

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
LILIHA HOMES
2291 B & C Liliha Street
Honolulu, Hawaii

REGISTRATION NO. 868

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: January 3, 1977
Expires: February 3, 1978

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 TO ESTABLISH A HORIZONTAL PROPERTY REGIME SUBMITTED ON JULY 20, 1976, AND INFORMATION SUBSEQUENTLY FILED AS OF DECEMBER 30, 1976. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF THE INTENTION TO SELL AND REPORTING CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514, HAWAII REVISED STATUTES, AS AMENDED.

1. LILIHA HOMES is a fee simple condominium project consisting of two (2) residential dwellings. A carport or parking area is appurtenant to and for the exclusive use of each apartment.
2. The Developer has submitted to the Commission all documents deemed necessary for registration of the condominium project and the issuance of this Final Public Report.

3. 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 recording officer. The Declaration of Horizontal Property Regime, executed on July 12, 1976, together with the By-Laws of the Association of Apartment Owners, was filed at the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 793517. The Registrar of Conveyances has designated the map for the project as Condominium Map No. 296.
4. No advertising and promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission. However, the Developer advises the Commission that all advertising and promotional material will be submitted to the Commission prior to public exposure thereof.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514 of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Final Public Report is made a part of the registration on LILIHA HOMES condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed copy of the Receipt for Horizontal Property Regimes 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 the date of issuance, January 3, 1977, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of the report.

NAME OF PROJECT: LILIHA HOMES

LOCATION: Parcel of land on 15,345 square feet of land located at 2291 Liliha Street, Honolulu, Hawaii

TAX KEY: 1-8-04-7, Lots 1 and 2

ZONING: R6 (residential)

DEVELOPER: EDWARD KWOCK KEONG GUM and CELINA SHUET MUI GUM, husband and wife, whose residence address is [REDACTED]

ATTORNEY REPRESENTING DEVELOPER: Frank K. H. Kim, Suite 1630, Pacific Trade Center, 190 South King Street, Honolulu, Hawaii 96813; telephone number 521-6584.

DESCRIPTION: The Declaration of Horizontal Property Regime reflects that the project consists of two (2) separate freehold estates designated in the spaces enclosed by the exterior surfaces of the walls, roofs and the bottom surfaces of the floors, slabs, footing, foundations, and posts, beams and other supporting structures of each of the two (2) dwellings, herein called "apartments", constructed principally of hollow tile and wood. Said apartments, designated on the Condominium Map as Apartments 2291-B and 2291-C are described as follows:

1. Apartment 2291-B. Apartment 2291-B consists of 2 story, single family dwelling with 2 bedrooms, rumpus room, full bath with attached 2 car garage on the lower floor, and 3 bedrooms, 2 full baths, kitchen, living room, dining area and balcony on the upper floor. The total floor area of the apartment is 2,926 square feet or thereabouts, including 521 square feet for the 2 car garage, storage room and utility area and 126 square feet or thereabouts for the balcony on the upper floor.

The apartment is substantially constructed of hollow tile block with concrete flooring on the ground floor. The second floor is substantially constructed of wood with gypsum board interior siding.

2. Apartment 2291-C. Apartment 2291-C consists of 2 story, single family dwelling with 3 bedrooms, full bath, storage area, and rumpus room on the lower floor, and 3 bedrooms, 2 full baths, kitchen, living room, dining area, enclosed utility room, and attached double carport on the upper or second floor. The total floor area of the apartment is 2,984 square feet or thereabouts, including 520 square feet for the double carport and the enclosed utility room.

The apartment is substantially constructed of hollow tile block with concrete flooring on the lower floor. The upper floor is substantially constructed of wood with gypsum board interior siding.

The respective apartments shall not be deemed to include the area below the floor and the areas wherein any pipes, shafts, wires, conduits or other utility or service lines run through or under such apartment, which are utilized for or serve more than one apartment, the same being deemed common elements.

