

REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3459
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT

on
KALAIMOKU TERRACE
435 Kalaimoku Street
Honolulu, Hawaii

REGISTRATION NO. 1526

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: July 18, 1983
Expires: August 18, 1984

SPECIAL ATTENTION

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED DECEMBER 28, 1982 AND INFORMATION SUBSEQUENTLY FILED AS OF JUNE 30, 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. KALAIMOKU TERRACE is a proposed fee simple condominium project with nine (9) three (3) bedroom two (2) bath residential units and fourteen (14) parking stalls, of which 4 stalls are compact size. The building has not been built yet and will have ten (10) stories with the parking area on the ground floor.
2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and issuance of this Preliminary Public Report.
3. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a copy of the approved Floor Plans) have not been recorded in the Bureau of Conveyances as of this date.
4. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A, Hawaii Revised Statutes, as amended, and the Condominium Rules and Regulations which relate to the Horizontal Property Regime.
6. This Preliminary Public Report is made a part of the registration of Kalaimoku Terrace Condominium Project. The Developer shall be responsible for placing this Preliminary Public Report (yellow paper stock) and attached Disclosure Abstract in the hands of all purchasers and prospective purchasers. Securing a signed copy of receipt for same is also the responsibility of the Developer.
7. This Preliminary Public Report automatically expires thirteen (13) months after date of issuance, July 18, 1983 unless a Final or Supplementary Public Report issues or the Commission upon review of registration issues an order extending the effective period of this Report.

NAME OF PROJECT: KALAIMOKU TERRACE

LOCATION: The approximate 9,000 square feet of real property and building to be committed to the regime, as a fee simple condominium project, is located at 435 Kalaimoku Street, Honolulu, Hawaii.

DEVELOPER: 435 KALAIMOKU STREET PARTNERS, a Limited Partnership registered in the State of Hawaii, whose place of business and mailing address is 1690 Ala Moana Blvd., Honolulu, Hawaii 96815, Phone 946-6527. The General Partner is LIMCO REALTY INC. of the same address.

PERSON REPRESENTING DEVELOPER: LILY S. M. LIM of 2114 Manoa Road, Honolulu, Hawaii 96822; phone 946-6525.

DESCRIPTION: The proposed Declaration of Horizontal Property Regime and Condominium File Plan prepared by Laber and Masters Inc/Architect reflect that the project is to consist of the fee simple land and a ten (10) story building without basement containing a total of nine (9) residential apartments with one (1) apartment to each floor and 10 regular size parking spaces and 4 compact size parking spaces.

There will be one elevator in the building. The ground floor consists of an entry lobby and fourteen (14) parking spaces.

All apartments are three (3) bedroom units and contain seven (7) rooms including two (2) bathrooms. Each apartment is approximately 1,031 net square feet plus 192 square feet of hideaway space and 88 square feet of lanai space for a total gross area of 1,311 square feet.

The kitchen has a range, micro-wave oven, refrigerator, dishwasher, disposal and heater.

Each unit will have immediate access to the foyer leading to the elevator or to the stairway to the ground level lobby and out to the public streets.

There will be only one apartment to each floor and the numbers will begin with 200 on the second floor, 300 on the third, 400 on the fourth, 500 on the fifth, 600 on the sixth, 700 on the seventh, 800 on the eighth, 900 on the ninth and 1000 on the tenth.

The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floors and ceiling surrounding each apartment or any pipes, wires, conduits, ducts or other utility lines running through such apartment, the same being deemed common elements as hereinafter provided. Each apartment shall be deemed to include all the walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings, doors and door frames, windows and window frames, and all fixtures originally installed therein.

COMMON ELEMENTS: The proposed Declaration reflects that the common elements consist of:

- a) The land in fee simple.
- b) All foundations, floor slabs, columns, girders, beams, supports, load-bearing walls, interior walls separating adjacent apartments, if any, fences and building roof.
- c) All yards, grounds, landscaping, sprinkler system, refuse facilities, all utility rooms, trash rooms, common laundry areas including service toilets, storage rooms and lobby.
- d) All building walkways, building sidewalks, stairways, pathways, driveways including 14 parking spaces, corridors or common balcony on each floor, elevator, elevator shaft and appurtenant equipments.
- e) All ducts, house meters, electrical equipment, wiring and other central appurtenant installations, including power, light, water, sewer, gas and telephone, machine and meter rooms and switch room, all pipes, wires, conduits or other utility or service lines, including TV cables, if any, which run through an apartment, but which are utilized by or serve more than one apartment.
- f) 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.

