

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
LEHUA HALE
906 Lehua Avenue
Pearl City, Hawaii

REGISTRATION NO. 1362 (CONVERSION)

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: December 30, 1980

Expires: January 30, 1982

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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED OCTOBER 27, 1980, AND INFORMATION SUBSEQUENTLY FILED ON DECEMBER 23, 1980. THE DEVELOPER, NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIME LAWS, HAWAII REVISED STATUTES, CHAPTER 514A, AS AMENDED.

1. LEHUA HALE is a fee simple condominium project containing 21 apartments located in one four-story building, no basement and no elevator, consisting of 6 one-bedroom and 15 two-bedroom types. There will be a total of 26 parking stalls, 21 of which will be assigned stalls and 5 of which will be guest stalls.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the condominium project and the issuance of this Final Public Report.

3. The basic documents, Declaration of Horizontal Property Regime, executed October 8, 1980, with Bylaws attached, was filed on October 17, 1980 in the Bureau of Conveyances of the State of Hawaii, in Liber 15067, at Page 194. A copy of the floor plans have been filed as Condominium Map No. 764 in the Bureau of Conveyances. An amended Declaration of Horizontal Property Regime was subsequently filed on December 22, 1980 in the Bureau of Conveyances of the State of Hawaii, in Liber 15231, at Page 411.

4. No advertising and/or promotional material have been submitted pursuant to the Rules and Regulations promulgated by the Real Estate Commission.

5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A, 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 LEHUA HALE condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) and Disclosure Abstract in the hands of all purchasers and prospective purchasers and for securing a signed copy of the Receipt therefor.

7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, December 30, 1980, unless a Supplementary Public Report issues, or the Commission, upon the review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: LEHUA HALE

LOCATION: The Project is situate at 906 Lehua Avenue, Pearl City, City and County of Honolulu, State of Hawaii, and has a land area of approximately 11,164 square feet.

TAX MAP KEY: 1st Division, 9-7-21-6

ZONING: A-2

DEVELOPER: B & D DEVELOPMENT, INC., a Hawaii corporation, whose principal place of business and post office address is 2923 Ala Puawa Place, Honolulu, Hawaii, and whose telephone number is (808) 839-1098.

The officers and directors of the corporation and their residence addresses are as follows:

BENJAMIN C. F. LUM 2923 Ala Puawa Place
President, Director Honolulu, Hawaii 96818

DOLORES B. S. LUM 2923 Ala Puawa Place
Secretary, Treasurer,
Director Honolulu, Hawaii 96818

RICHARD B. W. ING 1484 Ala Hekili Place
Director Honolulu, Hawaii 96819

ATTORNEY REPRESENTING DEVELOPER: Richard B. W. Ing, 15 South
King Street, Honolulu, Hawaii, 96813; telephone number: (808)
523-7541.

DESCRIPTION: The project consists of a 11,164 square feet parcel
of land situate at Pearl City, City and County of Honolulu, State
of Hawaii, with improvements that were completed on March 5, 1975
(date of Certificate of Occupancy) and consists of one building
containing four (4) stories. The first floor contains twenty-six
(26) paved parking stalls. The second, third and fourth floors
contain seven (7) residential apartments each. There is no basement
and elevator.

Each apartment will bear a three (3) digit number. The first digit
will indicate the floor on which the apartment is located; the
second digit will be the number "0", which will have no significance;
and the third digit will indicate the location of the apartment on
the floor. The consecutive numbering of the last digit commences
from the westerly end of the building farthest from Lehua Avenue,
with the digit "1" and ends with the digit "7" closest to Lehua
Avenue.

The building is constructed of reinforced concrete columns, floor
slabs, shear walls and rust with non-load bearing partition walls
of gypsum board and concrete masonry and aluminium frame glass
doors and windows. The ground floor is constructed of asphalt
paving.

Each of the residential floors of the building contains seven (7)
apartments. Each residential floor also contains two stairways.

There will be three (3) types of apartment units which have been
designated as A, B and C. Apartments bearing a last digit of "6"
are the reverse of apartments bearing a last digit of "2". Both
are Type A. Apartments bearing a last digit of "3" are the reverse
of apartments bearing "4" or "5" as a last digit. All three are
Type B. The area contained in each of said types of apartment
units are as follows:

(a) The Type A apartments each consists of two (2) bedrooms,
one (1) bathroom, a kitchen, a living and dining area, and one (1)
lanai. Each Type A apartment contains a total area of 727 square
feet, including 51 square foot lanai. There are six (6) Type A
apartments in the project. Type A apartments do not have air
conditioning units.

