

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

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

SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on
THE ADMIRAL THOMAS APARTMENTS
1221 Victoria Street
Honolulu, Oahu, Hawaii

REGISTRATION NO. 996

This Report Is Not an Approval or Disapproval of This Condominium Project

It was prepared as a supplement to an earlier Report dated December 28, 1978, issued by the Real Estate Commission on the above 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 15, 1980

Expires: January 28, 1981

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 APRIL 18, 1978, AND INFORMATION SUBSEQUENTLY FILED AS OF JULY 10, 1980. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514A, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report dated June 5, 1978 and Final Public Report dated December 28, 1978, on THE ADMIRAL THOMAS APARTMENTS, Registration No. 996, the Developer has prepared and forwarded additional information to that filed in its April 18 and December 28, 1978 submittals. The Developer has requested that the Commission issue

this Supplementary Public Report to provide purchasers with this information.

2. This Supplementary Public Report is made a part of the registration on "THE ADMIRAL THOMAS APARTMENTS" condominium project. The Developer is responsible for placing a true copy of this Supplementary Public Report (pink paper stock) together with the Final Public Report (white paper stock), the Preliminary Public Report (yellow paper stock) and Disclosure Abstract in the hands of all purchasers and prospective purchasers and for securing a signed copy of the Receipt therefor from such persons.
3. No advertising or promotional matter has been submitted to the Commission for its review and approval pursuant to Chapter 514A of the Hawaii Revised Statutes and the rules and regulations promulgated by the Commission.
4. The Developer has submitted to the Commission a file stamped copy of the First Amendment to Declaration of Horizontal Property Regime of The Admiral Thomas Apartments which amends the Declaration of Horizontal Property Regime and the approved Floor Plans previously recorded. Said Amendment was recorded in the Bureau of Conveyances in Liber 14849, Page 286, and filed in the Office of the Assistant Registrar of the Land Court as Document No. 1021061. The Floor Plans which were earlier recorded in the Bureau of Conveyances of the State of Hawaii as Condominium Map No. 582 and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Condominium Map No. 349 were likewise amended.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A of the Hawaii Revised Statutes, the Horizontal Property Act and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Supplementary Public Report automatically expires on January 28, 1981, unless another Supplementary Public Report issues, or the Commission, upon review of the registration, issues an order extending the effective period of this report.

First, the information in the following topical headings of the Final Public Report has changed to the extent noted in this Supplementary Public Report: DESCRIPTION, LIMITED COMMON ELEMENTS, ENCUMBRANCES AGAINST TITLE and NOTE. Secondly, the information in the Exhibit attached to the Final Public Report showing parking stall assignments has changed as reflected in Exhibit "A" attached hereto. There has been only one change in the numbered parking stalls assigned to individual apartments. Parking stall No. 279 has been reassigned from Apartment No. 1704 to Apartment No. 2802. Eight additional stalls have been created. Of these eight new stalls, two have been designated for guest parking in exchange for two stalls formerly designated for guest

parking. The eight extra stalls (six new stalls and two former guest stalls) have been temporarily assigned to Penthouse 5. Finally, the Developer wishes to advise purchasers of certain additional information relating to minor adjustments in the Project which have occurred during construction. This will be set out under the new topical heading below entitled ADDITIONAL INFORMATION. Except as noted, the Developer has represented that the information in the Final Public Report has not changed.

DESCRIPTION: The information contained in the first full paragraph under "Description" in the Preliminary Public Report is updated as follows:

The Declaration of Horizontal Property Regime, as amended, reflects that the land will be improved according to the Developer's plans with the construction of a thirty-four (34) story Residential Tower. The Residential Tower also has 2 basement floors. The lowest basement floor will be designated B2. The next higher floor will be designated B1. The remaining floors in the Residential Tower will be designated as follows: "L" (being the ground floor Lobby), "P2" (being a second floor parking level), three (3) through twelve (12) and fourteen (14) through thirty-three (33), (being numbered residential floors), "P" (for the penthouse units or the 34th floor) and "P1" (for the penthouse unit or the 35th floor). The Residential Tower will contain one hundred forty-eight (148) residential units, a manager's unit, a recreational deck (including a paddle tennis court, jacuzzi and a swimming pool) plus appropriate driveways and ramps for access to the parking facilities. The Declaration, as amended, also indicates that a portion of the Project will contain one apartment reserved for religious, charitable and educational use.

