

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

PEARL HARBOR VIEW
94-133 Pupupuhi Street
Waipahu, Hawaii

REGISTRATION NO. 1449 (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: October 19, 1981

Expires: November 19, 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED ON August 3, 1981, AND INFORMATION SUBSEQUENTLY FILED AS OF September 30, 1981. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. PEARL HARBOR VIEW is a fee simple condominium project consisting of one (1) three (3) story building with nine (9) apartment units. There will be twelve (12) parking stalls assigned to the apartments.
2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and the issuance of this Final Public Report.

3. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a copy of the floor plans of the project) have been filed in the Office of the Recording Officer.

Declaration of Horizontal Property Regime with the By-Laws attached, was filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1077738, and a copy of the floor plans has been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Condominium Map No. 461.

4. No advertising or promotional matter has been submitted to the Commission 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, as amended 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 PEARL HARBOR VIEW condominium project. The Developer is responsible for placing a copy of this Final Public Report (white paper stock) and Disclosure Abstract in the hands of all purchasers and prospective purchasers and for securing a signed receipt therefor.
7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, October 19, 1981, unless a Supplementary Public Report is issued, or the Commission upon review of the registration, issues an order extending the effective period of this Report.

NAME OF PROJECT: PEARL HARBOR VIEW

LOCATION: The land submitted to the regime, approximately 10,243 square feet, is located at 94-133 Pupupuhi Street, Waipahu, Hawaii.

TAX MAP KEY: First Division, 9-4-39-97

ZONING: The land is zoned A-2.

DEVELOPER: UJIMORI REAL ESTATE AND DEVELOPMENT, LTD., a Hawaii corporation, whose business and post office address is 94-674 Farrington Highway, Waipahu, Hawaii. Telephone No. 671-5628.

The officers of the corporation are as follows:

Stanley T. Ujimori, President	98-195 Puaalii Street Aiea, Hawaii
Leroy K. Ujimori, Vice-President	98-046 Puaalii Way Aiea, Hawaii

Warren S. Ujimori, Treasurer

2436 S. Beretania Street
Honolulu, Hawaii

Karen M. Nii, Secretary

2424 S. Beretania Street
Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: T. IRVING CHANG, Suite 2610
Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii, 96813
(Telephone: 531-4136).

DESCRIPTION: The Declaration and the Condominium Map reflect that the project is to consist of the land aforesaid with one (1) three (3) story apartment building without basement, containing nine (9) apartment units and a laundry room. The principal materials used in the construction of the project are reinforced concrete, hollow tile blocks, glass, structural steel, aluminum and allied building materials.

The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter or party walls or interior loadbearing walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits and other utility or service lines running through such apartments which are utilized for or serve more than one apartment, the same being deemed common elements as herein-after provided. Each apartment shall be deemed to include all the walls and partitions which are not loadbearing within its perimeter or party walls, the inner decorated or finished surfaces of all walls, floors and ceilings, doors and door frames, windows and window frames, the adjacent lanai, if any, shown on the Condominium Map and all fixtures originally installed therein.

The apartment units are located as follows:

There are three (3) apartments on each of the three (3) floors. The apartment numbers are: First Floor: Apartment 101, 102, 103; Second Floor: Apartment 201, 202, 203; Third Floor: Apartment 301, 302, 303. The apartments are described as follows:

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|----------|--|
| Unit 101 | A three (3) bedroom, three (3) bath unit with a living/dining area and kitchen of approximately 1,175 square feet, more or less. |
| Unit 102 | A three (3) bedroom, three (3) bath unit with a living/dining area and kitchen of approximately 1,176 square feet, more or less. |
| Unit 103 | A studio, consisting of a living/dining area and den, with kitchen and one (1) bathroom of approximately 462 square feet, more or less. |
| Unit 201 | A three (3) bedroom, three (3) bath unit with a living/dining area and kitchen of approximately 1,175 square feet, more or less with a lanai of approximately 102 square feet, more or less. |

- Unit 202 A three (3) bedroom, three (3) bath unit, with a living/dining area and kitchen of approximately 1,176 square feet, more or less.
- Unit 203 A two (2) bedroom, one (1) bath unit, with a living/dining area and kitchen of approximately 829 square feet, more or less, with a lanai of approximately 42 square feet, more or less.
- Unit 301 A three (3) bedroom, three (3) bath unit with a living/dining area and kitchen of approximately 1,175 square feet, more or less, with a lanai of approximately 102 square feet, more or less.
- Unit 302 A three (3) bedroom, three (3) bath unit, with a living/dining area and kitchen of approximately 1,176 square feet, more or less.
- Unit 303 A two (2) bedroom, one (1) bath unit, with a living/dining area and kitchen of approximately 829 square feet, more or less, with a lanai of approximately 42 square feet, more or less.

NOTE: The net living areas of the apartments, measured from the interior of their surrounding walls, are as follows:

101	1,165 square feet
102	1,166 square feet
103	416 square feet
201	1,165 square feet
202	1,166 square feet
203	819 square feet
301	1,165 square feet
302	1,166 square feet
303	819 square feet

COMMON ELEMENTS: The Declaration provides that the common elements shall include, but are not limited to, the following:

- (a) the land in fee simple;
- (b) all foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter, party and loadbearing walls, roofs, entries, stairways, walkways, entrances and exits of all buildings;
- (c) all yards, grounds and landscaping;
- (d) all roads, driveways and service areas, including the refuse area;
- (e) laundry room;

- (f) 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 distribution, if any; and
- (g) 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, designated as "limited common elements" in the Declaration, are set aside and reserved for the exclusive use of certain apartments as follows:

- (a) Each apartment shall have appurtenant to it the parking space(s) designated on the Condominium Map as follows:

<u>Apartment Number</u>	<u>Parking Stall Number</u>
101	6 and 7 (Compact)
102	2
103	12
201	4 and 5 (Compact)
202	1
203	11
301	3
302	8 and 9 (Compact)
303	10

- (b) The mailboxes belonging to each apartment shall be for the exclusive use of the apartment to which they belong; and
- (c) The ground level apartments shall have a private yard, as shown on the condominium map, appurtenant to and for the exclusive use of such apartments.

