

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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

PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

ON

THE CHANDELIER OFFICE CENTRE
Wailuku, Maui

Registration No. 1466

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 but may only take reservations therefore after

- (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: December 30, 1981
Expired: January 31, 1983

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 NOVEMBER 27, 1981, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF DECEMBER 22, 1981. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. THE CHANDELIER OFFICE CENTRE is a proposed fee simple commercial condominium project consisting of a reinforced concrete 3-story building containing 24 commercial condominium units. There are 34 parking stalls on the ground floor. Each unit shall initially have at least one parking stall appurtenant thereto. There are two guest parking stalls.

2. The Developer has filed all documents and exhibits deemed necessary by the Commission for the registration of this condominium project and the issuance of this Preliminary Public Report.
3. No promotional or advertising materials have been submitted pursuant to the rules and regulations promulgated by the Commission.
4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Unit Owners and a copy of the Floor Plans) have not been recorded at the Bureau of Conveyances of the State of Hawaii or filed with the Office of the Assistant Registrar of the Land Court of the State of Hawaii.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Preliminary Public Report automatically expires thirteen (13) months after date of issuance, December 30, 1981, unless a Final or Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.
7. This Preliminary Public Report is made a part of the registration of THE CHANDELIER OFFICE CENTRE condominium project, Registration No. 1466. The Developer is responsible for placing the Preliminary Public Report (yellow paper stock) and attached Disclosure Abstract in the hands of all purchasers and prospective purchasers and securing a signed receipt therefor.

NAME OF PROJECT: THE CHANDELIER OFFICE CENTRE

LOCATION: The land submitted to the Horizontal Property Regime, approximately .390 acres, is situated on Hookahi Street, Wailuku Industrial Park, Wailuku, County of Maui, State of Hawaii.

TAX MAP KEY: Third Division 3-4-43:50

ZONING: M-1

DEVELOPER: CANAWAII DEVELOPMENT CORP., a Hawaii corporation, with its office at Suite 302, 747 Amana Street, Honolulu, Hawaii 96814, telephone number 944-1686. John Young, President and Secretary, is the principal officer of the firm.

ATTORNEY REPRESENTING DEVELOPER: GEORGE T. OKAMURA, ESQ., 27th Floor, 737 Bishop Street, Honolulu, Hawaii 96813, telephone number 526-3011.

DESCRIPTION OF THE PROJECT: The Declaration of Horizontal Property Regime reflects a 24-unit fee simple commercial condominium project consisting of a three-story building principally constructed of reinforced concrete, masonry, steel, glass and aluminum.

1. Description of Building. The building contains 24 commercial units and 34 parking stalls. On the ground floor (designated "First Floor" on said Condominium Map) will be the thirty-four (34) parking stalls, driveways, loading zones, planting areas, stairways, elevator, entry and elevator lobby, machine room and walkways. The second and third floors (designated "Second Floor" and "Third Floor", respectively on said Condominium Map) each has twelve commercial units, a men's room, a women's room, a janitorial room, stairway, elevator lobby and the elevator. The building will be serviced by one elevator. The location and approximate size of all of the units and parking stalls, as shown on the Condominium Map, are described below.
2. Description of Units
 - A. Each Unit consists of that portion of the Building containing, the Unit which lies within the boundaries of the Unit as shown on said Condominium Map exclusive of any stairways, interior load-bearing walls and pillars, and any existing and future pipes, wires, conduits, ducts, vents and other service and utility lines or equipment which are utilized for or serve more than one Unit. Where a Unit is bounded by an exterior wall, the Unit shall be considered to include any door, window, or other closure therein, and the boundary shall be the unfinished surface of such wall on the side of the Unit, to the effect that the Unit shall include the paint, wallpaper, enamel, stain or other finishings on such surface. Where a Unit is bounded by an interior wall immediately adjacent to and adjoining a common element, the Unit shall be considered to include any door, window, or other closure therein, and the boundary shall be the unfinished surface of such wall on the side of the common element to the effect that the Unit shall exclude the paint, wallpaper, enamel, stain or other finishings on such surface. With the exception of load-bearing walls and pillars, the interior one-half of any party wall between Units shall be deemed to be part of the Unit. The horizontal boundaries of each Unit shall be the unfinished surface of the top of the concrete floor and the unfinished surface of the bottom of the concrete ceilings. Where a Unit consists in whole or in part of unenclosed space, the boundary defining such space is the boundary as shown on said Condominium Map.

