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
SHERRY WAIKIKI I
324 Lewers Street
Honolulu, Hawaii

REGISTRATION NO. 869

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: February 3, 1978
Expires: March 3, 1979

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 SUBMITTED JULY 20, 1976, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF JANUARY 19, 1978. THE DEVELOPER, BY SUBMITTING ADDITIONAL INFORMATION TO THE COMMISSION, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIME ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report dated September 8, 1976, the Developer has sought an extension of the Preliminary Public Report and the Real Estate Commission approved such extension to April 8, 1978, and that the Developer has submitted additional information and has requested the issuance of a Final Public Report.

2. This Final Public Report is made a part of the registration of SHERRY WAIKIKI I. 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, along with a true copy of the Preliminary Public Report (yellow paper stock). Securing a signed copy of the Receipt of this Final Public Report as well as receipts for public reports previously issued is the responsibility of the Developer.

3. The Developer advises that the Declaration of Horizontal Property Regime and attached By-Laws are filed in the Office of the Assistant Registrar of the Land Court, State of Hawaii, as Document No. 849376. The Condominium Map has been filed with the Assistant Registrar as Map No. 319.

4. No advertising or promotional matter has been filed pursuant to the rules and regulations promulgated by the Commission.

5. 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.

6. This Final Public Report automatically expires thirteen months after the date of issuance, February 3, 1978, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information in the topical headings of the Preliminary Report dated September 8, 1976 has not changed except for ATTORNEY REPRESENTING DEVELOPER, DESCRIPTION, LIMITED COMMON ELEMENTS, ENCUMBRANCES AGAINST TITLE, PURCHASE MONEY HANDLING, AND MANAGEMENT OF PROJECT.

ATTORNEY REPRESENTING DEVELOPER: The attorney representing the developer is Allen I. Marutani, Attorney At Law, A Law Corporation, Suite 602, Capital Investment Building, 850 Richards Street, Honolulu, Hawaii 96813, Telephone 537-6575, who has replaced Ashford and Wriston.

DESCRIPTION:

1. The Project. The Declaration of Horizontal Property Regime reflects that the project will consist of an eight-story building constructed principally of reinforced concrete, concrete block, steel and glass, with a basement containing 13 parking stalls, three storage rooms, one room containing electrical and telephone equipment and a room for storage and trash collection as shown on said plans of the project. Six parking stalls are located on the first level of the building.

2. Residential Apartments. A Unit H-1 apartment is a studio lodging apartment with 2 rooms (the larger room contains the living-dining-sleeping area and the smaller room includes the bathroom with an adjoining dressing area) with an approximate gross floor area of 345 square feet, plus a lanai of approximately 86 square feet. Apartment PH-808 is of this plan.

Except as stated above, the description of the project and apartments as described in the Preliminary Public Report remains unchanged.

LIMITED COMMON ELEMENTS: The three storage rooms located in the basement of the building as shown on the plans are included and designated as limited common elements for the exclusive use of and appurtenant to Commercial Apartment 101.

Except for the above, all other information as stated in the Preliminary Public Report remains unchanged.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report dated December 8, 1977 issued by Title Guaranty of Hawaii shows the encumbrances listed below:

1. The reservation as set forth in that certain Deed made by Alexander Young Estate, Limited, to Iwalani Amelia Robinson, dated July 25, 1927, and filed as Land Court Document No. 13508, to which reference is hereby made.

2. The reservation as set forth in that certain Deed made by Alexander Young Estate, Limited, to Samuel McClay, dated February 21, 1928, and filed as Document No. 15075, to which reference is hereby made.

3. The terms and conditions contained in that certain unrecorded lease dated November 15, 1965, in favor of Smitty's Pancake Houses (Hawaii), Ltd., a Canadian corporation; leasing and demising the first-floor restaurant area.

4. The terms and conditions contained in that certain unrecorded Option Agreement dated October 1, 1973, by and between Lee Martin, Incorporated, a Hawaii corporation, and Samuel McClay and Elizabeth McClay, husband and wife, of which a Memorandum of Option Agreement is dated October 18, 1973 and filed as Land Court Document No. 654895. Said

Option Agreement was amended by instruments dated November 4, 1974 and July 13, 1976, filed as Documents Nos. 702692 and 847790, respectively.

5. Terms, agreements, reservations, covenants, conditions and provisions contained in Lease, as amended, hereinafter referred to in paragraph No. 7.

6. That certain mortgage dated April 10, 1974 made by Lee Martin, husband of Sherry Martin, and Lee Martin, Incorporated, a Hawaii corporation, as Mortgagor, in favor of Hawaii Housing Authority, a public body and a body corporate and politic of the State of Hawaii, as Mortgagee, and filed in the Office of the Assistant Registrar of the Land Court, State of Hawaii, as Document No. 675727, and also recorded in the Bureau of Conveyances, State of Hawaii, in Liber 9831, page 582.

7. That certain Indenture of Lease dated July 24, 1957 made by Samuel McClay and Elizabeth McClay, husband and wife, as Lessor, and Marion Florence Majit, wife of Peter Clarence Majit, as Lessee, and filed as aforesaid as Document No. 205095, which lease was by mesne assignments, assigned to Lee Martin, Incorporated, a Hawaii corporation, by document dated October 19, 1973, and filed as aforesaid as Document No. 654893, which lease has been amended by instrument dated October 18, 1973 and filed as aforesaid as Document No. 654894.

8. The restrictions on use and other restrictions and all other of the covenants, agreements, obligations, conditions, reservations, easements, and other provisions set forth in Declaration of Horizontal Property Regime dated November 23, 1977 and filed as Land Court Document No. 849376, and the By-Laws attached thereto, as the same are or may hereafter be amended in accordance with law, said Declaration or said By-Laws. (Project covered by Condominium Map No. 319.)

9. For any taxes that may be due and owing, reference is made to the Office of the Tax Assessor, first division.

PURCHASE MONEY HANDLING: The information disclosed in the Preliminary Public Report remains the same except that the specimen sales contract has been modified to reflect that the purchaser will have the option to purchase or lease certain furniture under the conditions set forth in said contract and further that Seller has the right to cancel said contracts if no more than a predetermined number of units are sold by a designated date. The predetermined amount and the designated date will be inserted at the time the contract is entered into.

MANAGEMENT OF PROJECT: The By-Laws which are incorporated in the proposed Declaration provide that the operation of the project shall be conducted for the Association under the direction of its Board of Directors by a responsible corporate managing agent. No formal contract has been entered into

with a managing agent. The specimen Sales Contract authorizes the Developer, from time to time prior to closing, to enter into such contracts and arrangements on behalf of the apartment purchasers as are necessary or desirable for the management, operation or maintenance of the project.

Except for the above, no other provision of the Preliminary Public Report has been altered.

The purchaser or prospective purchaser should be cognizant to the fact that this Public Report represents information disclosed by the Developer in the required Notice of Intention submitted on July 20, 1976, and additional information subsequently filed as of January 19, 1978.

THIS FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 869 filed with the Commission on September 8, 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

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. 869
February 3, 1978