

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS

STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

2325-B LILIHA STREET
CITY AND COUNTY OF HONOLULU
STATE OF HAWAII

REGISTRATION NO. 1454

This Report Is Not an Approval or Disapproval of This Condominium Project

It was prepared as a supplement to an earlier Report dated ^{May 12,} 1982 and December 7, 1982 issued by the Real Estate Commission on the above 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 20, 1983
Expires: July 7, 1984

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 buyer or prospective buyer is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED AUGUST 20, 1981, AND INFORMATION SUBSEQUENTLY FILED AS AS SEPTEMBER 16, 1983. THE DEVELOPER, BY 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. Since the issuance of the Commission's Preliminary Public Report on 2325-B LILIHA STREET, dated May 12, 1982, and Final Report dated December 7, 1982, the Developer has forwarded to the Commission additional information reflecting changes that have been made in the documents or otherwise for the Project.

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

3. The Developer advises that the Declaration of Horizontal Property Regime and By-Laws dated October 14, 1982, have been filed with the Office of the Assistant Registrar of the Land Court as Document Nos. 1137214 and 1137215, noted on Transfer Certificate of Title No. 218,911. The Condominium Map has been filed in said Office as Condominium Map No. 481. An Amendment No. 1 to the Declaration dated January 26, 1983, has also been filed with said Office as Document No. 1150335 and that said Condominium Map was amended at the same time as Amendment No. 1. An Amendment No. 2 to the Declaration dated August 10, 1983, has also been filed with said Office as Document No. 1185833.

4. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.

5. The buyer or prospective buyer is advised to acquaint himself with the provisions of Chapter 514A, Hawaii Revised Statutes, as amended, and the Hawaii Real Estate Commission Rules and Regulations which relate to Horizontal Property Regimes.

6. This Supplementary Public Report amends the Commission's Preliminary and Final Public Reports and is made a part of the registration of 2325-B LILIHA STREET condominium project. The Developer shall be responsible for placing a true copy of the Preliminary Public Report (yellow paper stock), the Final Public Report (white paper stock), and the Supplementary Public Report (pink paper stock). and Disclosure Abstract dated August 21, 1983 in the hands of all purchasers and prospective purchasers and for securing a signed receipt for same.

7. This Supplementary Public Report automatically expires July 7, 1984, unless a further Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information contained in the Final Public Report of December 7, 1982, under the topical headings: DESCRIPTION, COMMON ELEMENTS, LIMITED COMMON ELEMENTS INTEREST TO BE CONVEYED TO PURCHASER, ENCUMBRANCES AGAINST TITLE, ALTERATION OF PROJECT and STATUS OF PROJECT has been changed. Developer reports that the other information in the Final and Preliminary Public Reports has not been changed. The changes are as follows:

DESCRIPTION OF PROJECT.

Buildings. Instead of one building constituting the Project as stated in the Final Public Report, there are now two buildings which are designated as Dwelling A and Dwelling B. Each is a single family residential building constructed principally of wood on concrete slab. Each building is one story in height and has no basement or elevator.

Apartment Numbers and Location. Because Dwelling B is now included within the Project, the Final Public Report is changed to include information for both Dwelling A and Dwelling B. Each of the two buildings contain a single apartment. The Apartments or Dwellings, as they are sometimes referred to herein, are identified as Dwelling A and Dwelling B. Dwelling A is located closest to Liliha Street and Dwelling B is located furthest from Liliha Street and nearest to Waolani Stream.

Each Dwelling has immediate access to the walkways and the roadways of the Project, which in turn have access from Liliha Street via the privately owned Lot 44-D referred to in Exhibit "A" in the Declaration and via that area designated on the Condominium Map as "Common Roadway".

Description of Apartments. Because Dwelling B is now included within the Project, the Final Public Report is changed to add the following reference to Dwelling B;

(a) Dwelling B is a single family residence containing ten (10) rooms, including a living room, a dining room, a kitchen, three (3) bedrooms and two (2) baths. It contains approximately 1,270 square feet of net living area and a double (two car) carport of approximately 450 square feet. It also includes carpeting (except in bathrooms and kitchens, entries, balconies, and lanais, which will have tile floors or cushioned vinyl). It also contains a range and oven, dishwasher, garbage disposal, water heater and refrigerator; and

(b) Two freehold estates will be designated (and not one as stated in the Final Public Report).

COMMON ELEMENTS. The Final Public Report is changed to expressly state that because the Developer has added Dwelling B that the area designated on the Condominium Map as "Dwelling Lot B Reserved for Future Development" is no longer a Common Element but has become a limited common element appurtenant to Dwelling B.

LIMITED COMMON ELEMENT. Because the Declaration of Horizontal Property Regime was amended pursuant to section 19 of the Declaration to add Dwelling B, then Dwelling Lot B has become a limited common element appurtenant to Dwelling B.

INTEREST TO BE CONVEYED TO PURCHASERS. The Final Report is changed to reflect the addition of Dwelling B to provide that the purchaser securing an Apartment Deed for Dwelling A

or Dwelling B will obtain the Dwelling together with an undivided fifty percent (50%) interest in the common elements of the project.

