

# 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  
TAN APARTMENTS  
1718 Young Street  
Honolulu, Hawaii

REGISTRATION NO. 1464 (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: January 27, 1982  
Expires: February 27, 1983

#### 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 NOTICE OF INTENTION TO ESTABLISH A HORIZONTAL PROPERTY REGIME SUBMITTED ON OCTOBER 23, 1981, AND ADDITIONAL INFORMATION SUBMITTED AS OF JANUARY 22, 1982. 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. "TAN APARTMENTS" is a proposed fee simple condominium project consisting of eleven (11) residential apartments contained in one existing building, which has three (3) floors. There are twelve (12) standard parking spaces, ten (10) covered and two (2) uncovered. Each apartment will have at least one (1) parking space appurtenant thereto.

2. The Developer of the project has submitted to the Commission 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. No advertising or promotional matter has been submitted to the Commission.
4. The basic documents of the project (the Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners and the Floor Plan) have been filed at the Bureau of Conveyances of the State of Hawaii in Book 15950, Page 215. The map for the project has been designated as Condominium Map No. 825. A First Amendment dated November 19, 1981, has been filed in Book 15987, Page 744.
5. Prospective purchasers of apartment units in the project are advised to acquaint themselves with the provisions of Chapter 514A, Hawaii Revised Statutes, as amended, and the Condominium Rules and Regulations promulgated thereunder, which relate to Horizontal Property Regimes.
6. This Final Public Report expires automatically thirteen (13) months after the date of issuance, January 27, 1982, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this Report.
7. This Final Public Report is made a part of the registration of the TAN APARTMENTS condominium project. The Developer is responsible for placing a true copy of this Final Public Report (white paper stock) and Disclosure Abstract in the hands of all purchasers and prospective purchasers, and securing a signed copy of the receipt therefor.

NAME OF PROJECT: TAN APARTMENTS

ADDRESS: The land (approximately 7,052 square feet) committed to the project is located at 1718 Young Street, Honolulu, City and County of Honolulu, State of Hawaii.

TAX MAP KEY: FIRST DIVISION 2-8-1-34

ZONING: A-4 (Apartment)

DEVELOPER: RICHARD Y. W. TAN and ETHEL LEE TAN, whose principal place of business is 1718 Young Street, Honolulu, Hawaii 96826, and whose telephone number is 946-6429.

ATTORNEY REPRESENTING DEVELOPER: CHEE, LEE, OSHIRO & WILLIAMS (Attention: Gerald H. Kibe), Suite 1100, Pacific Trade Center, 190 South King Street, Honolulu, Hawaii 96813; telephone number 521-3434.

DESCRIPTION OF APARTMENTS: The Declaration of Horizontal Property Regime and other documents filed with the Commission show that:

1. The project consists of eleven (11) apartment units contained in one building (3 stories), constructed principally of reinforced concrete.
2. The building has a ground floor used for automobile parking and one apartment unit, and two apartment floors, containing five apartments each of four different types, more particularly described as follows:

<u>Apt. Type</u>	<u>Net Floor Area (sq. ft.)</u>	<u>Balcony/ Lanai Area (sq. ft.)</u>	<u>Yard area as a limited common element appurtenant to apt.</u>	<u>Total Apartment Area (sq. ft.)</u>	<u>Number of Rooms</u>	<u>Included in these Rooms</u>	<u>Apt. Nbs. of this apt. type</u>
A	790	-0-	1158	1848	6	Living Room/Kitchen 2 Bathrooms 3 Bedrooms	101
B	576	180	-0-	756	4	Living Room/Kitchen Bathroom 2 Bedrooms	201, 301
C	601	77	-0-	678	4	Living Room/Kitchen Bathroom 2 Bedrooms	202, 203, 204, 302, 303, 304
D	783	206	-0-	989	5	Living Room/Kitchen Bathroom 3 Bedrooms	205, 305

3. The apartments are numbered consecutively from "01" through "05" ("01" apartments being closer to Young Street), preceded by the number of the apartment floor. The apartments on the second floor are numbered "201", "202", "203", "204" and "205" and the apartments on the third floor are numbered "301", "302", "303", "304" and "305".
4. Each apartment has immediate access to a walkway or to a balcony leading to the 2 stairways, all of which are common elements of the project.