Paragraph 2(b) and 3(a) of the section entitled "Description" in the Preliminary Public Report are deleted and the following is substituted therefor:

(b) The Church Facilities. The Church Facilities will be designated as one (1) additional apartment type, the detailed plans for which are shown on the Condominium Map filed with the Commission. The Declaration designates the church apartment as Apartment Q.

The Declaration, as amended, describes the numbering of the apartments by plan types. Except for the penthouse units, the numbering is keyed to the location of the apartment as indicated in the Declaration. Units whose numbers end in "01" are at the northwest end of the building and those whose numbers end in "05" are at the southeast end. The other apartments are located consecutively by number along the corridor between the end units on each floor. The location of the church apartment is indicated on Exhibit B to the Declaration.

<u>Apt. No.</u>	<u>Apt. Type</u>
301	A-1
303	C-1
304	D-1
305	E-1
401	A
403	C
404	D
405	E
501	A
502	B
503	C
504	D
505	E
601	A
602	B
603	C
604	D
605	E
701	A
702	B
703	C
704	D
705	E
801	A
802	B
803	C
804	D
805	E
901	A
902	B
903	C
904	D
905	E
1001	A
1002	B
1003	C
1004	D
1005	E
1101	A
1102	B
1103	C
1104	D
1105	E
1201	A
1202	B
1203	C
1204	D
1205	E

<u>Apt. No.</u>	<u>Apt. Type</u>
1401	A
1402	B
1403	C
1404	D
1405	E
1501	A
1502	B
1503	C
1504	D
1505	E
1601	A
1602	B
1603	C
1604	D
1605	E
1701	A
1702	B
1703	C
1704	D
1705	E
1801	A
1802	B
1803	C
1804	D
1805	E
1901	A
1902	B
1903	C
1904	D
1905	E
2001	A
2002	B
2003	C
2004	D
2005	E
2101	A
2102	B
2103	C
2104	D
2105	E
2201	A
2202	B
2203	C
2204	D
2205	E
2301	A
2302	B

<u>Apt. No.</u>	<u>Apt. Type</u>
2303	C
2304	D
2305	E
2401	A
2402	B
2403	C
2404	D
2405	E
2501	A
2502	B
2503	C
2504	D
2505	E
2601	A
2602	B
2603	C
2604	D
2605	E
2701	A
2702	B
2703	C
2704	D
2705	E
2801	A
2802	B
2803	C
2804	D
2805	E
2901	F
2903	C
2904	G
2905	H
3001	F
3003	C
3004	G
3005	H
3101	J
3103	K
3104	G
3105	H
3201	J
3203	K
3204	L
3205	H
3301	J
3303	K
3304	L
3305	H

<u>Apt. No.</u>	<u>Apt. Type</u>
Penthouse 2	J
Penthouse 3	K
Penthouse 4	L
Penthouse 5	H
Penthouse 1	P
Q	Q

3. Description of Apartment Types.

(a) The Residential Tower. The respective apartments in the Residential Tower shall not be deemed to include: (a) the undecorated or unfinished surfaces of the perimeter walls, the interior load-bearing walls, or the interior party walls, (b) the undecorated or unfinished floors and ceilings surrounding each apartment, or (c) any pipes, shafts, wires, conduits or other utility or service lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements or limited common elements as hereinafter provided. Each apartment shall be deemed to include: (i) any adjacent lanai to which such apartment has direct, exclusive access, (ii) all the walls and partitions which are not load-bearing within its perimeter walls, (iii) the inner decorated or finished surfaces of all walls, floors and ceilings, (iv) any doors, windows or panels along the perimeters, and (v) all fixtures originally installed therein, including for each apartment except Penthouse 1 side-by-side refrigerator/freezer, ice-maker, platform cook top, single-wall self-cleaning oven, range hood, microwave oven, clothes washer, clothes dryer, garbage disposal and dishwasher. (Penthouse 1 will not contain the fixtures aforesaid.)