ENCUMBRANCES ON TITLE. The preliminary report issued by Security Title Corporation, dated August 15, 1983, indicates the following encumbrances:

1. Real property taxes due and payable, reference is made to Director of Finance, City and County of Honolulu.

2. Mortgage dated November 16, 1979, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 978846, made by NOBORU MATSUMOTO and CLAIRE TERUYE MATSUMOTO, husband and wife, as Mortgagor(s), to MANOA FINANCE COMPANY, INC., a Hawaii corporation, as Mortgagee(s), to secure the repayment of the sum of \$102,083.37, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor(s) therein referred to.

Additional Charge Mortgage dated March 22, 1980, filed in said Office of the Assistant Registrar as Document No. 1003414, made by NOBORU MATSUMOTO and CLAIRE TERUYE MATSUMOTO, husband and wife, as Mortgagor(s), to MANOA FINANCE COMPANY, INC., a Hawaii corporation, as Mortgagee(s), to secure the repayment of the additional loan of \$60,309.50 together with interest thereon in accordance with the terms of that certain promissory note therein referred to. This is an additional charge mortgage to the foregoing mortgage.

3. The covenants, agreements, obligations, conditions and other provisions set forth in that certain DECLARATION SUBMITTING PROPERTY TO THE HORIZONTAL PROPERTY REGIME, "2325-B LILIHA STREET", dated October 14, 1982, filed in said Office of the Assistant Registrar as Document No. 1137214, and the By-Laws attached thereto.

a) By instrument dated January 26, 1983, filed in said Office of the Assistant Registrar as Document No. 1150335, the foregoing Declaration was amended.

b) By instrument dated August 10, 1983, filed in said Office of the Assistant Registrar as Document No. 1185833, the foregoing Declaration was amended.

4. Condominium Map No. 481, filed in said Office of the Assistant Registrar on October 28, 1982, as amended.

5. Any and all easements encumbering the apartment therein identified and described, and/or the common interest appurtenant thereto, as created by or mentioned in said Declaration, as amended, and/or as delineated on said Condominium Map No. 481, as amended.

6. Agreement of Sale dated January 26, 1983, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1150336, made

by and between NOBORU MATSUMOTO and CLAIRE TERUYE MATSUMOTO, husband and wife, as Seller(s), and ROGER JU QUAI PANG and SHIRLEY HAYASHIDA PANG, husband and wife, no tenancy shown, as Purchaser(s), wherein said Seller(s), agree(s) to buy, that certain dwelling therein described, for the consideration, and on the terms and conditions therein contained. Consent thereto filed as Document No. 1150338.

By instrument dated January 26, 1983, filed in said Office of the Assistant Registrar as Document No. 1150337, NOBORU MATSUMOTO and CLAIRE TERUYE MATSUMOTO, husband and wife, assigned all of their interest as sellers under the foregoing Agreement of Sale to MANOA FINANCE COMPANY, INC., as security for the repayment of those certain loans totaling \$162,382.87.

AS TO THE COMMON ELEMENTS ONLY:

1. Easement for Sanitary Sewer across Lot 44-B, as shown on Map 23, as set forth by the Land Court Order No. 10744, filed November 2, 1951.

2. As to Lot 44-D only:

a. An easement in the flow of water through the auwai or ditch, as the same is delineated on Map 8.

b. Grant dated June 2, 1949, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 110635, in favor of HAWAIIAN ELECTRIC COMPANY, INC. and HAWAIIAN TELEPHONE COMPANY, INC. granting an easement for utility purposes. The interests of the grantees in said Grant were assigned to HAWAIIAN TRUST COMPANY, LIMITED, Trustee, as security to Trust Mortgages filed as Document Nos. 45945 and 56356, as amended, by Assignments filed as Document Nos. 110637 and 110636.

c. Easement for Sanitary Sewer, as shown on Map 24, as set forth by Land Court Order No. 10745, filed November 2, 1951.

3. Grant dated September 30, 1952, filed in said Office of Assistant Registrar as Civyument No. 143547, in favor of The City and County of Honolulu, granting easements for sanitary sewer.

4. Grant of Easement dated May 2, 1982, filed in said Office of the Assistant Registrar as Document No. 1172458, in favor of HAWAIIAN ELECTRIC COMPANY, INC., a Hawaii corporation, and HAWAIIAN TELEPHONE COMPANY, INC., a Hawaii corporation, granting a perpetual right and easement to construct, etc., underground power lines, etc., necessary for the transmission and distribution of electricity to be used for light and power and/or communications and control circuits, etc., over, under, upon, across and through the parcel of land herein described. Consent thereto filed as Document No. 1172459. Joinder thereto filed as Document No. 1172460.

ALTERATION OF PROJECT. The Final Public Report is changed to reflect that the Developer amended the Decla-

ration establishing one additional Apartment which has been designated as "Dwelling B" and that it is situated on that portion of the Land shown on the Condominium Map as "Dwelling Lot B Reserved for Future Development", and that the Condominium Map was amended to reflect the creation of Dwelling B.

STATUS OF PROJECT. Since the date of the Final Public Report, the Developer has advised the Commission that both Dwelling A and Dwelling B have been completed. Dwelling B was completed May 1983, as evidenced by submission of a copy of the Notice of Completion to the Commission.

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 on August 20, 1981 and information subsequently filed as of September 16, 1983.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1454 filed with the Commission on August 20, 1981.

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


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

Distribution:

DEPARTMENT OF FINANCE
CITY AND COUNTY OF HONOLULU
BUREAU OF CONVEYANCES
DEPARTMENT OF LAND UTILIZATION,
CITY AND COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

REGISTRATION NO. 1454

DATED: September 20, 1983.