(b) The Type B apartments each consists of two (2) bedrooms, one (1) bathroom, a kitchen, a living and dining area, and one (1) lanai. Each Type B apartment contains a total area of 733 square feet, including 68 square foot lanai. There are nine (9) Type B apartments in the project.

(c) The Type C apartments each consists of one (1) bedroom, one (1) bathroom, a kitchen, a living and dining area, and one (1) lanai. Each Type C apartment contains a total area of 525 square feet, including 24 square foot lanai. There are six (6) Type C apartments in the project.

Each of the apartments in the project are connected to the common elements of the project through stairways, hallways, entries and sidewalks.

All units are furnished with a refrigerator, range/oven, stainless steel sink, garbage disposal, carpets and drapes in the bedrooms and living/dining area, plumbing and lighting fixtures.

The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floor and ceilings surrounding each apartment or any pipes, 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 are provided. Each apartment shall be deemed to include the walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors, ceilings and all fixtures originally installed therein.

The apartment number of each apartment space, its location and model are as shown on Exhibit "A" attached hereto. An apartment designated on said Exhibit "A" as "reverse" is an apartment with the usual layout of the rooms reversed.

COMMON ELEMENTS: A freehold estate consisting of all remaining portions of the project being described and referred to in the Declaration as "common elements" which definition includes, but is not limited to:

(a) Said land in fee simple.

(b) All foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter, party and load-bearing walls, roofs, chases, entries, stairways, walkways, entrances and exits of said building.

(c) All yards, grounds, landscaping, fencing, walls, planting areas, storage areas, all refuse facilities and mail boxes.

(d) Driveways, loading areas and guest parking stalls numbers 2, 3C, 7C, 20C and 21C.

(e) All pipes, cables, conduits, ducts, electrical equipment, wiring and other central and appurtenant transmission facilities and installations over, under and across the project which serve more than one apartment for services such as power, light, gas, water, sewer, telephone and television signal distribution.

(f) Any and all other apparatus and installations of common use and 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 the designated "limited common elements", are hereby set aside and reserved for the exclusive use of certain apartments and such apartments 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) Each apartment will have as an appurtenance thereto at least one parking space designated on the Condominium Map and Exhibit "A" attached hereto for the exclusive use of such apartment. Each apartment shall always have at least one parking space appurtenant to it but otherwise any automobile parking space easement may be transferred from apartment to apartment in the project, effective only upon the filing of instruments in said Bureau of Conveyances, State of Hawaii, setting forth such transfer.

(b) The mailboxes assigned to each apartment shall be limited to the use of such apartment.

(c) All other common elements of the project which are rationally related to less than all of said apartments or buildings shall be limited to the use of such apartments or buildings.

INTEREST TO BE CONVEYED PURCHASER: 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 set forth in said Exhibit "A".

PURPOSE OF BUILDING AND RESTRICTION AS TO USE: The apartment 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 purpose. The apartment shall not be rented for hotel or transient purposes, which are defined as (a) rental for a period less than thirty (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. Said apartments shall not be subjected to any time-sharing plan or scheme. Except for such transient or hotel purposes and except for time-sharing plans or schemes, the owners of the respective apartments shall have the absolute right to lease such apartments subject to all provisions of the Declaration.

OWNERSHIP: In accordance with the Preliminary Title Report dated October 22, 1980 prepared by Hawaii Escrow & Title, Inc., the fee simple title to the land and improvements are vested in B & D Development, Inc., a Hawaii corporation.

ENCUMBRANCES AGAINST TITLE: The following are encumbrances against title as of October 22, 1980:

(a) Title to all minerals and metallic mines reserved to the State of Hawaii.

(b) Covenants, conditions, restrictions, reservations, agreements, obligations and other provisions set forth in the Instrument dated February 5, 1901 and recorded in the Bureau of Conveyances, State of Hawaii, in Liber 242, Page 122 (as to Parcels First and Second).

(c) Relinquishment of abutting rights over course 1 affecting Parcel 10 and new course 4 affecting Parcel 11 as contained in the deed to the State of Hawaii recorded in Liber 3046, Page 416, in the Bureau of Conveyance.

(d) That certain mortgage dated June 12, 1975, in favor of Honolulu Federal Savings and Loan Association, a federal savings and loan association, recorded in said Bureau in Liber 10702, Page 217.

