

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

ON

KAUALANA MANOR I
1941 Church Lane
Honolulu, Hawaii

Registration No. 975

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 but may only take reservations therefore after

- (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.

REGISTRATION NO. 975

Issued: March 14, 1978
Expires: April 14, 1979

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 FEBRUARY 6, 1978, AND INFORMATION SUBMITTED AS OF MARCH 9, 1978. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514A, HAWAII REVISED STATUTES.

1. KAUALANA MANOR I is a proposed fee simple condominium project consisting of a single eight story building containing seventy (70) apartments. The developer intends to sell the apartments together with an undivided interest in the common elements of the project under Chapter 359G of the Hawaii Revised Statutes. There will be a total of seventy (70) parking spaces which will be assigned to specific apartments. Each apartment will have appurtenant to it a minimum of one (1) parking space.

2. The Developer of the project has submitted to the Commission for examination all documents and exhibits deemed necessary for the registration of the condominium project and issuance of this Preliminary Public Report.
3. The basic documents (Declaration of Horizontal Property Regime, with By-Laws of Association of Apartment Owners attached, and a copy of the approved floor plans) have not been filed in the office of the recording officer.
4. No advertising and promotional matter has been submitted 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 Chapter 514A, Hawaii Revised Statutes, as amended, and the Condominium Rules and Regulations which relate to Horizontal Property Regime.
6. The Preliminary Public Report is made a part of the registration of KAUALANA MANOR I condominium project. The Developer has the responsibility of placing a true copy of the Preliminary Public Report (yellow paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed copy of the Receipt for the Preliminary Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.
7. This public report automatically expires thirteen months after the date of issuance, March 14, 1978, unless a supplementary or final report is published or the Commission, upon review of registration, issues an order extending the effective period of this report.

NAME OR PROJECT: KAUALANA MANOR I

LOCATION: The project is located on that certain parcel of land located at 1941 Church Lane, Honolulu, Hawaii, and containing an area of 24,646 square feet or thereabouts. The description of the land and the reserved easements, rights, powers and privileges are more fully set forth in the Declaration.

TAX KEY: 2-7-27:25

ZONING: A-4 Apartment District

DEVELOPER: HIRAM K. KAMAKA, 1314 South King Street, Suite 657, Honolulu, Hawaii, Telephone No. 531-3588.

ATTORNEY REPRESENTING DEVELOPER: Hiram K. Kamaka, 1314 South King Street, Suite 657, Honolulu, Hawaii 96814, Telephone No. 531-3588.

DESCRIPTION OF BUILDING: The building on said land is an eight (8) story L-shaped structure of hollow block and reinforced concrete consisting of a ground floor area and seven (7) apartment levels (2nd through 8th floors).

The ground floor area contains a tool storage room, elevator entry, switch room, trash facilities and seventy (70) parking spaces and eight (8) cycle spaces on the ground floor and outside of the building proper. The roof area contains a sun-deck.

The 2nd through 8th floors each contain ten (10) one-bedroom apartments making a total of seventy (70) apartments. Each apartment has immediate access to a corridor leading to two stairways and two elevators. There is access to the trash chute and a laundry area on each apartment level.

The apartments on each floor are numbered ____01 through ____10 preceded by the number of the floor, numbered from the southeast end (____01) to the northeast end (____10) of each floor.

The areas of all the apartments are identical. Measured from the center of side walls and the exterior surface of front and rear walls, the area is approximately 693 square feet including a lanai of approximately 89 square feet. Each apartment contains four rooms: living-dining room, kitchen, bathroom, and one bedroom.

The apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or of the interior load-bearing walls, the floors and perimeter ceilings surrounding each apartment, or any pipes, wires, ducts, conduits, or other utility or service lines running through such apartments which are utilized for or serve more than one apartment, all of which are common elements as provided in Paragraph 5 of the Declaration. Each apartment shall be deemed to include the walls and partitions which are not load-bearing and which are within its perimeter walls; doors and door frames; windows and window frames; the inner decorated or finished surfaces of walls, floors and ceilings, adjoining and connected thereto; and all fixtures originally installed therein.

