

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

3442-3444 SALT LAKE BOULEVARD
3442-3444 Salt Lake Boulevard
Honolulu, Hawaii

REGISTRATION NO. 1404 (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: April 20, 1981
Expires: May 20, 1982

SPECIAL ATTENTION

A comprehensive reading of this report by the prospective purchaser is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION FILED JANUARY 28, 1981 AND INFORMATION SUBMITTED AS OF APRIL 9, 1981. THE DEVELOPER IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. 3442-3444 SALT LAKE BOULEVARD condominium project is an existing six-unit, fee simple condominium project consisting of six separate two-bedroom/one-bath apartments contained in two separate buildings. In addition, there are a total of six parking spaces in the Project, which are designated limited common elements, one appurtenant to each apartment.

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 the issuance of this Final Public Report.
3. The basic documents (Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners, and a copy of Approved Floor Plans) have been filed in the Office of the Recording Officer. The Declaration of Horizontal Property Regime, with By-Laws attached, has been filed in the Office of the Assistant Registrar of the Land Court of Hawaii as Document No. 1059227 and noted on Certificate of Title No. 228375. The Approved Floor Plans showing the layout, location, dwelling numbers, etc., have been designated on Condominium File Plan No. 453.
4. Pursuant to the Rules and Regulations promulgated by the Real Estate Commission, no advertising or promotional material, other than that required by Section 514A-102 of the Hawaii Revised Statutes respecting notification of prospective owner-occupant purchasers, has been submitted.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A of the Hawaii Revised Statutes, as amended, 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 3442-3444 SALT LAKE BOULEVARD condominium project. The Developer has the responsibility of placing a true copy of this Final Public Report (white paper stock) and Disclosure Statement in the hands of all purchasers and prospective purchasers and obtaining a signed receipt therefor from such party.
7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, April 20, 1981, unless a Supplementary Report issues or the Commission upon a review of the registration issues an order extending the effective period of this Report.

NAME OF PROJECT: 3442-3444 SALT LAKE BOULEVARD

LOCATION: The site, consisting of approximately 7,500 square feet, is located at 3442-3444 Salt Lake Boulevard, Honolulu, Hawaii 96818.

TAX MAP KEY: First Division 1-1-17-11

ZONING: A-1 (apartment)

DEVELOPER: Jose Collado Dolormente and Fely Abaya Dolormente;
1286 Maleko Street, Kailua, Hawaii 96734. PH: 261-2628.

ATTORNEY REPRESENTING DEVELOPER: Roger V. Meeker; Courtyard
Suite, 1110 Richards Street, Honolulu, Hawaii 96813.
PH: 524-6335.

DESCRIPTION:

The Declaration of Horizontal Property Regime and plans submitted by the Developer indicate a fee simple project consisting of two existing buildings containing a total of six apartments. Building 1 (as so indicated on the File Plan), containing two apartments, is a single-story wood frame structure without basement; Building 2 (as so indicated on the File Plan), containing four apartments, is a two-story structure without basement, the lower floor being of concrete hollow-tile construction, and the upper floor being wood frame. Each freehold apartment shall be deemed to include the spaces enclosed by the interior surfaces of the perimeter walls, floors, and ceilings. Said apartments are more particularly described as follows:

Apartment "3442" and "3444" are both contained in Building 1. Each apartment is comprised of one level, contains a kitchen, living room, two bedrooms and a bath, and is approximately 600 square feet in area. Each apartment is provided with a parking space.

Apartment "3444-A", "3444-B", "3444-C", and "3444-D" are all contained in Building 2. Each apartment is comprised of one level, contains a kitchen, living room, two bedrooms and a bath, and is approximately 650 square feet in area. Each apartment is provided with a parking space.

Each apartment has direct access to the common areas.

The respective apartments shall not be deemed to include 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.