B. There are nine types of units. Each unit is "semi-loft space" without interior partitions. The nine unit types differ only in square footage and shape of perimeter wall(s). The design plans for the units are shown on the Condominium Map.

Design Plan A. These units are 823 square feet each. Design Plan A units are Units 201, 206, 301 and 306.

Design Plan B. These units are 693 square feet each. Design Plan B units are Units 202, 205, 302 and 305.

Design Plan C. These units are 612 square feet each. Design Plan C units are Units 203 and 303.

Design Plan D. These units are 566 square feet each. Design Plan D units are Units 204 and 304.

Design Plan E. These units are 817 square feet each. Design Plan E units are Units 207, 212, 307 and 312.

Design Plan F. These units are 536 square feet each. Design Plan F units are Units 208 and 308.

Design Plan G. These units are 542 square feet each. Design Plan G units are Units 209 and 309.

Design Plan H. These units are 503 square feet each. Design Plan H units are Units 210 and 310.

Design Plan I. These units are 533 square feet each. Design Plan I units are Units 211 and 311.

The Units in the building are located as shown on said Condominium Map, are numbered as follows, and are of the type and on the floor designated:

<u>Number</u>	<u>Floor</u>	<u>Square Footage</u>	<u>Design Plan</u>
201	2nd	823	A
202	2nd	693	B
203	2nd	612	C
204	2nd	566	D
205	2nd	693	B
206	2nd	823	A
207	2nd	817	E
208	2nd	536	F
209	2nd	542	G
210	2nd	503	H
211	2nd	533	I
212	2nd	817	E
301	3rd	823	A
302	3rd	693	B
303	3rd	612	C
304	3rd	566	D
305	3rd	693	B
306	3rd	823	A
307	3rd	817	E

<u>Number</u>	<u>Floor</u>	<u>Square Footage</u>	<u>Design Plan</u>
308	3rd	536	F
309	3rd	542	G
310	3rd	503	H
311	3rd	533	I
312	3rd	817	E

Each of the units has access to a corridor, which is part of the common elements, leading to the two stairways, on either end of the building, and elevator, also part of the common elements, and serving all of the units.

COMMON ELEMENTS: The common elements consist of all parts of the Property other than the Units, including, without limitation, the following:

- A. The land submitted to the Horizontal Property Regime in fee simple;
- B. The foundations, pillars, girders, beams, supports, main walls, loadbearing walls and structures, roofs and floors of the Project;
- C. The hallways, corridors and walkways, stairs and stairways, ramps, roadways, driveways, loading zones and parking areas, and parking stalls.
- D. The lobby areas on each floor and the janitorial rooms on Second and Third Floors;
- E. Entrances and exits to the building, walkways, and planting areas;
- F. Central and appurtenant installations for services such as power, light, gas, water, sewerage and the like;
- G. The elevator, elevator shaft and wells, elevator machinery and elevator room, the machine room on the First Floor, and appurtenant installations and apparatus;
- H. The roof and appurtenant installations;
- I. Two (2) open guest parking stalls, being parking stalls numbers 33 and 34;
- J. All other areas and parts of the Project and building for the common use or necessary to the maintenance or safety of the Project.

LIMITED COMMON ELEMENTS: Certain parts of the common elements designated "limited common elements" are set aside and reserved for the exclusive use of certain Units and such Units shall have appurtenant thereto exclusive easements for the use of such limited common elements. The limited common elements so set aside and reserved are the parking stalls for each Unit as shown in Exhibit "A", herein attached, and the Condominium Map.