COMMON ELEMENTS: The proposed Declaration states that the owners of apartments will have undivided interest in the common elements, including specifically but not limited to:

- a. Said land in fee simple.
- b. All foundations, columns, girders, beams, supports, main walls, roofs, stairways, entrances and exits of said building, including the elevators.
- c. All driveways, loading areas, yards, gardens, walkways, open areas and the rooftop recreation area.
- d. All central and appurtenant installations for common services, including power, sewer, gas, light, water, telephone, trash disposal, and elevator.

e. All central hot water heaters, tanks, pumps, motors, fans, compressors, ducts, and, in general, all apparatus and installations existing for common use.

f. The laundry area located on the southeast end of each apartment of the building, inclusive of the washers and dryers in an "as is" condition.

g. The eight (8) cycle parking spaces in the project.

LIMITED COMMON ELEMENTS: The proposed Declaration reflects that certain parts of the common elements, called the limited common elements are designated and set aside for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto easements for the use of such limited common elements.

There are seventy (70) automobile parking spaces in the project. Each of the apartments shall have one (1) parking space appurtenant to such apartment and is assigned to the apartment as set forth in Exhibit "A" attached hereto.

COMMON INTEREST: Each apartment shall have appurtenant thereto an undivided percentage interest of the common elements of the project, such interest being defined and referred to herein as 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 set forth in Exhibit "A" attached hereto.

PURPOSES AND RESTRICTIONS: The purposes for which said building and other improvements and each of the apartments are intended and shall be restricted as to use are as follows:

a. The common interest and easements appurtenant to each apartment shall have a permanent character, shall not be altered without the consent of all owners of apartments affected thereby as expressed in an amendment to this Declaration duly recorded, shall not be separated from such apartment and shall be deemed to be conveyed or encumbered with such apartment even though not expressly mentioned or described in the conveyance or other instrument.

b. The common elements shall remain undivided, and no right shall exist to partition or divide any part thereof except as provided by said Horizontal Property Act.

c. The apartments shall be occupied and used only as private dwellings by the respective owners thereof, their families, domestic servants and social guests, lessees and tenants, and for no other purpose.

OWNERSHIP: The Preliminary Report by Long & Melone, Ltd., dated December 28, 1977 states that title to the property is vested in Clarence O. Furuya, husband of Lona L. Furuya. The Developer has submitted documents to the Real Estate Commission that said property was sold to Developer by way of an Agreement of Sale dated August 16, 1976 and recorded in the Bureau of Conveyances of the State of Hawaii in Book 11614, Page 582.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Report issued by Long & Melone, Ltd., dated December 28, 1977 reports that title to the land is subject to the following:

1. Title to all mineral and metallic mines reserved to the State of Hawaii.

2. Restriction of abutters rights of access into and from Kapiolani Boulevard as set forth in Deed dated May 5, 1967, recorded in said Bureau of Conveyances in Book 5678, Page 444.

3. MORTGAGE
Mortgagor(s) : Clarence O. Furuya, husband of
Lona L. Furuya
Mortgagee(s) : Realty Mortgage Corporation
Dated : September 17, 1970
Recorded in the Bureau of Conveyances in
Book 7202, Page 234
To Secure : \$850,000.00
(Lona L. Furuya releases dower)

4. ASSIGNMENT dated September 17, 1970, recorded in said Bureau of Conveyances in Book 7202, Page 224, from Clarence O. Furuya, husband of Lona L. Furuya, to Realty Mortgage Corporation. Assigns all right, title and interest in all leases verbal or written, existing or which may hereafter be made with respect to premises herein, as further security to foregoing Mortgage. (Lona L. Furuya releases dower)

5. ASSIGNMENT OF MORTGAGE
Assignor : Realty Mortgage Corporation
Assignee : Anchor Savings Bank
Dated : September 18, 1970
Recorded in said Bureau of Conveyances in
Book 7203, Page 353.
Assigns foregoing Mortgage.

6. ASSIGNMENT dated September 18, 1970, recorded in Book 7203, Page 354, from Realty Mortgage Corporation to Anchor Savings Bank. Assigns foregoing Assignment recorded in Book 7202, Page 224.

