER: The Declaration reflects that each apartment shall have appurtenant thereto an undivided percentage interest in all common elements of the Project, and the same interest in all common profits and expenses of the Project and for all other purposes including voting. The common interest for each apartment shall be 1.4706%, except for apartment 401, which shall have a common interest of 1.4698%.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration states that each apartment shall be used only as a private dwelling by the respective owners thereof, their tenants, families, domestic servants and guests. Each owner shall comply with the terms of the Declaration and By-Laws of the Association of Apartment Owners.

OWNERSHIP TO TITLE: The Preliminary Title Report dated April 7, 1976, issued by Title Guaranty of Hawaii, Incorporated, reflects that ownership to fee title is vested in Budget Realty, Ltd., a Hawaii corporation.

ENCUMBRANCES AGAINST TITLE: The Preliminary Title Report, dated April 7, 1976, prepared by Title Guaranty of Hawaii, Inc., reflects the following encumbrances:

1. Improvement assessments (District No. 182) balances:
 - a. Lot No. 21 -- \$1,445.61
 - b. Lot No. 22 -- \$1,509.56
 - c. Lot No. 23 -- \$ 967.04
2. Mortgage dated July 31, 1975, held by Beverly Hills Federal Savings and Loan Association and recorded as Document No. 729549.
3. Real property taxes for fiscal year July 1, 1975 - June 30, 1976, reference is hereby made to the Office of the Tax Assessor, First Division.
4. The restrictions on use and other restrictions and all other of the covenants, agreements, obligations, conditions and other provisions set forth in Declaration of Horizontal Property Regime dated January 22, 1976 and filed as Land Court Document No. 759849 and the By-Laws attached thereto.

NOTE: The Developer reports that at time of conveyance of apartment deed to individual units, any unpaid taxes and assessments as mentioned above will be cleared by the Developer.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated January 5, 1976, identifies Title Guaranty Escrow Services, Inc. as "Escrow Agent". On examination, the specimen Sales Contract and executed Escrow Agreement are

found to be in compliance with Chapter 514, Hawaii Revised Statutes and particularly Sec. 514-35 and 514-36 through 514-40.

Among other provisions, the Escrow Agreement reflects that a buyer shall be entitled to a refund of his funds if any one of the following shall have occurred:

1. Escrow receives a written request from seller to return to buyer the funds of such buyer then held hereunder by Escrow.
2. If buyer's funds were obtained prior to the issuance of a Final Public Report and if there is any change in the building plans, subsequent to the execution of buyer's contract, requiring the approval of a county officer having jurisdiction over the issuance of permits for construction, unless the buyer has given written approval or acceptance of the change.
3. If the buyer's funds were obtained prior to the issuance of a Final Public Report and the request is prior to the time the Final Public Report is issued.
4. If the Final Public Report differs in any material respect from the Preliminary Public Report, unless the buyer has given written approval or acceptance of the difference.
5. If the Final Public Report is not issued within one (1) year from the date of issuance of the Final Public Report.

Among other provisions, the specimen Sales Contract provides that the buyer 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 the buyer intentionally waives and subordinates the priority of any lien under the sales contract in favor of the mortgage loan.

It is incumbent upon the buyers or prospective buyers to read with care the executed Escrow Agreement and the specimen Sales Contract. The executed Escrow Agreement establishes how the proceeds from the apartments and all sums received from any source are placed in trust, as well as the retention and disbursement of said trust funds.

MANAGEMENT AND OPERATIONS: The By-Laws of this project state that the Board of Directors may employ for the Association of Apartment Owners, a management agent to perform such duties as the Board shall authorize, including the collection of all assessments from the owners. The Developer has filed with the Commission an executed Management Agreement naming Urban Management Corporation as the initial managing agent.

HOUSE RULES: The buyers and prospective buyers are advised to read with care the proposed House Rules.

STATUS OF PROJECT: The Developer advises the Real Estate Commission that the construction of the project has commenced and the construction is expected to be completed on or about August 31, 1976.

The buyer or prospective buyer should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted January 22, 1976 and information subsequently filed as of April 15, 1976.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 836 filed with the Commission on January 22, 1976.

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


Member, 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

REGISTRATION NO. 836

April 20, 1976