The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior loading walls, the floors and ceilings surrounding each apartment, or any pipes, wires, conduits, or other utility or service lines running through such apartment which are utilized or serve more than one apartment, the same being deemed common elements as hereinafter provided.

COMMON ELEMENTS: The common elements of the project include the limited common elements hereafter described and all other portions of the land and improvements other than the apartments. Said common elements shall include, but shall not be limited to the following:

1. Said land in fee simple;

2. All foundations, columns, girders, beams, supports, bearing walls, party walls, roofs, floors, ceilings, lobbies, walkways, stairways, elevators, ducts, electrical equipment, wiring, pipes 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, water, gas, sewer, telephone, and radio and television signal distribution;
3. All driveways, roads and other common ways, landscaping, yards, gardens, fences, retaining walls, refuse collection areas, and mailbox area, as shown on the Condominium Map;
4. Any and all other apparatus and installation of common use and all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use;
5. All other parts of the project which are not included in the definition of an apartment.

LIMITED COMMON ELEMENTS: The limited common elements set aside for the exclusive use of certain apartments are as follows:

1. The parking spaces numbered "2" through "11" (inclusive), which are covered, and the parking spaces numbered "1" and "12", which are uncovered, are assigned to each apartment and made appurtenant thereto as follows:

<u>Apt. No.</u>	<u>Parking Space No.</u>
101	6 & 7
201	8
202	9
203	12
204	10
205	5
301	1
302	2
303	3
304	4
305	11

2. A laundry area of approximately 115 square feet (shown on said Condominium Map as Laundry Area No. 1) is appurtenant to and for the exclusive use of Apartment No. 101.
3. The mailboxes bearing a number corresponding with the apartment to which it is appurtenant.

COMMON INTEREST: 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 follows:

<u>Apt. Type</u>	<u>Common Interest</u>
A	14.0041%
B	8.0524%
C	8.0394%
D	10.8273%

The method used in computing the common interest is hereto attached as Exhibit A.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The apartments shall be occupied and used only as dwellings by the respective owners, their families, domestic servants and social guests, and for no other purpose; provided, that the owners of the respective apartments shall have the absolute right to lease or rent such apartments for profit and for such periods as such owners may determine, so long as such leasing or renting is for use as a place to reside and not as a place to conduct business or trade, and said leasing or renting is made subject to the provisions of the Declaration and By-Laws.

The proposed House Rules state, in part: (1) the number of occupants in each apartment shall be limited to 5 persons in each 2-bedroom apartment and 6 persons in each 3-bedroom apartment; (2) no livestock, poultry, rabbits or other animals whatsoever shall be allowed or kept in any part of the project, except that dogs, cats and other small household pets, in reasonable number, may be kept by the apartment owners and occupants in their respective apartments, with the prior written approval of the Board of Directors or the Managing Agent; and (3) no fires or barbecuing will be permitted on any apartment lanais (balconies).

OWNERSHIP: A Preliminary Title Report prepared by SECURITY TITLE CORP., a licensed abstractor, dated September 15, 1981, shows that legal title to the land submitted to the Horizontal Property Regime is vested in RICHARD Y. W. TAN and ETHEL LEE TAN.

ENCUMBRANCES AGAINST TITLE: The aforesaid Preliminary Title Report indicates that the property is subject to the foregoing:

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent No. 177.
2. Mortgage and Financing Statement in favor of MORTGAGE, FINANCE & LEASING CORP., a Hawaii corporation, dated September 12, 1967 and recorded at said Bureau in Liber 5792, Page 435. Said Mortgage and Financing Statement was assigned to HARTFORD FEDERAL SAVINGS AND LOAN ASSOCIATION, a corporation organized under the laws of the United States of America, dated February 13, 1968 and recorded at said Bureau in Liber 5965, Page 212.
3. For taxes that are due and owing, reference is made to the Office of the Tax Assessor.

PURCHASE MONEY HANDLING: SECURITY TITLE CORPORATION, a Hawaii corporation, has been designated as Escrow Agent for the project,

pursuant to an Escrow Agreement between the Developer and said Agent, dated April 9, 1981. The Commission finds that said Agreement is in consonance with Chapter 514A, Hawaii Revised Statutes, and particularly Sections 514A-37, 39 and 63-66, inclusive. The Escrow Agreement provides, inter alia, that:

1. All monies paid or payable by purchaser under any Sales Contract shall be remitted or payable to Escrow Agent.
2. All monies received by Escrow Agent shall be deposited in an interest-bearing account, and all interest earned therefrom shall belong to and inure to the benefit of the Developer.
3. A purchaser shall be entitled to a refund of his funds, without interest, if he requests the same in writing and the Developer has requested Escrow Agent in writing to return the funds of purchaser then being held by Escrow Agent.