LIMITED COMMON ELEMENTS: Certain parts of the common elements are designated and set aside for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto easements for the use of such limited common elements as follows:

Parking space(s) as designated on the condominium file plan by the number corresponding to the number of each apartment which shall be appurtenant to and for the exclusive use of such apartment. Apartments 200, 300, 400 and 500 have 1 regular parking stall each. Apartments 600, 700, 800 and 900 have 1 regular parking stall and 1

compact parking stall each. Apartment 1000 has 2 regular parking stalls.

INTEREST TO BE CONVEYED PURCHASER: The Declaration states that the undivided interest in the common elements appertaining to each apartment is an undivided percentage interest of 11.111. According to the Declaration and By-Laws, each apartment's share of the common profits and expenses and voting rights shall be in proportion to its undivided percentage interest in the common elements.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration states 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 apartments shall not be rented for transient or hotel purposes, which are defined as (a) rental for any period less than 30 days, or (b) any rental in which the occupants of the apartment are provided customary hotel service, laundry and linene or bellboy service. Except for such transient or hotel purposes the owners of the respective apartment shall have the absolute right to lease such apartment subject to all provisions of this Declaration.

The House Rules, among other provisions, provide: (1) Unless otherwise approved in writing by the Board, no more than six (6) persons shall be allowed to occupy any apartment; (2) No more than two (2) guests, in addition to the number of occupants allowed in each apartment, may be permitted in each apartment for a period not to exceed three (3) days at any one time; (3) Unless approved by the Board in writing, no barbecuing shall be allowed on any lanai or common area; and (4) Certain pets are permitted provided certain conditions are strictly observed.

OWNERSHIP TO TITLE: A Preliminary Title report dated May 17, 1983 issued by Title Guaranty of Hawaii verifies that title to the land is vested in the Developer, 435 WALKERSON STREET PARTNERS.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Title Report notes the following encumbrances against the property:

1. As to Parcel Second Only:-
 - (a) Reservation in favor of the State of Hawaii of all mineral and metallic mines.
 - (b) Sanitary sewer easement in favor of the City and County of Honolulu condemned by Final Order of Condemnation dated October 3, 1968, filed in the Circuit Court of the First Circuit, State of Hawaii, Civil No. 22973, on February 15, 1968, recorded in Liber 6264 at Page 301.
2. MORTGAGE
 - MORTGAGOR : ADELE ANCONA SUTTON, wife of Murad Sutton
 - MORTGAGEE : FINANCE FACTORS, LIMITED, a Hawaii corporation
 - DATED : February 24, 1980
 - FILED : Land Court Document No. 1000389
 - RECORDED : Liber 14532 Page 189
 - AMOUNT : \$280,000.00
3. "Existing tenancies and to the reservation in favor of the State of Hawaii of all mineral and metallic mines." as set forth in Deed dated February 28, 1980, recorded in Liber 14555 at Page 385.

4. For real property taxes that may be due and owing, check with the Tax Assessor, City and County of Honolulu.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated February 4, 1982 identifies Title Guaranty Escrow Services, Inc., as Escrow. On examination, the specimen Reservation Agreement, Sales Contract and Escrow Agreement are found to be in compliance with Chapter 514A, Hawaii Revised Statutes, as amended.

The provisions of the executed Escrow Agreement provides that all monies received from Buyers will be placed in a Trust Fund and that disbursement from the fund will be made by Escrow Agent under the following conditions:

(1) When Buyer's Funds May Be taken Out of the Trust Fund.

(a) The Real Estate Commission has issued a final public report on the Project; and

(b) Buyer has been given a copy of the Final Report and has told Developer in writing that Buyer has the Final Report; and

(c) 48 hours have gone by since Developer got the written notice of receipt of the Final Report from Buyer; and

(d) Developer lets Escrow know in writing that all of the requirements of Section 514A-39, 514A-63, 514A-64 through 514A-66 of the Condominium Law have been met; and

(e) Developer lets Escrow know in writing that, since these other things have happened, Developer and Buyer may not back out of the agreements they made in the Sales Contract; and in the same written notice, Developer lets Escrow know that, either the time in which Developer and Buyer could back out of the agreements in the Sales Contract has passed, or that Developer and Buyer have said that they will not back out of the agreements in the Sales Contract.

The Sales Contract, among other provisions, provides that the Developer intends to secure mortgage financing for the construction of the project, and the purchasers Sales Contract shall be and remain subordinate to the mortgage and notes secured thereby, including any renewals and extensions thereof.

Purchasers and prospective purchasers are advised to read with care the Escrow Agreement and the Sales Contract as it affects the use and disbursements of the funds, the benefits and obligations therein the purchase agreement.

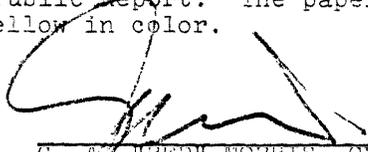
MANAGEMENT AND OPERATIONS: The Developer anticipates selecting Limco Realty Inc., 1690 Ala Moana Blvd., Honolulu, HI 96815, as the initial managing agent. Limco Realty Inc. is also the general partner of 435 Kalaimoku Street Partners, the Developer of this project.

