

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
PUUIKI BEACH APARTMENTS
68-078 Au Street
Waialua, Hawaii

REGISTRATION NO. 842

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: March 1, 1976
Expires: April 1, 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 purchaser or prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED FEBRUARY 13, 1976. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514 OF THE HAWAII REVISED STATUTES.

1. PUUIKI BEACH APARTMENTS is a fee simple condominium project consisting of a three-story building, having a total of twelve (12) apartments or units arranged throughout the first or ground floor through the third floor. One (1) parking stall for each apartment, together with three (3) guest compact parking stalls are available as reflected on Condominium Map.

2. No promotional and advertising material has been submitted pursuant to the rules and regulations promulgated by the Commission.
3. 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 Regimes.
4. The Developer has submitted to the Commission all documents deemed necessary for the registration of this condominium project and the issuance of this Final Public Report prior to completion of construction.
5. The basic documents (Declaration of Horizontal Property Regime, By-Laws of 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 executed on January 20, 1976 with By-Laws attached, was filed in the Bureau of Conveyances, State of Hawaii on January 21, 1976, in Liber 11180, Page 424, and a First Amendment to said Declaration was filed at the Bureau in Liber 11220, Page 551. The Bureau has designated Condominium File Plan No. 444 to the project.

6. This Final Public Report is made a part of the registration on PUUIKI BEACH APARTMENTS condominium project. The Developer is responsible for placing a true copy of this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed copy of the Receipt for the Final Horizontal Property Regime Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.
7. This Final Public Report automatically expires thirteen (13) months after date of issuance, March 1, 1976, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: PUUIKI BEACH APARTMENTS

LOCATION: The land and building submitted to the project is situated at 68-078 Au Street, which is on the makai side of Waialua Beach Road near Puuiki Beach, Waialua, City and County of Honolulu, State of Hawaii.

TAX KEY: FIRST DIVISION 6-8-011-057

ZONING: A-3

DEVELOPER: The following individuals, who are also the fee simple owners, are developing the project:

DAVID SUNAO MURAKAMI

98-1365 Kulawai Street
Aiea, Hawaii 96701

LEONORA MITSUE MURAKAMI	98-1365 Kulawai Street Aiea, Hawaii 96701
EDWARD NOBUYUKI UEMORI	94-380 Pupupani Street Waipahu, Hawaii 96797
RUTH CHISE UEMORI	94-380 Pupupani Street Waipahu, Hawaii 96797
CLARENCE RITSUO KUSUMOTO	99-1080 Lalawai Drive Aiea, Hawaii 96701
ETHEL REIKO KUSUMOTO	99-1080 Lalawai Drive Aiea, Hawaii 96701

The person designated as the agent for the above named individuals is the said DAVID SUNAO MURAKAMI, of the above address, whose telephone number is 488-1448.

ATTORNEYS REPRESENTING DEVELOPER: ING, LEBB AND YANO, (Attention: Dennis A. Ing), 333 Queen Street, Suite 600, Honolulu, Hawaii, 96813. Telephone No. 537-2556.

DESCRIPTION: The land on which the project is situated contains an area of approximately 11,547 square feet.

The Declaration of Horizontal Property Regime states that twelve (12) freehold estates are designated in the spaces within the perimeter walls, floors and ceilings of each of the twelve (12) apartment units of the project, said spaces, hereinafter called "apartments" being contained in one building consisting of three (3) stories and constructed principally of hollow-concrete block and reinforced concrete. The apartments are designated on the condominium file plan and are described as follows:

1. There are four (4) apartments on each floor or story of the building. Apartments 101, 102, 103 and 104 are located on the first or ground floor. Apartments 201, 202, 203 and 204 are located on the second floor. Apartments 301, 302, 303 and 304 are located on the third floor.

2. Each apartment has a floor area of approximately 381 square feet and contains the number of rooms and the configuration shown in said File Plan as a "Typical Floor Plan," the floor plans for each floor being identical. Each apartment contains a living room with attached kitchen, one bedroom and one bathroom.

3. Each apartment on the ground floor has immediate access to a service walkway adjacent to the parking lot at street level. Each apartment on the second and third floors has immediate access to a service balcony connected to a stairway at each end of the building, which gives access to the parking lot at street level.

4. The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floors and ceilings surrounding

each apartment or any pipes, wires, conduits or other utility or service lines running through such apartment 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 the walls and partitions which are not load-bearing within its perimeter walls, doors and door frames, windows and window frames, the inner decorated or finished surfaces of all walls, floors and ceilings and all fixtures originally installed therein.

