

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

HAWAIIAN COLONY
1946 Ala Moana Boulevard
Waikiki, Honolulu, State of Hawaii

REGISTRATION NO. 1297

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: September 26, 1980
Expires: October 26, 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 23, 1980, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF SEPTEMBER 25, 1980. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of Commission's Preliminary Public Report on Hawaiian Colony, dated July 2, 1980, the Developer reports that material changes have been made to the Project.
2. The Developer of the Project has filed all documents and materials deemed necessary by the Commission for the registration of this condominium project and issuance of the Final Public Report.
3. The basic documents (Declaration of Horizontal Property Regime and By-Laws of 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 and By-Laws were recorded on September 19, 1980 as Document No. 103,1904. The floor plan has been designated as Condominium Map No. 433.

4. No advertising or promotional matter has been filed 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, and the Rules and Regulations promulgated thereunder which relate to Horizontal Property Regimes.
6. This Final Public Report is made a part of the registration of the HAWAIIAN COLONY condominium project. The Developer has the responsibility of placing a true copy of the Final Public Report (white paper stock) and Disclosure Abstract in the hands of all purchasers and prospective purchasers and securing a signed copy of the receipt therefor from each such person.
7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, September 26, 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.

The information under the topical heading in the Preliminary Public Report issued July 2, 1980 has not been disturbed with the exception of the following:

OWNERSHIP OF LAND: A preliminary title report dated September 4, 1980 issued by Hawaii Escrow and Title, Incorporated, a copy of which has been supplied to the Commission, indicates that fee title to the land submitted to the regime are held by the Estate of Jack Kam Wong, Deceased, and Marguerite Sung Yee Wong, Widow, as tenants in common; a master lease was issued by the then fee owners, dated January 1, 1956, filed as Land Court Document No. 184407; the master lessee under said master lease in turn issued a sublease to Ebbitide Hotels, Incorporated, dated June 1, 1959, filed as Land Court Document No. 245358. The master lessee under said master lease has now sold its interest to Meeker Land and Development, Limited and the sublessee's interest under said sublease has now been assigned also to Meeker Land and Development, Limited as nominee. A description of the property prepared by Hawaii Escrow and Title, Incorporated, outlining the sublease and its assignments thereof is herein attached as Exhibit "A".

Under the terms of that certain Nominee Agreement and Development Agreement, the Developer is designated as the entity converting the subject property to a Horizontal Property Regime by virtue of the authority granted therein by ERDESCA, Limited and Carin Properties, Incorporated. Copies of the Nominee and Development Agreements are on file with the Commission for review.

ENCUMBRANCES: The preliminary title report dated September 4, 1980 reveals the following encumbrances:

1. For any taxes that may be due and owing and a lien on the land, reference is hereby made to the office of the Tax Assessor of the First Division, City and County of Honolulu, Hawaii.
2. Title to all minerals and metallic mines reserved to the State of Hawaii.
3. Delineation of Easement 22 (Sewer) across lot 117-A as set forth by Land Court Order No. 13963, filed August 18, 1955.
4. An easement affecting a portion of said land and for the purposes stated herein, and incidental purposes,
In favor of : The City and County of Honolulu.
For : Construct, etc. underground sewer pipe lines
etc. under and across Easement 22.
Dated : September 10, 1955.
Filed : November 16, 1955, as Document No. 181635,
in the Office of the Assistant Registrar of the Land Court.
5. A Lease affecting the premises therein stated, upon the terms, covenants and conditions therein provided,
Dated : January 30, 1956
Filed : January 31, 1956, as Document No. 184407,
In the Office of the Assistant Registrar of the Land Court.
Lessor : Jack Kam Wong (husband of Marguerite Sung
Yee Wong).
Lessee : Allan Lin Pang and Florence Chang Pang, husband
and wife, as Tenants by the Entirety.
Term of : 60 years commencing January 1, 1956 ending
December 31, 2015.

Land Court Order No. 51371, filed October 4, 1978, for the Assistant Registrar to Note the following Documents:

- a. Assignment of Lease,
By : Allan Lin Pang and Florence Chang Pang, husband
and wife,
And : Florence Chang Pang, as Trustee under that certain
Revocable Living Trust Agreement by and between
Allan Lin Pang as Settlor and Florence Chang Pang,
as Trustee, dated March 25, 1970, filed October
4, 1973, as Document No. 901302, as to an undivided
1/2 interest.
Dated : June 10, 1970.
Filed : October 4, 1978, as Document No. 901304,
in the Office of the Assistant Registrar of the Land Court.
- b. Order of Probate, Probate No. 37391, in the Matter of the
Estate of Allan Lin Pang, deceased. Died May 15, 1974,
at Honolulu, dated January 13, 1975, filed October 4, 1978,

as Document No. 901307, in the Office of the Assistant Registrar of the Land Court.

- c. Assignment of Lease to Florence Chang Pang, dated August 31, 1977, filed as Document No. 901310, in the Office of the Assistant Registrar of the Land Court, as to an undivided 1/2 interest.
6. A Mortgage, to secure an indebtedness of the amount stated herein and any other amounts payable under the terms thereof,
Dated : September 21, 1977.
Amount : \$628,342.05
Mortgagor : Hawaii South East Asia, Inc., a Hawaii corporation
Mortgagee : Fireside Thrift of Hawaii, Inc., a Hawaii corporation.
Filed : October 17, 1977, as Document No. 840825, in the Office of the Assistant Registrar of the Land Court.

