

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
MANOA VILLAGE (PHASE I)
2939 East Manoa Road
Honolulu, Hawaii

REGISTRATION NO. 904

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 : November 15, 1977
Expires: December 15, 1978

SPECIAL ATTENTION

A comprehensive reading of this 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED MARCH 1, 1977, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF NOVEMBER 3, 1977. THE DEVELOPER, BY NOTIFYING THE REAL ESTATE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES ACT, CHAPTER 514, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report on Manoa Village (Phase I), Registration No. 904, dated April 18, 1977, the Developer has submitted additional information and requested the Final Public Report on the Project. Such additional information reveals certain changes from the information disclosed in the Preliminary Public Report of the Project.
2. The Developer has submitted to the Commission all documents deemed necessary for the registration of Phase I of the Project and the issuance of this Final Report prior to the completion of construction of Phase I.
3. The Developer is responsible for placing this Final Report (white paper stock) in the hands of all purchasers and prospective purchasers, along with a copy of the Preliminary Public Report (yellow paper stock). 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.
4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners of Manoa Village, and a copy of the Condominium Map) have been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii (hereafter "Land Court") and the Bureau of Conveyances of the State of Hawaii (hereafter "the Bureau"). The Declaration of Horizontal Property Regime dated October 7, 1977, with the By-Laws attached, was filed in the Land Court as Document No. 839932 (duly noted on Transfer Certificate of Title No. 186,329) and in the Bureau in Book 12487, Page 297. The approved floor plans have been filed in the Land Court as File Plan No. 316 and in the the Bureau as Condominium Map No. 517.
5. Advertising or promotional matters have 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 Act and the Commission's "Horizontal Property Regimes (condominium) Rules and Regulations".
7. This Final Public Report automatically expires thirteen (13) months after date of issuance, November 15, 1977, 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 disclosed under the topical headings of the Commission's Preliminary Public Report dated April 18, 1977, has not changed except for the following:

ZONING: R-4 (Phase I) and B-1 (Phase II).

DESCRIPTION: In order to clarify the means of access from each apartment's driveway or parking space to East Manoa Road, the Developer reports that such access shall be from said driveway or parking space to the roadway (Ono Road), which leads to the only entry way and exit from and into the public street, East Manoa Road.

COMMON ELEMENTS: To correct an error set forth in the Preliminary Public Report, the Developer discloses that the common elements do not include "the driveway, including its ramp, and like facilities" because there is no ramp leading from any driveway and such driveways as do exist on the Project shall be and are limited common elements.

LIMITED COMMON ELEMENTS: The limited common elements shall include, for Phase I apartments, the driveway connecting each apartment to Ono Road, which driveway shall be appurtenant to and for the exclusive use of such apartment, and for Phase II apartments, the turn-around space for parking spaces designated as Nos. "1" through "8" on the amended Condominium Map.

ENCUMBRANCES AGAINST TITLE: The Preliminary Title Report issued by National Title Corporation on October 13, 1977, certifies that the fee simple title to the land committed to the Project is still vested in the Developer and that the following encumbrances exist:

1. The reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patents Nos. 2600 and 6518 (as to Parcel Second only).
2. That certain Mortgage, Security Agreement and Financing Statement executed by Manoa Village Partners, a Hawaii registered partnership, as "Mortgagor", and American Savings And Loan Association, a Utah corporation, as "Mortgagee", dated July 1, 1977, and filed in the Land Court as Document No. 824613, duly noted on Transfer Certificate of Title No. 186,329, and also recorded in the Bureau in Book 12306, Page 476, to secure the amount of \$337,500.00, all according to the terms and provisions of that certain promissory note of the Mortgagor therein referred to.
3. That certain mortgage executed by Manoa Village Partners, a General Partnership, as "Mortgagor", and Gregg Ryuji Kashiwa, husband of Gail Suda Kashiwa, and Gerald Ming Kai Pang, husband of Diana Yuat Moi Pang, as "Mortgagee", dated September 28, 1976, and filed in the Land Court as Document No. 786741, duly noted on Transfer Certificate of Title No. 186,329, and also recorded in the Bureau in Book

11754, Page 492, to secure the amount of \$40,000.00, all according to the terms and provisions of that certain promissory note of the Mortgagor therein referred to. By Subordination Agreement dated July 5, 1977, filed in the Land Court as Document No. 824614 and also recorded in the Bureau in Book 12306, Page 522, the foregoing mortgage was subordinated to the lien of the mortgage noted in Paragraph "2" above.