The balance of paragraph 3(a) is unchanged from the Preliminary Public Report except for the descriptions of Unit types D-1 and P at subparagraphs (c) and (p), respectively, which are hereby amended to read as follows:

"(c) Unit type D-1 contains 6 rooms consisting of two bedrooms, two full bathrooms (one of which contains an additional area with a lavatory and toilet), kitchen/dining area and a sunken living room, in addition to a lanai. The apartment floor area excluding the lanai is approximately 1,748 square feet. There is one type D-1 unit in the project".

"(p) Apartment type P is an unfinished penthouse area on Floor P1 and will be sold as unfinished loft space. The apartment floor area excluding the lanais is 4,380 square feet. A portion of one lanai contains enclosed air conditioning equipment as shown on the condominium map, which portion is a common element. There will be one type P unit in the project."

LIMITED COMMON ELEMENTS. Paragraph C under this topical heading in the Preliminary Public Report is hereby amended

by the addition of another sentence at the end of the paragraph to read as follows:

"Penthouse 1 shall have appurtenant to it all storage facilities located on Floor P1 and all corridor and lobby space located on floor P1, said areas being limited common elements which are for the exclusive use of Penthouse 1".

Also, Exhibit A referred to under said paragraph C has been revised and is superseded by the Exhibit A attached hereto.

ENCUMBRANCES AGAINST TITLE: The Preliminary Title Report dated April 9, 1980, prepared by Title Guaranty of Hawaii, Incorporated, describes the following encumbrances:

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
2. Said Declaration, Bylaws and Condominium Maps.
3. Declaration of Restrictive Covenants (Park) dated December 6, 1978, so filed as Document No. 911911 and so recorded in Liber 13324 at Page 502, made by First United Methodist Church; consent thereto given by The Victoria Partnership.
4. Said lease from the fee owner to Developer recorded at the Bureau in Liber No. 13324, Page 326, and so filed as Document No. 911909.
5. For any taxes that may be due and owing, reference is made to the Tax Assessor, First Division.
6. An electrical easement in favor of Hawaiian Electric Company, Inc. so filed as Document No. 990338.
7. A construction mortgage has been placed by the Developer on its leasehold interest. This mortgage is so recorded in Liber No. 13365, Page 290 and so filed as Document No. 914676.

The lien of the construction mortgage will be released and discharged of record as to each condominium apartment prior to its being transferred to a purchaser.

NOTE: Paragraph 9 of the section entitled "NOTE" in the Final Report is deleted and the following is substituted therefor:

9. PURCHASERS ARE ADVISED THAT THE APPEAL FILED IN THE SUIT BY LIFE OF THE LAND AND OTHERS (CIVIL COMPLAINT NO. 54529) HAS BEEN FAVORABLY RESOLVED. THE HAWAII SUPREME COURT HAS AFFIRMED THE TRIAL COURT'S ORDER GRANTING THE DEFENDANTS SUMMARY JUDGMENT ON ALL COUNTS OF THE COMPLAINT. PURCHASERS' RIGHTS ARE NO LONGER AFFECTED BY THIS LITIGATION.

