

# 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  
MJJ APARTMENTS  
1720 Young Street  
Honolulu, Hawaii

REGISTRATION NO. 1470 (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: March 11, 1982  
Expires: April 11, 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 DECEMBER 11, 1981 AND INFORMATION SUBSEQUENTLY SUBMITTED ON FEBRUARY 27, 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. "MJJ APARTMENTS" is a proposed fee simple condominium conversion project consisting of seven (7) residential apartments contained in one building, which has five (5) floors. There are eleven (11) parking spaces, three (3) of which are for compact cars. 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 and the issuance of this Final Public Report.
3. No advertising or promotional matter has been submitted pursuant to the Rules and Regulations promulgated by 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 Liber 16033, Page 505. The map for the project has been designated as Condominium Map No. 834. The First Amendment to the Declaration of Horizontal Property Regime was subsequently filed at the Bureau of Conveyances on January 25, 1982 in Liber 16122, Page 395.
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, March 11, 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 MJJ 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: MJJ APARTMENTS

ADDRESS: The land (approximately 7,359 square feet) committed to the project is located at 1720 Young Street, Honolulu, City and County of Honolulu, State of Hawaii.

TAX MAP KEY: FIRST DIVISION 2-8-1-33

ZONING: A-4 (Apartment)

DEVELOPER: MO WAN LAU MOK, unmarried, and MARGARET S. Y. CHING, wife of Len Kui Ching, both of whose residence and post office address is 1720 Young Street, Honolulu, Hawaii 96826 and whose telephone number is 946-3847.

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 seven (7) apartment units contained in one building (5 stories), constructed principally of reinforced concrete.
2. The building has a ground floor used for automobile parking and four apartment floors, containing three apartment types, more particularly described as follows:

<u>Apt. Type</u>	<u>Net Floor Area (sq. ft.)</u>	<u>Balcony/Lanai/Roof Deck Laundry Area (sq. ft.)</u>	<u>Total Apartment Area (sq. ft.)</u>	<u>Number of Rooms</u>	<u>Included in these Rooms</u>	<u>Apt. Nos. of this apt. type</u>
A	1203	221 (Balcony/Lanai)	1424	8	Living Room Kitchen 3 Bathrooms 3 Bedrooms	201, 301 401
B	1206	254 (Balcony/Lanai)	1460	8	Living Room Kitchen 3 Bathrooms 3 Bedrooms	202, 302 402
C	1151	1765 (Roof Deck and Laundry Area)	2916	7	Living Room Kitchen 2 Bathrooms 3 Bedrooms	Penthouse

3. The apartments are numbered consecutively from "01" through "02" ("01" apartments being closer to Young Street), preceded by the number of the apartment floor. The apartments on the second floor are numbered "201" and "202", the apartments on the third floor are numbered "301" and "302", and the apartments on the fourth floor are numbered "401" and "402". The apartment on the fifth floor is the Penthouse.
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. Each apartment shall be deemed to include the interior decorated or finished surfaces of all walls, floors and ceilings, and partitions within the perimeter walls, all window glass, the unenclosed space within the lanai (balcony), the air space within the lanai (balcony) and the perimeter walls, together with fixtures, appliances and other improvements located therein.

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, 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 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. A Recreation Deck located on the roof at the Young Street side of the building, as more particularly delineated on said Condominium Map as the "Recreation Deck".
6. All other parts of the project which are not included in the definition of an apartment.

LIMITED COMMON ELEMENTS: The parking spaces, numbered all of which are covered (eight of a standard size and three of a compact size) are numbered "1" through "11". Parking spaces assigned to each apartment and made appurtenant thereto are as follows:

<u>Apt. No.</u>	<u>Parking Space No.</u>
201	2
202	6
301	3
302	4
401	1
402	5 - Compact Stall
Penthouse	8 & 9

Parking Space Nos. 7, 10 & 11 are reserved for guest parking. Stalls No. 7 and 11 are compact stalls.

A laundry area of approximately 242 square feet (shown on said Condominium Map as Penthouse Laundry Area) is appurtenant to and for the exclusive use of the Penthouse apartment.

A roof deck area of approximately 1,523 square feet (shown on said Condominium Map as Roof Deck Penthouse) is appurtenant to and for the exclusive use of the Penthouse apartment.

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	13.7097%
B	13.8404%
C	17.3497%

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 6 persons in each 3-bedroom apartment; (2) no animals, including, without limitation, dogs, cats, rabbits and birds shall be allowed or kept in any part of the project without the prior written approval of the Board of Directors; 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 February 23, 1982, shows that legal title to the land submitted to the Horizontal Property Regime is vested in MO WAN LAU MOK and MARGARET S. Y. CHING as tenants in common.

ENCUMBRANCES AGAINST TITLE: Said title search states that the title to the property is subject to the following encumbrances:

1. For any taxes that may be due and owing, reference is made to the Office of the Tax Assessor, First Division.

2. The covenants, agreements, obligations, conditions and other provisions set forth in that certain Declaration of Horizontal Property Regime of MJJ APARTMENTS dated December 9, 1981, recorded on December 11, 1981 in the Bureau of Conveyances of the State of Hawaii in Book 16033, Page 505, and the By-Laws attached thereto.

By instrument dated January 21, 1982, recorded on January 25, 1982 in said Bureau of Conveyances in Book 16122, Page 395, the foregoing Declaration was amended.

3. Condominium Map No. 834, filed in said Bureau of Conveyances on December 11, 1981.

PURCHASE MONEY HANDLING: TITLE GUARANTY ESCROW SERVICES, INC., a Hawaii corporation, has been designated as Escrow Agent for the project, pursuant to an Escrow Agreement between the Developer and said

Agent, dated December 8, 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 any one of the following events has occurred:
  - a. The Developer and purchaser have requested Escrow Agent in writing to return the funds of purchaser then being held by Escrow Agent; 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.

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 5 or more apartment units to qualified buyers, able and willing to close their respective purchases, by July 1, 1982.

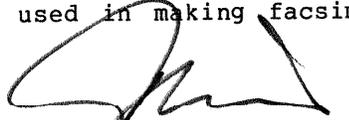
MANAGEMENT AND OPERATION: The By-Laws of the Association of Apartment Owners provide that the Board of Directors of MJJ APARTMENTS shall employ a Managing Agent to manage and control the project. By virtue of an executed Agreement, a copy of which has been provided the Commission, NINA KAMAI PROPERTY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

STATUS OF PROJECT: The existing building in the project was completed in 1972. A letter from the Building Department of the City and County of Honolulu confirms that the building meets code requirements and no variances or special permits were granted to allow deviations from any 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 December 11, 1981, and information subsequently filed on February 27, 1982.

This is a FINAL HORIZONTAL PROPERTY REGIMES CONDOMINIUM PUBLIC REPORT which is made a part of REGISTRATION NO. 1470, filed with the Commission on December 11, 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.



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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. 1470

March 11, 1982