The Commission advises prospective purchasers to read and understand the Escrow Agreement before executing the Sales Contract.

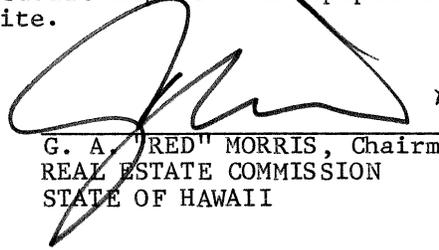
The Sales Contract filed with the Commission provides (1) that the Sales Contract shall not be binding upon the Developer, as Seller, or the Purchaser until (a) a true copy of the Commission's Final Public Report for the project, with all supplementary reports attached thereto (if any have been issued), has been given to the apartment purchaser, (b) the apartment purchaser has executed a receipt for or otherwise acknowledged receipt of the aforesaid report(s), and (c) 48 hours have elapsed since the apartment purchaser executed such receipt or acknowledged receipt of such report(s); and (2) that Developer has the right to cancel the Sales Contract if it is unable to sell 6 or more apartment units to qualified buyers, able and willing to close their respective purchases, by June 1, 1982.

MANAGEMENT AND OPERATION: The By-Laws of the Association of Apartment Owners provide that the Board of Directors of TAN APARTMENTS shall employ a Managing Agent to manage and control the project. By virtue of an Agreement dated May 1, 1981, a copy of which has been provided the Commission, NINA KAMAI PROPERTY MANAGEMENT, INC., has been designated the first management agent.

STATUS OF PROJECT: The Developer has advised the Commission that the improvements on the project were completed in 1968. A letter from the Building Department, City and County of Honolulu reveals that the building met the code requirements applicable at the time of construction and no variances or special permits were granted to allow deviations from any applicable codes.

Purchasers or prospective purchasers should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted October 23, 1981 and information subsequently filed as of January 22, 1982.

This is a FINAL HORIZONTAL PROPERTY REGIMES CONDOMINIUM PUBLIC REPORT which is made a part of REGISTRATION NO. 1464, filed with the Commission on October 23, 1981. This report when reproduced shall be a true copy of the Commission's 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 TAXATION  
BUREAU OF CONVEYANCES  
PLANNING DEPARTMENT, CITY AND COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

REGISTRATION NO. 1464

January 27, 1982

TAN APARTMENTS  
and  
METHOD USED IN DETERMINING COMMON INTEREST OF EACH APARTMENT TYPE

<u>Apt. No.</u>	<u>Apt. Type</u>	<u>Net Floor Area of this Apt. Type</u>	<u>Additional Floor Area Attributed to Yard or Balcony/Lanai Area</u>	<u>Total Apt. Floor Area</u>	<u>No. of Apts. of This Type</u>	<u>Aggregate Floor Area of all Apt. Types</u>	<u>Formula For Determining Common Interest</u>	<u>Common Interest For Each Apt. Type</u>	<u>Aggregate Common Interest of All Apts.</u>
201, 301	B	576 sq. ft.	25% x 180 sq. ft. (balcony/lanai) = 45 sq. ft.	621 sq. ft.	2	1242 sq. ft.	$\frac{1242}{7712} : 2$	8.0524	16.1048
202, 203 204, 302 303, 304	C	601 sq. ft.	25% x 77 sq. ft. (balcony/lanai) = 19 sq. ft.	620 sq. ft.	6	3720 sq. ft.	$\frac{3720}{7712} : 6$	8.0394	48.2365
205, 305	D	783 sq. ft.	25% x 206 sq. ft. (balcony/lanai) = 52 sq. ft.	835 sq. ft.	2	<u>1670 sq. ft.</u>	$\frac{1670}{7712} : 2$	10.8273	<u>21.6546</u>
						7712 sq. ft.			100%

Note: Apartment areas are "net areas" measured from interior surfaces of perimeter walls.

EXHIBIT "A"