

# 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 UNIT II  
2291 and 2291-A Liliha Street  
Honolulu, Hawaii

REGISTRATION NO. 972

### **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: July 27, 1978  
Expires: August 27, 1979

#### SPECIAL ATTENTION

A comprehensive reading of this report 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 FEBRUARY 2, 1978 AND INFORMATION SUBSEQUENTLY FILED AS OF JULY 21, 1978. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF THE INTENTION TO SELL AND REPORTING CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. LILIHA HOMES UNIT II is a fee simple condominium project consisting of two (2) apartment sites--one existing apartment unit, one to be constructed. 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 May 3, 1978, 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. 887118. Consent of said Declaration has been filed as Document No. 887119. The Registrar of Conveyances has designated the map for the project as Condominium Map No. 334.
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 514A 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 UNIT II condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all 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, July 27, 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: LILIHA HOMES UNIT II

LOCATION: Parcel of land containing 10,200 square feet located at 2291 Liliha Street, Honolulu, Hawaii.

TAX KEY: 1-8-04-72, Lots 1 and 2

ZONING: R6 (residential)

DEVELOPER: EDWARD KWOCK KEONG GUM, husband of CELINA SHUET MUI GUM, 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 Apartment 2291 and 2291-A are described as follows:

1. Apartment 2291. Apartment 2291 shall consist of the Apartment site as shown on the Condominium Map, and a one-story single family residential structure, to be constructed, which shall consist of three bedrooms, two full baths, living room and a kitchen dining area together with separate laundry room and storage room adjacent to a double carport. The total floor area of the apartment is 1,768 square feet or thereabouts including 520 square feet or thereabouts for the double carport and the aforesaid laundry room and storage room.

The apartment dwelling shall be substantially constructed of hollow tile block, with concrete floor slab and monier tiled roof. The interior partition shall be substantially constructed of wood studs with gypsum board interior siding and ceilings.

2. Apartment 2291-A. Apartment 2291-A shall consist of the Apartment site as shown on the Condominium Map and the existing structure which is a two story single family dwelling consisting of a recreation room, family room, living room, kitchen, dining room, den, foyer, laundry room, and one and one half baths on the ground floor attached to a double car garage and store room; four bedrooms, three full baths and lounge on the second floor; two bedrooms and living room on the loft above the garage and store room; and an enclosed basement. The total floor area of the apartment is 4,787 square feet or thereabouts, including 560 square feet or thereabouts for double car garage and store room, and 203 square feet or thereabouts for the basement.

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

Access to the apartments is by driveway easement abutting the apartments.

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

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

1. The land;
2. The apartment sites shown on the Condominium Map 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. 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 herein called and designated as "limited common elements", are hereby 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 and reserved 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 - 5,010 square feet, and  
Apartment 2291-A - 5,190 square feet.
2. The carports and parking areas shown on the Map and located on each apartment site shall be appurtenant to and be for the exclusive use of such apartment.

COMMON ELEMENTS: Each apartment shall have appurtenant thereto an undivided percentage interest in all common elements of the project (herein called the "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 - 49.1% interest thereof, and  
Apartment 2291-A - 50.9% interest thereof.

EASEMENTS: In addition to any easements herein designated in the limited common elements, the apartments and common elements shall have and be subject to the following easements:

1. Each apartment shall have appurtenant thereto non-exclusive easements in the common elements designed for such purposes for ingress to, egress from, utility services for and in support of such apartment; in the other common elements for use according to their respective purposes, subject always to the exclusive or limited use of the limited common elements as herein provided.
2. If any part of the common elements encroaches upon any apartment or limited common elements, a valid easement for such encroachment and maintenance thereof, so long as it continues, shall and does exist. In the event any buildings

of the project shall be partially or totally destroyed and then rebuilt, minor encroachments and the maintenance thereof shall exist.

3. The owners of each apartment unit shall have an easement over the existing driveway abutting the apartment units of this development for ingress and egress purposes. Said existing driveway is designated as Driveway on Condominium Map No. 296 filed with the Bureau of Conveyances, Honolulu, State of Hawaii. Each apartment owner shall be liable to pay for one-fourth of the reasonable cost to repair any damages resulting from or arising out of the normal wear and use of said existing driveway, including damages caused by erosion or weather and without the negligence or fault of the owners of the driveway or apartment owners; and PROVIDED, HOWEVER, that any decision to repair such damages must be deemed by the owners of said driveway to be reasonably necessary and the scope of repair work or the method by which any of such repair work is to be performed shall be reasonable in light of the circumstances as they may then be existing.

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 purposes. 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 May 15, 1978, and 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 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 as shown on Map 1 of Land Court Consolidation No. 18.
2. That certain Mortgage in favor of HENRY AKUI TYAU and TAI LAM TYAU, husband and wife, as Tenants in Common, and filed at the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court document No. 804161.
3. That certain Agreement of Sale by and between KWOCK KEONG GUM, husband of CELINA SHUET MUI GUM, and RANDOLPH TAKASHI OKUMURA and LORRAINE YURIE OKUMURA, husband and wife, as Tenants by the Entirety, dated September 9, 1977, and filed at the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. 835222.
4. Real property taxes for the fiscal year 1977-1978 have been paid in full.

PURCHASE MONEY HANDLING: CROWN ESCROW, INC., a Hawaii corporation, has been designated as Escrow Agent for the project pursuant to an Escrow Agreement dated July 11, 1978, submitted to the Commission. The commission finds that said Agreement is in consonance with Chapter 514A, Hawaii Revised Statutes.

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 Commissioner's Final Public Report for the project with all supplemental reports attached thereto (if any have been issued) has been given to the apartment purchaser, (b) the apartment purchaser executed a receipt for or otherwise acknowledge receipt of such report(s).

The Commission advises prospective purchasers to read and understand the Esrow Agreement before executing the Sales Contract.

FINANCING: The Developer reports that financing for the construction of Apartment 2291 shall be by use of the Developer's personal funds.

STATUS OF PROJECT: The Developer has advised the Commission that (1) all improvements for Apartment 2291A have been completed, and (2) the proposed structure for Apartment 2291 will be completed on or before nine months from the date of the Final Public Report.

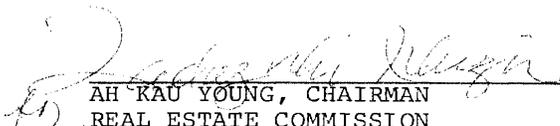
MANAGEMENT AND OPERATION: The By-Laws of the Association of Apartment Owners provide that the Board of Directors of LILIHA HOMES UNIT II shall employ a Management Agent to manage and control the project. The Declaration names the Developer, KWOCK KEONG GUM, as the initial Management Agent.

-----

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 February 2, 1978, and information subsequently filed as of July 21, 1978.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 972 filed with the Commission on February 2, 1978.

This Report when reproduced shall be a true copy of the Commission's Public Report. The paper stock used in making facsimilies 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. 972  
July 27, 1978