Consent thereto by Marguerite Sung Yee Wong, individually and as Co-Executrix of the Estate of Jack Kam Wong and Trina Sit Hung Goo, Co-Executrix of the Estate of Jack Kam Wong, dated January 15, 1976, filed March 15, 1976, as Document No. 757047, in said Office.

Consent thereto by Florence Chang Pang, widow, dated September 21, 1977, filed October 17, 1977, as Document No. 840826, in said Office.

Consent of Lessors to Mortgage and Attornment and Guarantee by Marguerite Sung Yee Wong, individually and as Sole Executrix of the Estate of Jack Kam Wong, dated September 21, 1977, filed October 28, 1977, as Document No. 842506, in said Office.

7. A Mortgage, to secure an indebtedness of the amount stated herein and any other amounts payable under the terms thereof,
Dated : September 18, 1978.
Amount : \$600,000.00
Mortgagor : Canavest Properties, Inc., a Colorado corporation.
Mortgagee : Hawaii South East Asia, Inc., a Hawaii corporation.
Filed : September 18, 1978, as Document No. 898123, in the Office of the Assistant Registrar of the Land Court.

Consent thereto by Fireside Thrift of Hawaii, Inc., a Hawaii corporation, dated August 8, 1978, filed September 18, 1978, as Document No. 898124, in said Office.

Consent thereto by Florence Chang Pang, dated August 7, 1978, filed September 18, 1978, as Document No. 898125, in said Office.

Consent thereto by Marguerite Sung Yee Wong, individually and as Sole Personal Representative of the Estate of Jack Kam Wong, dated September 15, 1978, filed September 18, 1978, as Document No. 898126, in said Office.

8. An action in the Circuit Court of the First Circuit,
Commenced : July 23, 1979.
Entitled : Fireside Thrift of Hawaii, Inc., a Hawaiian corporation, (vs.) Canavest Properties, Inc., a Colorado corporation, Hawaii South East Asia, Inc., a Hawaii corporation, and S. Richard Hansen.
Civil No. : 58586
Nature of Action: Foreclose Mortgage

Notice of pendency of said action was,
Filed : July 26, 1979, as Document No. 953919,
in the Office of the Assistant Registrar of the Land Court.

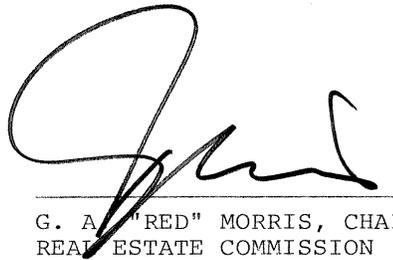
Stipulated Order Granting Charging Lien, dated June 10, 1980,
filed June 12, 1980, as Document No. 1016733, in favor of
the Law Firm of Mukai, Ichiki, Raffetto & MacMillan (counsel
for Defendant Canavest Properties, Inc.) against Canavest
Properties, Inc., now known as Carin Properties, Inc., in
the sum of \$15,684.61 for legal services rendered and costs
advanced.

NOTE: The Developer has informed the Commission that the
liens and encumbrances hereinabove mentioned shall be
removed prior to conveyance of title, including
Agreements of Sales Contracts.

The purchaser or prospective purchaser should be cognizant of the
fact that this Public Report represents information disclosed by
the Developer in the required Notice of Intention submitted
April 23, 1980 and information subsequently filed as of September
25, 1980.

THIS FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC
REPORT is made a part of REGISTRATION NO. 1297 filed with the
Commission on April 23, 1980.

The report, when reproduced, shall be a true copy of the Commission's
Public Report. The paper stock used in making facsimiles must be
white.



G. A. "RED" MORRIS, 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. 1297

SEPTEMBER 26, 1980

DESCRIPTION

That certain Sublease, by and between Allan Lin Pang and Florence Chang Pang, husband and wife, as Tenants by the Entirety, as Sublessors and Ebbtide Hotels, Inc., as Sublessee, for a term of 55 years commencing June 1, 1959, dated June 1, 1959, filed in the Office of the Assistant Registrar of the Land Court, State of Hawaii, as Document No. 245358. The real property in said Sublease demised being described as follows:

That certain parcel of land situate at Kalia, Waikiki, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 117-A, area 25,334 square feet, more or less, as shown on Map 48, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 852 of Bishop Trust Company, Limited, Trustee.

Being all of the land described in Transfer Certificate of Title No. 130,302 issued to Jack Kam Wong and Marguerite Sung Yee Wong, husband and wife, as Tenants in Common.

Said Sublease by Mesne assignments was assigned to Canavest Properties, Inc., a Colorado corporation, by Instrument dated August 1, 1978, filed September 18, 1978, as Document No. 898119, in said Office.

Consent to the aforesaid Assignment of Sublease, by Fireside Thrift of Hawaii, Inc., a Hawaii corporation and Florence Chang Pang, widow, dated August 8, 1978 and August 7, 1978, filed September 18, 1978, as Document Nos. 898120 and 898121, respectively, in said Office.

Consent to foregoing and does hereby consent to the expansion of the use clause under said Sublease as extended to include condominium use, by Marguerite Sung Yee Wong, individually and as Sole Personal Representative of the Estate of Jack Kam Wong, dated September 15, 1978, filed September 18, 1978, as Document No. 898122, in said Office.

EXHIBIT "A"