

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

ROYAL QUEEN EMMA
222 Vineyard Street
Honolulu, Hawaii

REGISTRATION NO. 1276

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.

Issued: April 21, 1980
Expires: May 21, 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 MARCH 21, 1980 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF APRIL 3, 1980. 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. ROYAL QUEEN EMMA is a proposed fee simple mixed use, residential-commercial, condominium project consisting of a reinforced concrete 6 story building containing basement and ground floor parking, and 24 apartments, herein called "units". Each unit may be used for residential purposes only ("residential"), partly for residential and partly for commercial

("residential-commercial"), or for commercial purposes only ("commercial"). There are 44 parking stalls, which includes 9 compact stalls.

2. The Developer has filed all documents and exhibits deemed necessary by the Commission for the registration of the Horizontal Property Regime and the issuance of a Preliminary Public Report.
3. No promotional or advertising materials have been submitted pursuant to the rules and regulations promulgated by the Commission.
4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Unit Owners and a copy of the Floor Plans, herein called "said Condominium Map") have not been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii and the Bureau of Conveyances of the State of Hawaii.
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 Preliminary Public Report automatically expires thirteen (13) months after date of issuance, April 21, 1980, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.
7. This Preliminary Public Report is made a part of the registration of ROYAL QUEEN EMMA Condominium project, Registration No. 1276. The Developer is responsible for placing the Preliminary Public Report (yellow paper stock) and Disclosure Abstract in the hands of all purchasers and prospective purchasers. Securing a signed copy of the Receipt for same is also the responsibility of the Developer.

NAME OF PROJECT: ROYAL QUEEN EMMA

LOCATION: The land submitted to the Horizontal Property Regime, approximately 11,464 square feet, is situated at 222 Vineyard Street, Honolulu, Hawaii.

TAX MAP KEY: FIRST DIVISION 2-1-19:10

ZONING: B-4

DEVELOPER: ROYAL QUEEN EMMA PARTNERS, a Hawaii registered limited partnership, whose general partners are LAND PLANNING CORP., a Hawaii corporation with its office at Suite 1007, 1164 Bishop Street, Honolulu, Hawaii, and PROJECTS, INC., a Hawaii corporation with its office at Suite 1007, 1164 Bishop Street, Honolulu, Hawaii.

ATTORNEY REPRESENTING DEVELOPER: Cedric Choi, A Law Corporation Suite 2750, Pacific Trade Center, Honolulu, Hawaii 96813, Phone 524-8570 and George T. Okamura, Suite 2750 Pacific Trade Center, Honolulu, Hawaii 96813, Phone: 524-8570.

DESCRIPTION OF THE PROJECT: The proposed Declaration of Horizontal Property Regime reflects a 24 unit fee simple condominium, consisting of a building containing basement and ground floor parking and 6 floors principally constructed of reinforced concrete, masonry, steel, glass and aluminum.

1. UNITS. The building contains a total of 24 mixed use, residential-commercial units and 44 parking stalls. Each Unit is described in Exhibit "A" attached hereto and made a part hereof, each Parking stall is described in Exhibit "A" attached hereto and made a part hereof, and the location and approximate size of all of the units and parking stalls, are as shown on said Condominium Map.
2. DIMENSIONS AND DESCRIPTION OF UNITS:
 - (a) Each Apartment Unit consists of that portion of the Building containing the Unit which lies within the boundaries of the Unit as shown on said Condominium Map, exclusive of any stairways, interior load-bearing walls and pillars, and any existing and future pipes, wires, conduits, ducts, vents and other service and utility lines which are utilized for or serve more than one Unit. Where a Unit is bounded by an exterior wall, the Unit shall be considered to include any door, window, or other closure therein, and the boundary shall be the unfinished surface of such wall on the side of the Unit, to the effect that the Unit shall include the paint, wallpaper, enamel, stain or other finishings on such surface. Where a Unit is bounded by an interior wall immediately adjacent to and adjoining a common element, the Unit shall be considered to include any door, window, or other closure therein, and the boundary shall be the unfinished surface of such wall on the side of the common element to the effect that the Unit shall exclude the paint, wallpaper, enamel, stain or other finishings on such surface. With the exception of

load-bearing walls and pillars, the interior one-half of any party wall between Units' shall be deemed to be part of the Unit. The horizontal boundaries of each Unit shall be the unfinished surface of the bottom of the concrete ceiling. Where a Unit consists in whole or in part of unenclosed space, the boundary defining such space is the boundary as shown on said Condominium Map.

- (b) Each Parking Stall consists of that portion of the Building containing the Stall which lies within the boundaries of the Stall as shown on said Condominium Map exclusive of any adjacent walls and pillars, stairways, and any existing and future pipes, wires, conduits, ducts, vents, and other service and utility lines which are utilized for or serve more than one Stall. The Stall consists of the unenclosed space shown on said Condominium Map and can never be enclosed, and the boundary defining such space is the boundary as shown on said Condominium Map. The horizontal boundaries of each Parking Stall shall be the surface of the top of the concrete ceiling and if no ceiling exists then said Stall boundary shall extend vertically to a height of ten (10) feet.