4. Undated Financing Statement recorded in the Bureau in Book 12306, Page 529, in favor of American Savings and Loan Association.
5. Real property taxes as may be due and owing.

FINANCING OF PROJECT: The Developer has obtained from American Savings and Loan Association a loan, the proceeds of which are available to pay the costs required to complete the construction of Phase I.

STATUS OF PROJECT: The Developer discloses that it has entered into a contract for the construction of the Project with Park Construction Company, a Hawaii corporation, dated April 4, 1977, and as amended by instrument dated May 17, 1977, for the construction of Phase I as shown in the building plans and specifications.

Construction commenced July 19, 1977, and the estimated date of completion is December 31, 1977. Approximately seventy percent (70%) of Phase I has been completed as of November 1, 1977.

Builders' Products, Inc. is surety for the contractor under a Performance Bond and under a Labor and Material Payment Bond. The obligees are the Developer and American Savings and Loan Association.

The specifications for the construction of Phase I, dated December, 1976, and as revised in March, 1977, prepared by James Tsugawa & Associates, Inc., architect, made a part of the construction contract between the Developer, as Owner, and Park Construction Company, as Contractor, dated April 4, 1977, provide that the contractor shall guarantee the materials incorporated into the work for a period of at least one year from the date the Certificate of Occupancy is issued by the City and County of Honolulu.

OTHER CHANGES OCCURRING SINCE ISSUANCE OF PRELIMINARY REPORT: In order to assure full disclosure, the Developer advises the purchaser or prospective purchaser that since the issuance of the Preliminary Report, the following changes have occurred to the site or the floor plans of Phase I and the proposed Phase II and the House Rules:

1. Elevation of Buildings "B" and "A". The Developer has ordered the elevation of both Buildings "B" and "A", respectively, by two (2) feet. Said elevation is required because the site for the Project is adjacent to Manoa Stream, and the Developer wants to reduce any potential flooding in the event Manoa Stream ever overflows.

2. Elimination of an Interior Wall in Two (2) Phase I Apartments. Pursuant to the terms of the Sales Contract, the Developer has been advised by two purchasers or prospective purchasers of Phase I apartments that they plan to request that an interior wall between two bedrooms be removed, making these apartments two-bedroom apartments instead of three-bedroom apartments. In the event such request is made, the Developer will amend the Condominium Map and the Declaration to reflect the modification to these apartments. The Developer represents that the interior wall is not a common element (load bearing wall) and does not contain any ducts, electrical equipment, wiring pipes and other central and appurtenant transmission facilities and installations which serve more than one apartment.

3. Chain Link Fence. The City and County of Honolulu has erected a partial chain link fence along one side of the Project, adjacent to Manoa Stream. This fence is in plain view and was erected within the City's property line.

4. Retaining Wall. As part of the foundation for Building "A" in Phase II, and to diminish the possibility of any overflow from Manoa Stream, the Developer is ordering that a partial retaining wall be built as part of Phase II.

5. House Rules. The House Rules now provide that an owner or occupant of an apartment in the Project may keep one dog within his apartment, provided:

(a) the owner of the dog first submits in writing to the Board a description of the dog, the apartment in which it will be kept, the name of its owner and a statement acknowledging that if the Board, by majority vote, determines that the dog is a nuisance, it will be removed from the premises within five (5) days of written notice by the Board, and (b) the dog will be kept indoors at all times and not permitted to run free upon any part of the Project, and (c) when walking the dog, it will be at all times leashed, and (d) all droppings in or about the Project, including the parking and/or common areas will be immediately removed by the owner at the time such droppings occur, and (e) barking will be kept to a minimum or, if the dog continuously barks and disturbs neighboring occupants, the dog's owner will agree to muzzle the dog and, failing correction of such disturbance, to remove the dog from the Project, and (f) to observe the leash law at all times. The owner of the dog will further acknowledge that no more than one dog shall be permitted at any one time and that if the dog is large or dangerous, it shall not be permitted at any time within an apartment or within or about the Project.

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 March 1, 1977, and additional information subsequently filed as of November 3, 1977.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 904 filed with the Commission on March 1, 1977.

The report, when reproduced, shall be a true copy of the Commission's Public Report. In making facsimiles, the paper stock shall 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
Escrow Agent
Federal Housing Administration

Registration No. 904

November 15, 1977