

**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

E HO'ONANEA  
51-023 Lau Place  
Kaaawa, Hawaii  
Registration No. 1450

**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 16, 1981

Expires: November 16, 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED August 5, 1981 AND INFORMATION SUBSEQUENTLY SUBMITTED ON October 13, 1981. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIME LAW, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. "E HO'ONANEA" is a leasehold condominium consisting of two (2) residential dwellings. A parking area with two (2) stalls for each dwelling is appurtenant to and for the exclusive use of each apartment.
2. The Developer of the Project has submitted to the Commission for examination all documents and materials deemed necessary for the registration of a condominium project and issuance of this Final Public Report.
3. The basic documents (Declaration of Horizontal Property Regime, Bylaws of the Association of Apartment Owners, and a copy of the approved Floor Plans) have been recorded at the Bureau of conveyances, State of Hawaii.

The Declaration of Horizontal Property Regime dated July 8, 1981, together with the Bylaws of the Association of Apartment Owners, was recorded as Document No. 76634 in the Bureau of Conveyances of the State of Hawaii in Liber 15719, Page 285. The floor plans with the certified architect's statement attached were recorded as Document No. 76633 and Condominium Map No. 817 has been assigned by said office to the project.

4. No advertising and promotional materials have been submitted to the Commission pursuant to Rules and Regulations promulgated by the Commission.
5. The purchaser or prospective purchaser is advised to acquaint himself or herself with the provisions of the Horizontal Property Regime Act, Chapter 514A, Hawaii Revised Statutes, as amended, and the Condominium Rules and Regulations of the Hawaii Real Estate Commission which relate to Horizontal Property Regime.
6. This Final Public Report is made a part of the registration of E HO'ONANEA" 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(s) therefore.
7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, October 16, 1981, unless a Supplementary Public Report is published or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: "E HO'ONANEA"

LOCATION: The land submitted to the Horizontal Property Regime consists of one parcel of land 100,213 square feet, is situated at Lau Place, (Lot 7 - Lau Makana Subdivision), Kahuku, Oahu, Hawaii, and an 1/12 undivided interest in a parcel of land that is 3,227 square feet located on Kamehameha Highway Kahuku, Oahu, Hawaii.

TAX MAP KEY NOS.: First Division: 5-1-03:45 and 5-1-03:14

ZONING: R-6 and P-1 (None of the construction of the Condominium falls within the P-1 portion of Tax Map Key No. 5-1-03:45 or in the parcel numbered Tax Map Key 5-1-03:14).

DEVELOPER: The following are the developers of the project:

Donald Nix Cirino  
Alma Y.W. Cirino  
Anne K. Ng  
Ann R. Sheridan



ATTORNEY REPRESENTING DEVELOPER: Boyce R. Brown, Jr. and Mary Blaine Durant, whose principal place of business and post office address is 1100 Castle & Cooke Bldg., Financial Plaza of the Pacific, Honolulu, Hawaii 96813, (Telephone NO. 521-3491).

DESCRIPTION OF THE PROJECT: The Declaration of Horizontal Property Regime and the Condominium Map describes the Project as follows:

There are two (2) 2-story buildings, without basements, consisting of two (2) apartments, constructed principally of wood, plaster, glass and concrete masonry.

Each apartment shall constitute an apartment as defined and used in Chapter 514A Hawaii Revised Statutes as amended, and shall be separate freehold estates. The apartments are more particularly described below:

Unit A: Unit A is two stories with split levels. It contains eight (8) rooms including three bedrooms, two bathrooms, a living room, a dining area, a laundry area, a kitchen and one lanai. This unit also has a workroom and garage for (2) cars. Unit A contains a net living area of approximately 1400 square feet. Parking spaces 1 and 2 are appurtenant to this unit.

Unit B: Unit B is two stories with split levels. It contains eight (8) rooms including three bedrooms, two bathrooms, a living room, a dining area, a kitchen and one lanai. Unit B contains a net living area of approximately 1260 square feet. Uncovered parking spaces 3 and 4 are appurtenant to this unit.

Each respective apartment shall be deemed to include the perimeter walls and roofs, the floor slabs, footing and foundations and the pipes, wires, conduits or other utility or service lines running through each apartment with common elements. Each apartment shall also be deemed to include the adjacent lanais and verandas, all walls and partitions within its perimeter walls, all window glass and screens, all fixtures, an all appliances originally installed as fixtures therein.

COMMON ELEMENTS: The Declaration provides that one estate shall be designated in all portions of the Project, other than the apartments and all other common elements, which are actually included in the Project, herein called "common elements", including specifically but not limited to:

- a. all of the land in fee simple
- b. all walls which are not part of or incorporated into the foundations of any apartment;
- c. all covered walkways and refuse facilities;
- d. all parking ramps and driveways;
- e. all pipes, electrical equipment wire and other central and appurtenant installations

for power, light, water, sewer and telephone which are not within any apartment;

- f. any and all other apparatus and installations of common use and all other parts of the Project 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 "limited common elements" are designated and 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 common elements. The Declaration provides that the limited common elements so set aside and reserved are as follows:

- a. The parking spaces which are numbered and shown on the Condominium Map are each designated as limited common elements. Parking spaces 1 and 2 are designated for use by Unit A and parking spaces 3 and 4 are designated for use by Unit B.

- b. The land immediately beneath each apartment together with the land adjacent thereto which is for such purposes as ingress to, egress from, utility services for and support of such apartment; in the other common elements for use according to their respective purposes, subject always to the exclusive or limited use of the limited common elements as herein provided.