Each Parking Stall consists of that portion of the Building containing the Stall which lies within the boundaries of the Stall as shown on said Condominium Map exclusive of any adjacent walls and pillars, stairways, and any existing and future pipes, wires, conduits, ducts, vents, and other service and utility lines which are utilized for or serve more than one Stall. The Stall consists of the unenclosed space shown on said Condominium Map and can never be enclosed, and the boundary defining such space is the boundary as shown on said Condominium Map. The horizontal boundaries of each Parking Stall shall be the surface of the bottom of the concrete or asphalt floor and the surface of the bottom of the concrete ceiling and if no ceiling exists then said Stall boundary shall extend vertically to a height of eight (8) feet.

INTEREST TO BE CONVEYED TO PURCHASER: The percentage of undivided interest in the common elements appurtenant to each Unit for all purposes, including voting and allocation of common expenses, shall be as set forth in Exhibit "A" attached hereto.

NOTE: Utilities used in each unit will be separately metered for each unit but all utilities used for common elements, will be provided on a common meter basis.

In the case of the Parking Stalls, the cost of all utilities and all costs and expenses of maintenance, repair and replacement of, and the making of any improvements to such limited common elements shall be charged to and assessed against the owners of units as to which such stalls are appurtenant.

PURPOSE OF BUILDING AND RESTRICTION AS TO USE: The Declaration and By-Laws state that the units shall be occupied and used as for professional office, business and/or commercial purposes, only as allowed by law. Subject to such limitations as may be contained in the Declaration, the By-Laws and the House Rules which may be adopted or amended from time to time governing the use of the units and as provided by law.

OWNERSHIP OF LAND: The Developer has filed with the Commission a Preliminary Title Report issued by Founders Title & Escrow of Hawaii, dated November 13, 1981, which reveals that the ownership of fee simple title is vested in the Developer, Canawaii Development Corporation.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Report of November 13, 1981 reveals that the fee simple title is subject to the following encumbrances:

1. For Real Property taxes due and payable reference is made to Finance Director, County of Maui.
2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
3. A grant of sewer easement in favor of the City of Maui dated November 25, 1958, recorded in the Bureau of Conveyances, State of Hawaii, in Book 3773, Page 469.
4. Easement "G" for protective landscaping and drainage purposes as shown on File Plan No. 1525.

5. Reservation of all water and water rights within or appurtenant to said premises in favor of Wailuku Sugar Company, as reserved in Deed dated July 21, 1976, recorded in the Bureau of Conveyances, State of Hawaii, in Book 11563, Page 120.
6. Restrictive Covenants as contained in that certain Declaration dated June 27, 1977, recorded in the Bureau of Conveyances, State of Hawaii, in Book 12292, Page 200.

Said Declaration was amended by instrument dated August 1, 1977, recorded in Book 12361, Page 537.

7. A Grant of Easement over Easement G, for landscape and drainage purposes, in favor of Wailuku Industrial Park Owners Association, a Hawaii non-profit corporation, as granted by instrument dated June 28, 1978, recorded in the Bureau of Conveyances, State of Hawaii, in Book 13497, Page 66.

Joinder by Laulima, Incorporated, recorded concurrently in Book 13497, Page 68.

8. Mortgage

Dated:	August 18, 1981
Recorded:	August 18, 1981
Book 15773, Page 250	
Amount:	\$156,000.00
Mortgagor:	Canawaii Development Corp., a Hawaiian corporation
Mortgagee:	City Bank, a Hawaii corporation.

PURCHASE MONEY HANDLING: An executed copy of the Escrow Agreement dated November 23, 1981 by and between Founders Title and Escrow, as Escrow, and Canawaii Development Corporation, as Seller, has been submitted to the Real Estate Commission as part of this registration, and has been found to be in compliance with Chapter 514A, Hawaii Revised Statutes, particularly with Section 514A-37, 514A-39, 514A-40, 514A-63 through 514A-66. A copy of the Sales Contract has also been submitted to the commission.