INTEREST TO BE CONVEYED TO PURCHASER: Each apartment shall have appurtenant thereto an undivided percentage interest in all of the common elements of the project, called "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 above.

<u>Apartment Number</u>	<u>Common Interest</u>
101	12.81%
102	12.82%
103	5.03%
201	12.81%
202	12.82%
203	9.04%
301	12.81%
302	12.82%
303	9.04%

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The apartments shall be used for residential purposes and for no other purpose, unless prior written consent of the Board of Directors of the Association is secured; provided that the owners of the apartments shall have the right to lease or rent the apartments subject to the limitations, restrictions, covenants and conditions of the Declaration.

The House Rules provide, in part, that occupancy is limited to not more than two (2) persons per bedroom contained in each apartment.

OWNERSHIP OF TITLE: The Preliminary Report issued by Title Guaranty of Hawaii, Inc. dated July 27, 1981, represents that the Developer is the owner of the fee simple title to the property. The Developer will issue individual apartment deeds directly to the Buyers.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report, dated July 27, 1981, issued by Title Guaranty of Hawaii, Inc., reflects the following encumbrances:

1. For any taxes that may be due and owing on the land, reference is hereby made to the Director of Finance of the City and County of Honolulu.
2. The restrictive covenants stated in the Deed dated January 4, 1965, filed as Land Court Document No. 351227.
3. That certain mortgage dated July 13, 1973 by and between CLIFFORD KOON WAI CHOCK and POLLY WONG CHOCK, husband and wife, and JOHN HIROOMI TAKAMURA and LUCY TSURUYO TAKAMURA, husband and wife, Mortgagor, and HONOLULU FEDERAL SAVINGS AND LOAN ASSOCIATION, a Federal savings and loan association, Mortgagee, and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 639365.
4. The restrictions on use and other restrictions and all other of the covenants, agreements, obligations, conditions, reservations, easements and other provisions set forth in Declaration of Horizontal Property Regime dated July 15, 1981, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. 1077738, and the By-Laws attached thereto. (Project covered by Condominium Map No. 461).

PURCHASE MONEY HANDLING: A copy of the Escrow Agreement dated April 15, 1981, made between Title Guaranty Escrow Services, Inc., as Depository, and Developer, as Seller, has been submitted to the Commission as part of the registration. On examination, the specimen Sales Contract and the executed Escrow Agreement are found to be in compliance with Chapter 514A, Hawaii Revised Statutes, as amended.

Among other provisions, the purchaser of a condominium unit under a sales contract shall be entitled to a refund of all payments made, less Escrow's cancellation fee of not less than \$25.00, and without interest. Escrow agrees to make such refund to purchaser out of

funds then on deposit with Escrow, if purchaser shall so request in writing and any one of the following events shall have occurred:

- (a) Escrow has received a written request from Seller and purchaser to return to purchaser the funds of such purchaser then held by Escrow; or,
- (b) Developer shall have notified Escrow of Developer's exercise of the option to cancel or rescind the sales contract pursuant to any right of cancellation or rescission provided therein or otherwise available to Developer.

Purchaser agrees that all of the rights of the purchaser under the specimen sales contract are and shall be subject and subordinate to the lien of the Mortgage dated July 13, 1973, in favor of HONOLULU FEDERAL SAVINGS AND LOAN ASSOCIATION and recorded in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. 639365, on said property. Purchaser hereby irrevocably appoints Seller the attorney-in-fact of purchaser to execute and deliver on behalf of purchaser any instrument of subordination which mortgage company or its successors in interest may require.

HONOLULU FEDERAL SAVINGS AND LOAN ASSOCIATION has agreed that partial releases as to each apartment will be issued upon sale to each purchaser.

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

MANAGEMENT AND OPERATIONS: Administration and operation of the project shall be conducted for the Association of Apartment Owners, consisting of all apartment owners of the project, through the Board of Directors, by a responsible management agent, in accordance with the By-Laws of the Association. The initial managing agent shall be UJIMORI REALTY, INC., whose address is 958 Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii, 96813, which Management Contract is for a term of one (1) year and may be cancelled upon sixty (60) days' notice. The principal of Ujimori Realty, Inc., is an affiliate of the Developer.

STATUS OF PROJECT: The Developer advises the Real Estate Commission that the apartment buildings were completed in 1980. Since its completion, the units have been used as rental units on a month to month tenancy, and have been vacant since December, 1980.

A letter from the City and County of Honolulu, dated February 3, 1981, confirmed that the building met all code requirements at the time of construction and that no variance or special permits were granted to allow deviations from any applicable codes.

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 August 3, 1981 and information subsequently filed as of September 30, 1981.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1449 filed with the Commission on August 3, 1981.

The report, when reproduced, shall be a true copy of the Commissions' 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 FINANCE
BUREAU OF CONVEYANCES
PLANNING DEPARTMENT, City and County
of Honolulu
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

Registration No. 1449
October 19, 1981