INTEREST TO BE CONVEYED TO PURCHASERS: The Declaration states that the owners of each unit shall have a 50% undivided interest on all common elements of the project. The Declaration reflects that the undivided percentage interest, common elements and easements appurtenant to each apartment shall have a permanent character and shall not be altered (except as specifically provided in said Declaration), shall not be separated from such apartment and shall be deemed to be conveyed or encumbered with such apartment even though not expressly mentioned or described in the conveyance or other instrument. The common elements shall remain undivided and no right shall exist to partition or divide any part thereof except as provided by the Horizontal Property Act.

The proportionate shares of the separate owners of the respective apartments in the profits and common expenses of the project and for all purposes, including voting, shall be the undivided percentage interest shown hereinabove.

PURPOSES AND RESTRICTIONS: The Declaration reflects that the apartments 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 transient or hotel purposes, which are defined as: (1) rental for any period less than thirty (30) days; or (2) 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. Except for such transient or hotel purposes, the owners of the respective apartments shall have the right to lease such

apartments subject to 11 provisions of this Declaration, and the Bylaws.

OWNERSHIP OF TITLE: A Commitment for Title Insurance dated August 12, 1981 issued by First American Title Company certifies that the fee simple owner of the property is the Yuen Lin Lau and Stella Ho Lau Trust. the property is subject to a Lease held by and between Yuen Lin Lau and Stella Ho Lau, as Lessors, and Theodore S. Matsuo, as lessee; said lease now held by Theodore S. Matsuo and Dorothy I Matsuo, husband and wife, by Assignment of Lease and Consent dated August 11, 1978. By Agreement of Sale executed April 27, 1979, Donald N. Cirino and Alma Y.W. Cirino, husband and wife, Anne K. Ng and Ann R. Sheridan have agreed to purchase the aforementioned lease.

ENCUMBRANCES AGAINST TITLE: Said Commitment for Title Insurance dated May 9, 1981 provides that the following are encumbrances against the title to the property:

1. Taxes that may be due and owing; reference is made to the Office of the Tax Assessor, First Division.
2. Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent No. 7895.
3. Easement C (5 feet wide) for drainage purposes as delineated on File PPlan No. 1370.
4. Shoreline setback lines as they may be established by the Land Use Commission or by the County pursuant to Section 209-31 to 37 inclusive of the Planning and Economic Development.
5. Any portions of property lying below the line of high water, as said high water line is or may be defined by the Statutes of the State of Hawaii or by the courts.
6. Terms and provision of that certain Indenture of Lease dated May 16, 1973, recorded on May 22, 1973 in the Bureau of Conveyances in Liber 9162, Page 43 and the Assignment of Lease and Consent dated August 11, 1978 recorded in said Bureau in Liber 13106, Page 623.
7. A mortgage dated August 22, 1978 to secure an indebtedness in an amount of \$50,000.00 made by Theodore S. Matsuo and Dorothy I. Matsuo, husband and wife, in favor of Finance Factors Limited, a Hawaii corporation; recorded at the Bureau of Conveyances, State of Hawaii at Liber 13106, Page 633.
8. An Agreement of Sale dated April 27, 1979, for the amount of \$47,500.00 by and between "purchasers" Donald Nix Cirino and Alma Yak Wan Cirino, husband and wife, as Tenants by the Entirety as to an undivided one-half (1/2) interest, Anne Katherine Ng, unmarried as to an undivided one-quarter (1/4) interest, Ann Richard Sheridan, unmarried as to an undivided one-fourth (1/4) interest as Tenants in Common and "Seller" Theodore S. Matsuo and Dorothy I. Matsuo, husband and wife. Said Agreement of Sale was recorded at Liber 13704, Page 601 on May 23, 1979 at the Bureau of Conveyances, State of Hawaii

9. A mortgage dated November 25, 1980 to secure an indebtedness in the amount of \$30,000.00 made by Theodore S. Matsuo and Dorothy I. Matsuo, husband and wife, in favor of Finance Factors Limited, a Hawaii Corporation. Said mortgage recorded at the Bureau of Conveyances, State of Hawaii at Liber 15169, Page 207.

10. Condominium Map No. 817, filed in said Bureau of Conveyances.

11. The restrictions, covenants, agreements, obligations, conditions, easements and other provisions set forth in Declaration of Horizontal Property Regime dated July 8, 1981, recorded on July 29, 1981 in said Bureau of Conveyances in Liber 15719 Page 285, and the By-Laws attached hereto.

PURCHASE MONEY HANDLING: The project will be financed by First Hawaiian Bank, by a conventional 30 year mortgage at 15% interest.

The developer's attorney has advised the Commission that units in the project will not be offered for sale. One unit will be owned by Donald N. & Alma Y.W. Cirino and the other unit will be owned by Anne K. Ng & Ann R. Sheridan. Consequently, no Escrow Agreement has been executed and submitted as part of this registration.

STATUS OF PROJECT: The construction contract between Developer and Contractor specifies a September 1, 1981 starting date. It is estimated construction will take three (3) months.

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 5, 1981 and information subsequently filed as of October 13, 1981.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1450 filed with the Commission on August 5, 1981.

This report, when reproduced, shall be a true copy of the Commission's Public Report. In making facsimiles the paper stock shall be white in color.

  
G.A. "RED" MORRIS, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

Distribution:

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BUREAU OF CONVEYANCE  
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FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

Registration No. 1450