COMMON ELEMENTS: The Declaration identifies the common elements as: (a) said land in fee simple; (b) all foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter and load-bearing walls and roofs of the building; (c) all yards, grounds and landscaping, recreational facilities, refuse facilities, and mailboxes, whether within or appurtenant to the project; (d) all parking areas, driveways, stairways and walkways; (e) all ducts, electrical equipment, wiring, pipes 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, water, gas, sewer, telephone and radio and television signal distribution; (f) two laundry areas on the ground floor of the building, adjacent to Apartments 101 and 104, together with heaters and tubs therein; (g) 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, called "limited common elements" are set aside and reserved for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto an exclusive easement for the use of such limited common elements as follows: (a) one parking space shall be assigned to each apartment as follows, the parking space number being followed by the apartment number in parenthesis: 1 (304), 2 (204), 3 (104), 4 (103), 5 (302), 6 (102), 7 (101), 8 (201), 9 (301), 10 (303), 11 (203), and 12 (202); (b) the service walkway on the ground floor and the service balconies on each of the second and third floors shall be appurtenant to and for the exclusive use of the apartments on such floors.

INTEREST TO BE CONVEYED TO PURCHASER: Each apartment shall have appurtenant thereto an undivided 8.333 percent interest (1/12 fractional interest) in all common elements of the project and the same proportionate share in all common profits and expenses of the project and for all other purposes, including voting.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The apartments may 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 may 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 of Horizontal Property Regime.

OWNERSHIP OF TITLE TO LAND: The Preliminary Report prepared by Long & Melone, Ltd. dated November 11, 1975 stated that ownership to title in the real property committed to the Horizontal Property Regime is vested in David Sunao Murakami and Leonora Mitsue Murakami, husband and wife, Edward Nobuyuki Uemori and Ruth Chise Uemori, husband and wife, and Clarence Ritsuo Kusumoto and Ethel Reiko Kusumoto, husband and wife.

ENCUMBRANCES AGAINST TITLE: The aforesaid Preliminary Report prepared by Long & Melone, Ltd., dated November 11, 1975 identifies the following as encumbrances against the land:

1. Title to all mineral and metallic mines reserved to the State of Hawaii.
2. Restrictive covenants as contained in Deed dated August 2, 1963, and recorded in Bureau of Conveyances of the State of Hawaii in Book 4568, Page 346.
3. Mortgage in favor of Honolulu Federal Savings and Loan Association dated December 8, 1972, and recorded in said Bureau in Book 8799, Page 264.
4. Balance of unmatured installment payments (\$2,340.68 as of July 1, 1976) due under City and County of Honolulu assessment for Assessment Lot No. 106, Improvement District No. 168, Mokuleia Beach Subdivision.
5. For any taxes that may be due and owing, reference is made to the Office of the Tax Assessor, First Division.

The Notice of Intention states that the developer will obtain a partial release of the aforesaid mortgage in favor of Honolulu Federal Savings and Loan Association upon closing of the sale of each apartment.

PURCHASE MONEY HANDLING: A copy of the executed escrow agreement dated February 6, 1976, identifies Crown Escrow, Inc., a Hawaii corporation, as the escrow agent. Upon examination, the specimen contract of sale and the escrow agreement are found to be in compliance with Chapter 514 of the Hawaii Revised Statutes and particularly Section 514-35 through 514-40, Hawaii Revised Statutes.

It is incumbent upon the purchaser and prospective purchaser that he reads with care the Contract of Sale (Fee Simple) and the executed escrow agreement. The latter document, the escrow agreement, establishes how the proceeds from the sale of apartments and all sums received from any source are placed in trust, as well as how said trust funds are retained and disbursed.

MANAGEMENT AND OPERATIONS: The Declaration discloses that the administration of the project shall be vested in an Association

of Apartment Owners, consisting of all apartment owners of the project, and that the operation of the project shall be governed by the By-Laws of the Association of Apartment Owners. Under said By-Laws the Association's powers are exercised through a Board of Directors, which is charged with the responsibility of managing and operating the project, including without limitation such duties as the supervision of the immediate management and operation of the project and the employment supervision and dismissal of necessary personnel.

Said Declaration also provides that the Association through its Board of Directors may employ a corporate managing agent, but no such corporate managing agent has been employed by the developer.

HOUSE RULES: The proposed House Rules provide in part:

1. Each apartment shall be occupied by not more than four (4) persons, of which no more than three (3) shall be adults; and
2. No birds, cats, dogs or other animals shall be kept or harbored in the building, provided, however, that fish may be kept in aquariums.

STATUS OF PROJECT: The developer states that construction of the project was completed on March 2, 1974 and that all warranties respecting workmanship and construction have expired. The apartments have been occupied as rental units since the date of completion. All appliances and fixtures sold with the apartments with the apartments will be sold "as is," but the developer will give a 60-day warranty on such appliances.

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 February 13, 1976.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 842 filed with the Commission.

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

an Kan Young

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. 842
March 1, 1976