STATUS OF PROJECT: The Developer has advised the Real Estate Commission that construction of the building will commence as soon as financing for construction has closed. Financing for construction is contingent on pre-sales of eight (8) of the nine (9) units. Completion is estimated 15 months after the construction financing has been completed.

The purchaser or prospective purchaser shall be cognizant of the fact that this Preliminary Public Report represents information disclosed by the Developer in the required Notice of Intention submitted December 28, 1982 and information subsequently filed as of June 30, 1983.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1526 filed with the commission on December 28, 1982.

This Preliminary Public Report, when reproduced, shall be a true copy of the Commission's Preliminary Public Report. The paper stock used in its facsimile must be yellow in color.



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

Distribution:

DEPARTMENT OF FINANCE, CITY & COUNTY OF HONOLULU
BUREAU OF CONVEYANCES
PLANNING DEPARTMENT, CITY & COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

REGISTRATION NO. 1526

July 18, 1983

Kalaimoku Terrace

DISCLOSURE ABSTRACT

1. Name of Project: Kalaimoku Terrace
2. Address: 435 Kalaimoku St., Honolulu Hi.
3. Name of Developer: 435 Kalaimoku Street Partners, a Limited Partnership
4. Address of Developer: 1690 Ala Moana Blvd., Hon. Hi 96815
5. Telephone No: (808) 946-6527
6. Project Manager or Agent: Lily S. M. Lim
7. Address: 2114 Manoa Road, Hon. Hi 96822
8. Maintenance Fees: Breakdown of monthly and annual maintenance fee and the monthly maintenance for each apartment is set forth in the estimate of expenses attached hereto and incorporated herein by reference and is certified to be based on generally accepted accounting principles.
9. Commencement of Maintenance Fees: An apartment owner shall become obligated for the payment of the share of the common expenses allocated to his apartment when the apartment is ready for occupancy or until such time that the Developer advises that after a certain date certain all apartments including the Developer's retained and/or unsold apartments shall uniformly be required to pay its respective share of common expenses allocated to its apartments.
10. Warranties:
 - Individual apartments and common elements: The warranty by the general contractor will be for labor, materials and equipment produced or incorporated into the Project are to be free from defects and in accordance with the construction contract. As to appliances, the manufacturer and/or supplier's warranties are to be transferred to the Buyer.
 - Initiation and expiration of any such warranties: The general contractor's warranty to extend for one year from the certificate of completion issued by the architect for the Project. As to appliance warranties, the same to be for such period as is provided in the manufacturer's and/or supplier's warranty.
11. Project: Nine (9) apartments in one (1) building for apartment uses with ten (10) regular and four (4) compact parking stalls. Each apartment has one (1) or two (2) parking stalls assigned to it. See Declaration for further detailed description of the uses of the apartments. There are no other uses in the Project.

Dated: January 31 1983

435 Kalaimoku Street Partners.

by Lly S O Lim
President of Limco Realty Inc.,
General Partner

KALAIMOKU TERRACE
(9 Units)

<u>Receipts</u>	<u>Monthly</u>	<u>Annually</u>	<u>Remarks</u>
Maintenance Fees	\$ 1,080	\$ 12,960	
TOTAL RECEIPTS	\$ 1,080	\$ 12,960	
 <u>Disbursements</u>			
Audit & Tax Fees	\$ 10	\$ 120	
Insurance (Fire/Liability)	150	1,800	
Management & Accounting Serv.	90	1,080	
Refuse Service	75	900	
Maintenance & Repair - Building	50	600	
" " Elevator	250	3,000	
" " Other Equip.	50	600	
Maintenance Contract (Janitoria)	100	1,200	
Supplies, Grounds	50	600	
" Recreation Area	30	360	
" Building & Others	25	300	
Utilities - Electricity	100	1,200	
" Water/Sewer	50	600	
Other Disbursement	<u>50</u>	<u>600</u>	
Sub-Total Disbursements	\$ 1,080	\$ 12,960	
TOTAL DISBURSEMENTS	\$ 1,080	\$ 12,960	

The cash operating budget (prorated on a monthly basis) is for one year commencing January 1983. The information contained herein is based on the data available to us at this time.

We certify that the monthly cash operating costs have been based on generally accepted accounting principles.

By *Lily Sor Lim*
President of Limco Realty
Inc. the General Partner of
435 Kalaimoku Street Partners,
a Limited Partnership

January 31 1983
Limco Realty Inc.

The ~~monthly~~ maintenance expense for each apartment is \$120.00 monthly