COMMON ELEMENTS: The common elements consist of all parts of the Property other than the Apartment Units, including, without limitation, the following:

- (a) Said land in fee simple;
- (b) All foundations, columns, girders, beams, supports, main walls, load bearing walls, roofs, corridors, lobbies, stairs, stairways, fire escapes and entrances and exits of the Building.
- (c) All existing and future central and appurtenant installations for power, light, water, air conditioning and ventilation, and all pipes, wires, conduits, ducts, vents and other service and utility lines which are utilized for or serve more than one Unit;
- (d) All elevators, tanks, pumps, motors, fans, compressors, ducts and in general all apparatus and installations existing for common use;
- (e) Yards, gardens, walkways and driveways;
- (f) All restrooms, vestibules, storage rooms and premises for the use of persons employed for the operation of the Property;

- (g) Machinery and electrical rooms;
- (h) Areas set aside for use in conjunction with parking of automobiles and parking garage equipment;
- (i) 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 hereinafter called and designated limited common elements are herein set aside and reserved for the exclusive use of certain Units and such Units shall have appurtenant thereto exclusive easements for the use of such limited common elements. The limited common elements so set aside and reserved are as follows:

- (a) All common elements within the interior of that portion of the Building within which the Parking Stalls are situate are appurtenant to and for the exclusive use of the Owners of the Parking Stalls, subject, however, to emergency ingress and egress in favor of all Units.

INTEREST TO BE CONVEYED TO PURCHASER: The percentage of undivided interest in the common elements appurtenant to each Unit for all purposes, including voting and allocation of common expenses, shall be as set forth in Exhibit "A" attached hereto. Each purchaser shall receive a deed from the Developer for the Unit and the undivided interest in the common elements and land established by the Declaration of Horizontal Property Regime (as set forth in Exhibit "A"). Ownership of the Unit (and interest in the common elements) and the land can never be separated.

NOTE:

- (a) In the case of the Parking Stalls, the cost of all utilities and all costs and expenses of maintenance, repair and replacement of, and the making of any improvements to such limited common elements shall be charged to and assessed against the Owners of Apartment units as to which such stalls are appurtenant.
- (b) In the event the Board of Directors has reason to believe that an Apartment Unit is consuming common metered utilities in excess of the percentage allocation set forth in Exhibit "A", then the Board of Directors, in its sole discretion, may measure such consumption, if feasible, and if same is in excess of said percentage allocation, then and in such event, the Board of Directors may assess and charge the cost of the excess consumption against the Unit in question,

provided, also, that the Board of Directors shall, after all Units are sold and Units respectively designated as residential or commercial, adopt an equitable allocation with respect to commercial units based on the recommendations and estimates of a professional engineer.

PURPOSE OF BUILDING AND RESTRICTION AS TO USE: The property and each of the units are intended and restricted as to use, and shall be used only for purposes which are consistent with and appropriate to the design of the Building and other improvements on said Land, and for which adequate elevator, stair, ventilation, plumbing, electrical and similar facilities exist, and as provided by law, as to which each unit owner shall be responsible to qualify said owner's unit or said unit's intended use. In addition to, and without limitation of the foregoing:

- (a) Parking stalls shall be used solely for the parking of motor vehicles, in accordance with such reasonable regulations as shall be established by the Board of Directors from time to time.
- (b) Apartment Units shall be used for residential or business and commercial purposes within and in accordance with all applicable statutes, ordinances and rules and regulations promulgated by proper governmental authorities. The following commercial uses and no others, are permitted:

Professional, real estate, and other similar offices only. No bars, entertainment facilities, restaurants or establishments for sale or consumption of food or beverage, retail or wholesale stores, or other similar activity shall be permitted. The association may approve other business uses, subject to restrictions of law.

Business hours for the residential-commercial or commercial uses shall be between 8:00 a.m. to 6:00 p.m. Monday through Saturday only. The apartment may be used for residential purposes only or closed at all other times.

Nonresidential usage or traffic generated thereby shall occur only during normal business hours.

No use shall be permitted which involves facilities or equipment other than ordinary office furniture and fixtures. This clause specifically prohibits occupations which require the installation of custom plumbing and/or electrical devices, including, but not limited to, dental offices, the practice of radiology, and similar uses.

- (c) No owner of a Unit shall do, or suffer or permit to be done, anything which would impair the soundness or safety of the property, or which would increase the rate or result in the cancellation of insurance applicable to the property, or which would be noxious or offensive or an interference with the peaceful possession and proper use of other Units.
- (d) No Owner of a Unit shall, without the written approval of the Board of Directors, place or suffer to be placed upon or maintained (1) on any exterior door, wall or window or of the common element, any sign, curtains or drapes, awning or canopy, or advertising matter or other thing of any kind, or (2) any decoration, lettering or advertising matter on the glass of any window or door of a Unit, or (3) any advertising matter within a Unit which shall be visible from the exterior thereof; provided, that the Board of Directors shall establish regulations permitting curtains or drapes and identifying signs or insignia.