HOWEVER, LIFE OF THE LAND AND OTHERS HAVE SINCE FILED A SEPARATE FEDERAL ACTION IN THE UNITED STATES DISTRICT

COURT FOR THE DISTRICT OF HAWAII (CIVIL COMPLAINT NO. 79-0602). THIS SUIT REPRESENTS ANOTHER ATTEMPT TO PREVENT THE CONSTRUCTION OF THE PROJECT AS PLANNED. THE COMPLAINT ALLEGES CONSTITUTIONAL AND CIVIL RIGHTS VIOLATIONS AND ON THESE AND OTHER GROUNDS ATTACKS THE DECISION REACHED BY THE SUPREME COURT OF THE STATE OF HAWAII IN CIVIL NO. 54529. THE COMPLAINT WAS DISMISSED BY THE U.S. DISTRICT COURT IN AN ORDER FILED ON MARCH 31, 1980. ON APRIL 30, 1980, THE PLAINTIFFS FILED A NOTICE OF APPEAL (NO. 80-4213) TO THE 9TH CIRCUIT COURT OF APPEALS. PURCHASERS SHOULD BE AWARE THAT THEIR RIGHTS AS PURCHASERS OF UNITS IN THE PROJECT MAY BE AFFECTED BY AND ARE SUBJECT TO THE OUTCOME OF THIS LITIGATION AND THE APPEAL THEREOF. PURCHASERS ARE ADVISED TO SEEK THE OPINION OF THEIR OWN COUNSEL REGARDING THE EFFECT, IF ANY, WHICH THE LITIGATION AND THE APPEAL THEREOF MAY HAVE ON THEIR RIGHTS.

ADDITIONAL INFORMATION:

1. The configuration of the decorative pool shown adjacent to the lobby has been revised.

2. In unit types A-1, A, E-1, E and H the pipes below the countertop in the kitchen area have been enclosed by gypsum board.

3. In unit type A-1 the step-up in the bath is no longer necessary and has been deleted owing to a redesign of the plumbing connections.

4. In all units the gypsum board enclosure of the plumbing above the shower has been extended slightly.

5. In all units the door knockers have been deleted. A buzzer system will be installed instead.

6. In all type A and B apartments there have been minor revisions and/or additions to the gypsum board enclosures of pipes in the dining rooms, baths and kitchens.

7. In all type D, D-1, G and P units there have been minor revisions and/or additions to the gypsum board enclosures in the foyer ceiling.

8. There have been minor revisions to the interior layout of the bath and closet areas in apartment No. 1904. These are shown on SKA Sheet 66-1 in the proposed condominium map, as amended.

9. A security door and drywall partition has been added at Stair No. 8. This is shown on Sheet A-6 of the proposed Condominium Maps, as amended.

10. The location of the enterphone system has been changed at the lobby level.

11. Certain walls in the closets of all units have been squared off with gypsum board in order to provide a right angle to which to attach the closet rod.

12. A gate barrier will be installed on the parking deck.

13. Elevators in the residential tower of the project are designed to operate at a speed of 500 feet per minute. Elevator service to Floor P1 will be by a security key.

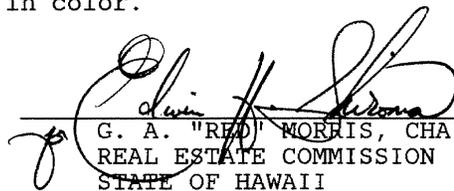
14. The By-Laws of The Association of Apartment Owners of the Admiral Thomas Apartments have been amended to provide that all owners and occupants must insure that any window coverings used in their respective apartments will present a uniform off-white appearance when viewed from the outside. This does not apply to the lessor's apartment (Apartment Q).

15. Parking stall No. 279 has been reassigned from Apartment No. 1704 to Apartment No. 2802. Eight additional parking stalls have been created. Two of these have been designated guest stalls. Two of the previous guest stalls have been temporarily assigned to Penthouse 5 together with the other 6 newly created stalls. These 8 stalls are subject to sale and reassignment at a later date. The additional stalls were created by the deletion of the island in the entry driveway; the restriping of certain stalls; and the realignment of certain walls in the basement parking levels. All changes are shown on Sheets A-3 through A-6 of the proposed Condominium Maps, as amended.

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 April 18, 1978, and information subsequently filed as of July 10, 1980.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 996 filed with the Commission on April 18, 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 pink in color.


G. A. "RED" MORRIS, 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. 996

July 15, 1980

EXHIBIT A

Assignment of Individual Parking Stalls

Each of the following assigned numbered parking stalls (except stalls 1-94 assigned to Apartment Q) is a limited common element appurtenant to and for the exclusive use of the apartment number listed below. Stalls 1-94 are contained within and are a part of Apartment Q.