The executed Escrow Agreement states in part: that a purchaser shall be entitled to a refund of his funds, and Escrow shall pay the funds to the purchaser, without interest, less Escrow cancellation fee of \$25.00, if purchaser requests in writing refund of his funds, provided, one of the following has occurred:

- (a) Developer has requested Escrow in writing to return to purchaser the funds of purchaser then being held by Escrow; or
- (b) Purchaser's entitlement to a refund pursuant to Hawaii Revised Statutes Section 514A-63, 514A-64, 514A-65, or 514A-66 is established to the satisfaction of Escrow.

Among other provisions, the Sales Contract provides that the Developer intends to borrow money from an interim lender for the development of the project and said mortgagee will have a lien securing the note evidencing the indebtedness incurred for the development of the project. The mortgage and note secured thereby, and any renewals or extensions of said mortgage and note, shall be and remain at all times a superior lien or charge upon the project, and the Sales Contracts arising from purchase agreements for units on the Project shall remain subordinate to the Mortgage lien hereinabove mentioned. In addition, the Seller has the right to increase the Sales Price under certain circumstances in an amount not exceeding 5% of the sales price, subject to Buyers right of cancellation within 10 days from date of notice, if such increase shall exceed 5%. Seller further reserves the right to rescind the Sales Contract if less than 50% of the units are not sold within one year from date of issuance of the Commissioner's Preliminary Public Report.

It is incumbent upon purchasers and the prospective purchasers to read with care the Sales Contract and the executed Escrow Agreement. The latter establishes how the proceeds from the sale of units are placed in trust, as well as the retention and disbursement of said trust fund.

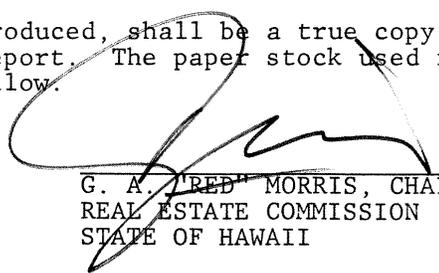
MANAGEMENT OF PROJECT: The By-Laws provide that the operation of the project shall be conducted for the Association of Unit Owners under the direction of the Board of Directors, and a managing agent. The initial agent selected by the Developer is LLOYD Y. KIMURA, C.P.A., whose place of business and mailing address is Suite 206, 2145 Wells Street, Wailuku, Hawaii 96793.

STATUS OF PROJECT: The Developer advises that construction should commence about January 15, 1982 and be completed by about June 15, 1982.

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 by the Developer on November 27, 1981, and additional information submitted as of December 22, 1981.

THIS PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 1466, filed with the Commission on November 27, 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 yellow.


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

Distribution:

DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING DEPARTMENT, COUNTY OF MAUI
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

Registration No. 1466

Dated: _____

The approximate area of each unit, the undivided common interest in the common elements appertaining to each unit, and the assigned parking stall for each unit are as follows:

<u>UNIT NO.</u>	<u>APPROXIMATE AREA</u>	<u>COMMON INTEREST</u>	<u>PARKING STALL</u>
201	823	5.1709%	3, 4
202	693	4.3541	5
203	612	3.8452	6
204	566	3.5562	7
205	693	4.3541	8
206	823	5.1709	9, 10
207	817	5.1332	11, 12
208	536	3.3677	13
209	542	3.4054	14
210	503	3.1603	15
211	533	3.3488	16
212	817	5.1332	17, 18
301	823	5.1709	19, 20
302	693	4.3541	21
303	612	3.8452	22
304	566	3.5562	23
305	693	4.3541	24
306	823	5.1709	25, 26
307	817	5.1332	27, 28
308	536	3.3677	29
309	542	3.4054	30
310	503	3.1603	31
311	533	3.3488	32
312	817	5.1332	1, 2

EXHIBIT "A"