COMMON ELEMENTS: Two (2) freehold estates are designated in all remaining portions of the project, including, specifically, but not limited to:

1. Said land;
2. The driveway and the apartment sites shown on said Condominium File Plan;
3. All central and appurtenant installations, other utility lines running within said land for services such as power, light, gas and water distribution;

4. Any and all other apparatus and installations existing for common use;
5. The mailboxes; and
6. 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 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. The limited common elements so set aside include but are not limited to the following:

1. The site of each apartment consisting of the land beneath and immediately adjacent to such apartment (herein called "apartment site"), designated on the Condominium Map, shall be appurtenant to and be for the exclusive use of such apartment. The approximate land area for such apartment site is as follows:

Apartment 2291-B - 5,086+ square feet; and
Apartment 2291-C - 6,045+ square feet.

2. The carports and parking areas shown on said Map and located on each apartment site shall be appurtenant to and be for the exclusive use of such apartment.

COMMON INTEREST: Each apartment shall have appurtenant thereto an undivided percentage interest in all common elements of the project, herein called "common interest", and the same proportionate share in all common profits and expenses of the project and for all other purposes, including voting, as follows:

Apartment 2291-B - 45.7% interest thereof; and
Apartment 2291-C - 54.3% interest thereof.

USE: 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. 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 this Declaration.

OWNERSHIP OF TITLE: The Lien Letter Report dated November 26, 1976 issued by LONG AND MELONE, LTD., reflects that ownership of fee title is vested in KWOCK KEONG GUM, husband of CELINA SHUET MUI GUM.

ENCUMBRANCES AGAINST TITLE: Said Lien Letter Report dated November 26, 1976, provides that the following are encumbrances against the title to the property:

1. An easement in the flow of water through the auwai or ditch across Lot 59, as shown on Map 1 of Land Court Consolidation No. 18.
2. Free flowage of water within Waiolani Stream, along the rear boundary of said Lot 59, as shown on said Map 48, of Land Court Consolidation No. 18.
3. Easement F (approximately 6 feet wide), for sewer purposes, located along a portion of the northeasterly boundary of said Lot 59, as shown in Map 48 filed with said Consolidation No. 18.
4. Easement D (approximately 5 feet wide), for sewer purposes, located along the northeasterly boundary of said Lot 59 shown in Map 48 filed with said Consolidation No. 18.
5. That certain First Mortgage in favor of First Federal Savings and Loan Association of Hawaii, a federal savings and loan association, dated November 6, 1975, and filed at the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 741071.
6. For any taxes that are due and owing and a lien on the land, reference is made to the Office of the Tax Assessor, First Division.
7. Said Declaration of Horizontal Property Regime dated July 12, 1976, was filed at said Office on December 10, 1976, as Document No. 793517. The map for the project was designated as Condominium Map No. 296.

PURCHASE MONEY HANDLING: CROWN ESCROW, INC., a Hawaii corporation, has been designated as Escrow Agent for the project pursuant to an Escrow Agreement between the Developer and said Agent, dated July 19, 1976. The Commission finds that said Agreement is in consonance with Chapter 514, Hawaii Revised Statutes, and particularly Sections 514-36 through 40, inclusive. Among other provisions, the Sales Contract filed with the Commission provides that the Contract shall not be binding upon the Developer, as Seller, or the purchaser until (a) a true copy of the Commission's Final Public Report for the project with all supplementary reports attached thereto (if any have been issued) has been given to the apartment purchaser, (b) the apartment purchaser has executed a receipt for or otherwise acknowledged receipt of such reports(s). The Commission advises prospective purchasers to read and understand the Escrow Agreement before executing the Sales Contract.

STATUS OF PROJECT: The Developer has advised the Commission that (1) all improvements of the project have been completed, and (2) no commitment for any permanent take-out financing for the project has been arranged.

MANAGEMENT AND OPERATION: The By-Laws of the Association of Apartment Owners provide that the Board of Directors of LILIHA HOMES shall employ a Management Agent to manage and control the project. The Declaration names the Developer, KWOCK KEONG GUM, as the initial Management Agent.

The purchaser or prospective purchaser should be cognizant of the fact that this Final Public Report represents information disclosed by the Developer in the required Notice of Intention submitted on July 20, 1976, and information subsequently filed as of December 30, 1976.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 868 filed with the Commission on July 20, 1976.

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 in color.



AH KAU YOUNG, CHAIRMAN
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. 868

January 3, 1977