COMMON ELEMENTS:

One freehold estate is hereby designated of all remaining portions of the Project, herein called "common elements", including specifically, but not limited to:

- (a) The land in fee simple;
- (b) All yards, grounds and landscaping;
- (c) All walkways, parking areas and driveways not designated as part of the respective apartments;
- (d) All ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, water, sewage, irrigation and telephone;
- (e) All other elements and facilities rationally in common use or necessary to the existence, upkeep and safety of the Project.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, herein called the "limited common elements", are hereby designated and set aside for the exclusive use of certain apartments, and such apartment shall have appurtenant thereto exclusive easements for the use of such limited common elements. The limited common elements so set aside and reserved are parking spaces 1-T, 2-T, 3, 4-C, 5 and 6, which are, respectively, appurtenant to and for the exclusive use of Apartments 3442, 3444, 3444-A, 3444-B, 3444-C, and 3444-D, as designated on the Condominium Map. (NOTE: "T" denotes a tandem parking space; "C" denotes a parking space for compact cars.)

COMMON INTEREST: Each apartment shall have appurtenant thereto an undivided one-sixth (1/6) fractional interest (a 16.6666+ percentage interest) in the common elements of the Project, said interest being referred to herein as the "Common Interest", and the same proportionate share in all common profits and expenses of the Project (whether or not such profits and expenses involve limited common elements) and for all other purposes including voting.

EASEMENTS: In addition to the exclusive easements established in the limited common elements, the apartments and common elements shall have and be subject to the following easements:

- (a) Each apartment shall have appurtenant thereto non-exclusive easements in the common elements designated for such purposes of ingress to, egress from, utility services for, and support, maintenance and repair of such apartment, in the other common elements for use according to their respective purposes, and in all other apartments and common elements of its building or structure for support.
- (b) If any part of the common elements encroaches upon any apartment, a valid easement for such encroachment and the maintenance thereof, so long as it continues, shall and does exist. In the event any buildings of the Project shall be partially or totally destroyed and then rebuilt, minor encroachments of any parts of the common elements due to construction shall be permitted, and valid easements for such encroachments and the maintenance thereof shall exist.
- (c) The Association of Apartment Owners shall have the right, to be exercised by its Board of Directors or the Managing Agent, to enter each apartment from time to time during reasonable hours as may be necessary for the operation of the Project or for making emergency repairs therein necessary to prevent damage to any apartments or common elements.

PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE: The Declaration provides that the apartments shall be occupied and used only for living accommodations by the respective owners thereof, their tenants, families, domestic servants and personal guests, and for no other purposes. The apartment owners shall have the absolute right to lease or rent their apartments subject to the limitations, restrictions, covenants and conditions of the Declaration and By-Laws.

OWNERSHIP OF TITLE: The title report dated March 19, 1981, issued by Hawaii Escrow & Title Inc., indicates that fee simple title to the property is vested in JOSE COLLADO DOLORMENTE and FELY ABAYA DOLORMENTE, husband and wife, as Tenants in Common.

ENCUMBRANCES AGAINST TITLE: The above-mentioned title report indicates the following encumbrances:

- (1) Any taxes that may be due and owing; reference is made to the Office of the Tax Assessor, First Division.
- (2) A reservation in favor of the State of Hawaii of all mineral and metallic mines.
- (3) The covenants, conditions, restrictions, reservations, agreements, obligations and other provisions set forth in that certain Instrument dated March 12, 1969 and filed in the Office of the Assistant Registrar of the Land Court of Hawaii as Document No. 468697 and noted on Certificate of Title No. 228375.
- (4) A Mortgage dated October 10, 1980 in favor of PIONEER FEDERAL SAVINGS AND LOAN ASSOCIATION OF HAWAII, filed in the Office of the Assistant Registrar of the Land Court of Hawaii as Document No 1036382 and noted on Certificate of Title No. 228375. Consideration: \$180,000.00
- (5) The covenants, conditions, restrictions, reservations, agreements, obligations, provisions, easements and By-Laws set forth in the Declaration of Horizontal Property Regime dated February 11, 1981, filed in the Office of the Assistant Registrar of the Land Court of Hawaii as Document No. 1059227 and noted on Certificate of Title No. 228375. Condominium Map No. 453.

NOTE: Purchaser is advised that the above-mentioned Mortgage is and shall remain a superior lien on the Project. Unless and until said Mortgage is satisfied, any interest acquired by Purchaser under the Sales Contract will be subordinate to such Mortgage.

PURCHASE MONEY HANDLING: An executed Escrow Agreement dated January 20, 1981 identifies HAWAII ESCROW & TITLE INC. as the escrow agent. The Escrow Agreement is in compliance with Chapter 514A of the Hawaii Revised Statutes, as amended.