(e) Declaration of Horizontal Property Regime for Lehua Hale and the Bylaws attached thereto recorded as aforesaid, in the said Bureau in Liber 15067, Page 194, and Condominium Map No. 764.

(f) Taxes that are due and owing; reference is made to the Office of the Tax Assessor, First Division.

PURCHASE MONEY HANDLING: An Escrow Agreement dated October 8, 1980, has been executed and a copy of same has been filed with the Commission. The Escrow Agent is HAWAII ESCROW & TITLE, INC. Upon examination, the specimen Deposit Receipt and Sales Contract and the executed Escrow Agreement are found to be consonant with Chapter 514A-37, 39, 40 and 63 through 514A-66.

Among other provisions the specimen Deposit Receipt and Sales Contract provides that: (1) No warranty of any kind for any period is made; and (2) Purchaser agrees to purchase unit on an "as is" condition.

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

MANAGEMENT AND OPERATIONS: The Bylaws of the Association of Owners vest the Board of Directors with the powers and duties necessary for

the administration of the affairs of the project. B & D Development, the developer, has been identified as the initial managing agent.

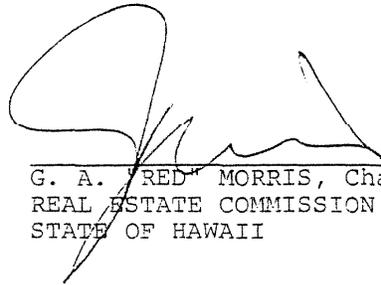
FINANCING OF PROJECT: The project has already been constructed. There is an existing loan on the project secured by a first mortgage on the project in favor of Honolulu Federal Savings and Loan Association with an unpaid balance of approximately \$495,000.00 as of October 1, 1980.

STATUS OF PROJECT: The project was completed on or about March 5, 1975. The Building Department, in a letter dated March 25, 1980, states that the building met the requirements of the codes which were in effect at the time the building was constructed and no variances or special permits were granted to allow deviations from any code(s).

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 October 27, 1980, and information subsequently filed as of December 23, 1980.

THIS FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1362 filed with the Commission on October 27, 1980.

The report, when reproduced, shall be a true copy of the Commission's Public Report. The paper stock used in making facsimilies 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. 1362

DATED: December 30, 1980

EXHIBIT "A"

<u>UNIT NO. AND TYPE</u>	<u>DWELLING AREA</u>	<u>LANAI AREA</u>	<u>PARKING STALL NO.</u>	<u>PERCENTAGE OF COMMON ELEMENTS</u>
201-C	525 Sq. Ft.	24 Sq. Ft.	19	3.55%
*202-A	727 Sq. Ft.	51 Sq. Ft.	23	5.22%
203-B (Reverse)	733 Sq. Ft.	68 Sq. Ft.	24	5.26%
204-B	733 Sq. Ft.	68 Sq. Ft.	25	5.26%
205-B	733 Sq. Ft.	68 Sq. Ft.	26	5.26%
*206-A (Reverse)	727 Sq. Ft.	51 Sq. Ft.	1	5.22%
207-C (Reverse)	525 Sq. Ft.	24 Sq. Ft.	17	3.55%
301-C	525 Sq. Ft.	24 Sq. Ft.	18	3.55%
*302-A	727 Sq. Ft.	51 Sq. Ft.	12	5.22%
303-B (Reverse)	733 Sq. Ft.	68 Sq. Ft.	13	5.27%
304-B	733 Sq. Ft.	68 Sq. Ft.	14	5.27%
305-B	733 Sq. Ft.	68 Sq. Ft.	15 (Compact)	5.27%
*306-A (Reverse)	727 Sq. Ft.	51 Sq. Ft.	16	5.22%
307-C (Reverse)	525 Sq. Ft.	24 Sq. Ft.	22	3.55%
401-C	525 Sq. Ft.	24 Sq. Ft.	4	3.55%
*402-A	727 Sq. Ft.	51 Sq. Ft.	5	5.22%
403-B (Reverse)	733 Sq. Ft.	68 Sq. Ft.	6	5.26%
404-B	733 Sq. Ft.	68 Sq. Ft.	8	5.27%
405-B	733 Sq. Ft.	68 Sq. Ft.	10	5.26%
*406-A (Reverse)	727 Sq. Ft.	51 Sq. Ft.	11	5.22%
407-C (Reverse)	525 Sq. Ft.	24 Sq. Ft.	9 (Compact)	3.55%

*Note: Type "A" units do not have air conditioning units.