7. MORTGAGE
Mortgagor Clarence Osamu Furuya (also known
as Clarence O. Furuya), husband
of Lona Lum Furuya

Mortgagee : Amfac Financial Corp.
Dated : April 18, 1975
Recorded in said Bureau of Conveyances in
Book 10579, Page 538.
To Secure : \$460,000.00
Mortgages premises herein and all fixtures,
appliances, etc. placed in the building situate
on said premises.

8. FINANCING STATEMENT

Debtor : Clarence Osamu Furuya
Secured Party : Amfac Financial Corp.
Recorded in said Bureau of Conveyances in
Book 10579. Page 547 on April 21,
1975.

9. Right of Tenants of the Apartment Building located
on premises herein.

10. AGREEMENT OF SALE

Vendor : Clarence O. Furuya, also known as
Clarence Osamu Furuya, husband of
Lona L. Furuya, also known as Lona
Lum Furuya
Vendee : Hiram K. Kamaka, unmarried
Dated : August 16, 1976
Recorded in said Bureau of Conveyances in Book 11614,
Page 582.
Consideration : \$2,200,000.00
(Lona L. Furuya releases dower)

11. ASSIGNMENT OF EQUITIES

Assignor : Hiram K. Kamaka, unmarried
Assignee : American Security Bank
Dated : August 17, 1976
Recorded in said Bureau of Conveyances in Book 11615,
Page 1.
Assigns : All his right, title and interest
in and to said Agreement of Sale
dated August 16, 1976 for the purchase
of the fee of said parcel of land.
Consent thereto given by Clarence O. Furuya, also
known as Clarence Osamu Furuya, husband of Lona L.
Furuya, also known as Lona Lum Furuya, by instrument
dated August 17, 1976, recorded in Book 11614,
Page 597.

12. FINANCING STATEMENT

Debtor : Hiram K. Kamaka
Secured Party : Central Pacific Bank
Recorded in said Bureau of Conveyances in Book 12299,
Page 323 on June 30, 1977.

13. MORTGAGE, SECURITY AGREEMENT AND FINANCING STATEMENT

Mortgagor : Clarence Osamu Furuya, also known as
Clarence O. Furuya, husband of Lona
Lum Furuya, also known as Lona L.
Furuya
Mortgagee : Amfac Financial Corp., a Hawaii
corporation
Dated : June 30, 1977
Recorded in said Bureau of Conveyances in Book 12302,
Page 567.
To Secure : \$100,000.00
(Lona Lum Furuya releases dower.)

14. FINANCING STATEMENT
 Debtor : Clarence Osamu Furuya, also known
 as Clarence O. Furuya
 Secured Party : Amfac Financial Corp.
 Recorded in said Bureau of Conveyances in Book 12302,
 Page 579 on July 1, 1977.
15. ASSIGNMENT OF SELLER'S INTEREST UNDER AGREEMENT OF
 SALE AS SECURITY AND SECURITY AGREEMENT
 Assignor : Clarence Osamu Furuya, also known
 as Clarence O. Furuya, husband of
 Lona Lum Furuya, also known as
 Lona L. Furuya
 Assignee : Amfac Financial Corp., a Hawaii
 corporation
 Dated : June 30, 1977
 Recorded in said Bureau of Conveyances in Book 12302,
 Page 580.
 Assigns all right, title and interest in Agreement of
 Sale recorded in Book 11614, Page 582, together with
 all moneys due or to become due under said Agreement,
 as security for the amounts due and owing under that
 certain promissory note dated June 30, 1977 in the
 principal sum of \$100,000.00.
16. For any taxes due and owing, reference is made to
 the Office of the Tax Assessor, first division.
17. Any lien, or right to a lien, for services, labor or
 material heretofore or hereafter furnished, imposed
 by law and not shown by the public records.
18. Rights or claims of parties in possession and ease-
 ments or claims of easements not shown by the public
 records, boundary line disputes, overlaps, encroach-
 ments, and any matters not of record which would be
 disclosed by an accurate survey and inspection of
 the premises.

NOTE: Items 17 and 18 will not be included in
 policy provided an up-to-date survey and
 surveyor's report are furnished and personal
 inspection of the premises discloses no
 adverse matters.