<u>Apartment Number</u>	<u>Parking Stall Number</u>	<u>Apartment Number</u>	<u>Parking Stall Number</u>	<u>Apartment Number</u>	<u>Parking Stall Number</u>
301	143, 344	1103	131	2003	239
303	145	1104	101	2004	238
304	146	1105	102, 135	2005	236
305	149	1201	103, 441	2101	235, 234
401	142, 448	1202	104	2102	233
403	144	1203	106, 136	2103	232
404	148, 412	1204	107, 111	2104	230, 231
405	150	1205	109	2105	201, 202
501	152	1401	110, 411	2201	203, 204
502	154	1402	112, 256	2202	205
503	155	1403	113	2203	206
504	140	1404	115	2204	208, 207
505	137	1405	245, 246	2205	210, 209
601	157, 134	1501	118, 247	2301	211
602	147	1502	253	2302	213
603	156	1503	252	2303	214
604	153	1504	251, 250	2304	216, 215
605	241, 414	1505	249, 248	2305	217
701	114, 237	1601	268, 267	2401	219
702	117	1602	284	2402	220
703	120	1603	283	2403	221
704	138, 151	1604	266	2404	224, 223
705	139	1605	264	2405	225, 226
801	141, 440	1701	282, 265	2501	227, 222
802	121	1702	281	2502	228
803	122	1703	280	2503	229
804	123, 218	1704	278	2504	415
805	126, 254	1705	277	2505	413
901	127	1801	275, 274	2601	403
902	125	1802	273	2602	416
903	119	1803	272	2603	417
904	129, 255	1804	271, 270	2604	420, 421
905	105, 269	1805	263, 261	2605	422
1001	133	1901	262, 276	2701	428, 427
1002	128	1902	260	2702	436
1003	132	1903	259	2703	418
1004	130, 212	1904	257, 258	2704	430, 429
1005	116	1905	244	2705	402, 419
1101	124	2001	242, 243	2801	401
1102	108, 404	2002	240	2802	431, 279

<u>Apartment Number</u>	<u>Parking Stall Number</u>	<u>Apartment Number</u>	<u>Parking Stall Number</u>	<u>Apartment Number</u>	<u>Parking Stall Number</u>
2803	447	3005	405, 406	3303	339, 340
2804	446, 445	3101	337, 338	3304	319, 320
2805	444, 437	3103	341, 347	3305	311, 312
2901	407, 408	3104	345, 346	Penthouse 2	309, 310
2903	443	3105	425, 426	Penthouse 3	315, 316
2904	434, 435	3201	334, 335	Penthouse 4	313, 314
2905	432, 433	3203	342, 343	Penthouse 5	423, 424
3001	409, 410	3204	321, 322		328, 329
3003	442	3205	317, 318		138, 285
3004	438, 439	3301	332, 333		269A, 230A
					448, and
					401A
				Penthouse 1	330, 331

Q (Church) Stalls: 1 through 94

Guest Stalls: 301, 302, 303, 304, 305, 306, 307, 308
323 324, 325, 326, 327, 348, 349

There has been only one change in the numbered parking stalls assigned to individual apartments. Parking Stall No. 279 has been reassigned from apartment no. 1704 to apartment no. 2802. Eight additional stalls have been created (348, 349, 138, 285, 269A, 230A, 448 and 401A). Of these 8 new stalls, two (stalls 348 and 349) have been designated for guest parking in place of 2 stalls (stalls 328 and 329) formerly designated for guest parking. The 8 extra stalls (6 new stalls and 2 former guest stalls) have been temporarily assigned to Penthouse 5 subject to possible sale and reassignment at a later date pursuant to the Declaration.

NOTE:

1. There are fifteen (15) guest parking stalls.
2. There are ninety-four (94) stalls for Church use.
3. Stall No. 336 is for the use of the Manager's Unit and is a common element.

EXHIBIT A