OWNERSHIP OF LAND: The Developer has filed with the Commission a copy of a Commitment of Title Insurance dated February 13, 1980, issued by First American Title Insurance Company, which reveals that the ownership of fee simple title is vested in Hawaii Tel Federal Credit Union, a Federal corporation.

ENCUMBRANCES AGAINST TITLE: Said Commitment of Title Insurance reveals that the fee simple title is subject to the following:

1. Real Property taxes. Refer to Tax Assessor, First Division, City and County of Honolulu.
2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
3. Contract of sale of the property to the Developer dated November 14, 1979, and recorded at the Bureau of Conveyances of the State of Hawaii at Liber 14537 Page 125, maturing September 1, 1980.

NOTE: Pursuant to the provisions of Chapter 5144, Hawaii Revised Statutes, Developer shall obtain either a complete or partial releases of the above described mortgages as and when individual units are transferred to purchasers.

PURCHASE MONEY HANDLING: An executed copy of the Escrow Agreement dated January 24, 1980 by and between FIRST AMERICAN TITLE COMPANY OF HAWAII, INC., as Escrow, and the Royal Queen Emma Partner, as Seller, submitted to the Real Estate Commission as part of this registration, are found to be in compliance with

Chapter 514A, Hawaii Revised Statutes, particularly with Section 514A-37, 514A-39, 514A-63 through 514A-66.

Among other provisions, the Sales Contract provides that the Developer intends to borrow money from an interim lender for the development of the project and said mortgagee will have a lien securing the note evidencing the indebtedness incurred for the development of the project. The mortgage and note secured thereby, and any renewals or extensions of said mortgage and note, shall be and remain at all times a lien or charge upon the project and superior to any and all liens or charges on the project including Sales Contract arising from purchase agreements for apartments on the Project.

Additionally, the Sales Contract provides that prior to Purchaser's acceptance of the apartment unit(s), Purchaser must designate whether such unit is to be used for residential, residential-commercial or commercial purposes, and the Purchaser expressly agree that said Purchaser's designation of said Purchaser's apartment(s) into any of the foregoing categories constitute an agreement by the Purchaser to comply with and abide by the rights, privileges and obligations attending such designation(s).

It is incumbent upon the purchaser and the prospective purchaser that he read with care the Sales Contract and the executed Escrow Agreement. The latter establishes how the proceeds from the sale of units are placed in trust, as well as the retention and disbursement of said trust fund.

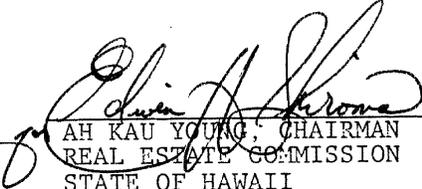
MANAGEMENT OF PROJECT: The By-Laws, which are incorporated in the Declaration, provides that the operation of the project shall be conducted for the Association of Unit Owners under the direction of the Board of Directors, and the Board of Directors may appoint a responsible corporate managing agent. The initial agent selected by the Developer is MERIDIAN PROPERTIES INC., whose place of business and mailing address is Suite 1007, 1164 Bishop Street, Honolulu, Hawaii 96813.

STATUS OF PROJECT: The Developer advises that construction has not commenced but Developer has informed the Commission that the project should be initiated and completed by January 31, 1981. Construction will be financed by purchasers' money from escrow as well as construction loan money to be obtained by Developer.

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 on March 21, 1980, and additional information submitted as of April 3, 1980.

THIS PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT is made a part of Registration No. 1276, filed
with the Commission on March 21, 1980.

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.


AH KAU YOUNG, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

Disbribution:
DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING DEPARTMENT, CITY AND COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

Registration No. 1276
Dated: April 21, 1980

The undivided common interest in the common elements appertaining to each apartment unit and each parking stall, and the percentage allocation of all common expenses, is as follows:

<u>APARTMENT NUMBER</u>	<u>APPROXIMATE AREA</u>	<u>UNDIVIDED INTEREST IN COMMON ELEMENTS</u>
301	1,268 square feet	.045590
302	918 square feet	.033000
303	1,170 square feet	.042070
304	1,279 square feet	.045990
401	1,268 square feet	.045590
402	918 square feet	.033000
403	1,170 square feet	.042070
404	1,279 square feet	.045990
501	1,268 square feet	.045590
502	918 square feet	.033000
503	1,170 square feet	.042070
504	1,279 square feet	.045990
601	1,268 square feet	.045590
602	918 square feet	.033000
603	1,170 square feet	.042070
604	1,279 square feet	.045990
701	1,268 square feet	.045590
702	918 square feet	.033000
703	1,170 square feet	.042070
704	1,279 square feet	.045990
PH1	1,268 square feet	.045615
PH2	918 square feet	.033025
PH3	1,170 square feet	.042095
PH4	1,279 square feet	.046015