PURCHASE MONEY HANDLING: A copy of the specimen Sales Contract
 and the executed Escrow Agreement dated February 27, 1978, have
 been submitted as part of the registration. The Escrow Agreement
 identifies that State Savings and Loan Association, Escrow Depart-
 ment, as the Escrow. Upon examination the specimen Sales Contract
 and the executed Escrow Agreement are found to be in compliance
 with Chapter 514A, Hawaii Revised Statutes.

It is incumbent upon the purchaser and prospective purchaser that
 he reads with care the Sales Contract and the executed Escrow
 Agreement. The latter agreement establishes how the proceeds from
 the sale of apartments and all sums received from any source are

placed in escrow, as well as the methods of disbursement of said funds.

The specimen Deposit Receipt and Sales Contract provides in part: 1) that Seller reserves the right to sell as lease unsold apartments free from any restrictions on such sale or lease which may under the By-Laws apply to Buyer, and 2) that in the event less than fifty (50) apartment units are sold prior to December 31, 1978, Seller shall have the option to cancel this contract, in which event Seller will cause Escrow to refund to Buyer all moneys paid, without interest, and upon tender of such refund to Buyer, both parties shall be released of all obligations to the other thereunder.

MANAGEMENT AND OPERATIONS: The proposed Declaration discloses that the administration of the project shall be vested in the Association of Apartment Owners. Operation of the project shall be conducted for the Association by a responsible corporate Managing Agent who shall be appointed by the Association in accordance with the By-Laws except that the initial Managing Agent shall be appointed by the Developer. The initial Managing Agent will be Forent Realty Corp. whose principal place of business is 1549 S. King Street, Honolulu, Hawaii.

HOUSE RULES: Each purchaser and prospective purchaser is advised to read with care the proposed House Rules which provides in part: 1) that occupancy is limited to residential purposes for not more than three (3) persons per apartment, and 2) that no livestock, poultry or other animals or pets whatsoever shall be allowed or kept in any part of the project without the prior written consent of the Board of Directors.

STATUS OF PROJECT: The Developer has advised that the building has been used as an apartment rental operation since completion of its construction in 1969.

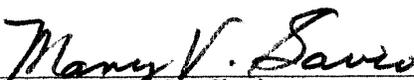
STATUS OF PROJECT: The Developer has advised that the building has been used as an apartment rental operation since completion of its construction in 1969.

NOTE: The existing building is a non-conforming structure, defined as a structure which was previously lawful but which does not now comply with the present regulations of the district in which it is located as a result of the new CZC regulations.

The purchaser or prospective purchaser shall be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted February 6, 1978 and information subsequently filed as of March 9, 1978.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 975 filed with the Commission on February 6, 1978.

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


(for) AH KAU YOUNG, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

Department of Taxation
Bureau of Conveyances
Planning Commission, City and
County of Honolulu
Federal Housing Administration
Escrow Agent

Registration No. 975

March 14, 1978

EXHIBIT "A"

Apartment No.	Percentage Common Element	Parking Stall
201	1.42858	58
202	"	65
203	"	66
204	"	67
205	"	57
206	"	64
207	"	68
208	"	69
209	"	70
210	"	56
301	1.42857	15
302	"	16
303	"	63
304	"	62
305	"	26
306	"	17
307	"	61
308	"	60
309	"	59
310	"	18
401	"	46
402	"	50
403	"	51
404	"	52
405	"	47
406	"	49
407	"	53
408	"	54
409	"	55
410	"	48
501	"	11
502	"	7
503	"	6
504	"	5
505	"	10
506	"	8
507	"	3
508	"	2
509	"	1
510	"	4
601	"	36
602	"	14
603	"	25
604	"	9
605	"	20
606	"	24
607	"	23
608	"	13
609	"	12
610	"	19
701	"	37
702	"	28
703	"	29
704	"	30
705	"	38

(Con't)

Apartment No.	Percentage Common Element	Parking Stall
706	1.42857	32
707	"	33
708	"	34
709	"	35
710	"	31
801	"	22
802	"	39
803	"	40
804	"	41
805	"	21
806	"	43
807	"	44
808	"	45
809	"	27
810	"	42