It is incumbent upon the purchaser and prospective purchaser to read and understand the Escrow Agreement before signing a Sales Contract since the Escrow Agreement describes the procedure for receiving and disbursing the purchaser's funds. The specimen Sales Contract specifically provides that the purchaser approve said Escrow Agreement and assume the benefits and obligations therein provided. Purchaser and prospective purchasers are advised to read with care the provisions of the Sales Contract.

Among other provisions, the Sales Contract provides:

- (a) Developer advises that no representations or references will be made to either purchasers or prospective purchasers concerning rental of the apartment, income from the apartment or any other economic benefit to be derived from the rental of the apartment, including but not limited to any reference or representation to the effect that Developer or the Managing Agent of the Project will provide, directly or indirectly, any services relating to the rental of an apartment, or as to possible advantages from the rental of an apartment under federal or state tax laws. Rental of the apartments and the provision of management services in connection therewith is and shall be the sole responsibility of the purchaser.
- (b) It is expressly understood and agreed by and between Developer and Purchaser that the Project consists of fully constructed and existing buildings; that Purchaser acknowledges that Purchaser has been offered adequate opportunity to examine the plans for the Project and the actual Project and apartment covered hereby, and accepts the same "AS IS" and that THERE ARE NO EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS OF THE APARTMENT FOR A PARTICULAR PURPOSE, involved in this sale.

MANAGEMENT OF PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the Project may be conducted for the Association of Apartment Owners under the direction of the Board of Directors by a responsible Managing Agent. No Managing Agent has been appointed as of the date of this report.

STATUS OF PROJECT: The Developer estimates that Building 1 was constructed in 1970 and that Building 2 was constructed in 1979. The apartments are currently used as rental units on a month-to-month basis.

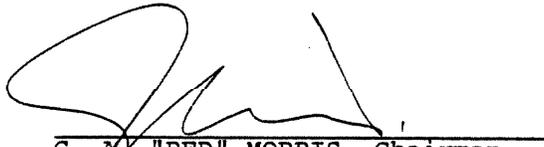
To the best of the Developer's knowledge, information and belief, there are no outstanding notices of uncured violations of the building code or other municipal regulations of the City and County of Honolulu, except as set forth in the letter from the City and County of Honolulu attached hereto as Exhibit "A".

No variance has been granted from any ordinance, code, rule, regulation, or other requirement in force at the time of its construction or from any current ordinance, code, rule, regulation, or other requirement.

NOTE: The Developer reports that the zoning code violation as outlined in the City letter (see above) will be corrected prior to conveyance of any apartment in the Project.

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 January 28, 1981, and information subsequently filed as of April 9, 1981.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 1389 filed with the Commission on January 28, 1981. This 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 Commission, City and County of Honolulu
Federal Housing Administration
Escrow Agent

REGISTRATION NO. 1404

APRIL 20, 1981

BUILDING DEPARTMENT
CITY AND COUNTY OF HONOLULU

HONOLULU MUNICIPAL BUILDING
660 SOUTH KING STREET
HONOLULU, HAWAII 96813

EILEEN R. ANDERSON
MAYOR



ROY H. TANJI
DIRECTOR AND BUILDING SUPERINTENDENT

Ex81-10

February 2, 1981

Mr. Roger V. Meeker
Attorney at Law
Courtyard Suite
1110 Richards Street
Honolulu, Hawaii 96813

Dear Mr. Meeker:

Subject: Condominium Project
3442-3444 Salt Lake Boulevard
Tax Map Key: 1-1-17: 11

This is in reference to your letter dated November 22, 1980 requesting verification that the 3442-3444 Salt Lake Boulevard condominium project met all code requirements at the time of construction.

Investigation of the property having a two-story, four-dwelling-unit apartment building and a one-story, two-family detached dwelling (total six dwelling units) revealed that the paved parking on the side is encroaching into the planting area in violation of the zoning code. The parking should conform to the plans approved for the building permit.

No variances or special permits were granted to allow deviations from any applicable codes.

If you have any questions regarding this matter, please contact Mr. Noboru Taketa or Mr. Robert Yakabe of this office at telephone number 523-4573.

Very truly yours,

A handwritten signature in black ink, appearing to read "Roy H. Tanji".

ROY H. TANJI

Director and Building Superintendent

RG:ih

EXHIBIT "A"

