

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

FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

ON

IWILEI BUSINESS CENTER
Iwilei Road and Sumner Street
Honolulu, Hawaii

REGISTRATION NO. 1588 (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: December 12, 1984

Expires: January 12, 1986

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 FEBRUARY 1, 1984 AND INFORMATION SUBSEQUENTLY FILED AS OF December 5, 1984. 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 IWILEI BUSINESS CENTER, Registration No. 1588, on June 15, 1984, the Developer has submitted additional information and informed the Commission of certain material

changes. For instance, the Project, will now consist of one (1) parking apartment, one (1) warehouse apartment and ten (10) apartments in six (6) existing buildings. Of the six buildings, three (3) are single-story and three (3) are two story.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the issuance of this Final Public Report.
3. The basic documents (Declaration of Horizontal Property Regime, By-laws of the Association of Apartment Owners and a copy of the approved floor plans) have been filed in the office of the Recording Officer. The Declaration of Horizontal Property Regime with the By-laws attached, was recorded in the Bureau of Conveyances of the State of Hawaii in Liber 18280 at Page 459 and in the Office of the Assistant Registrar of the Land Court as Document No. 1268640, and a copy of the floor plans has been filed as Condominium Map No. 935.
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 Final Public Report automatically expires thirteen (13) months after date of issuance December 12, 1984, 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 IWILEI BUSINESS CENTER. The Developer is responsible for placing this Final Public Report (white paper stock), the Preliminary Public Report (yellow paper stock) and the revised Disclosure Abstract dated November 21, 1984 in the hands of all purchasers and prospective purchasers and securing a signed receipt therefor.

Except for the information contained under the following topical headings, the information in the Preliminary Public Report has not changed.

DESCRIPTION OF PROJECT: The Declaration and Condominium Map reflect that the project consists of the land aforesaid and twelve (12) apartments without basement, including a parking apartment, referred to on the Condominium Map as Apartments 1, 2, 3A, 3B, 3C, 4, 5A, 5B, 5C, 6, 7 and 8. Plans and specifications for the project were prepared by Architects Hawaii, Ltd.

Each apartment is numbered, described and located as follows:

Apartment 1 is a one story building proposed for commercial, warehouse or light industrial use with 30,505 square feet under roof.

Apartment 2 is a one story building proposed for commercial, warehouse or light industrial use with 16,341 square feet under roof.

Apartment 3A is a portion of a one story building proposed for commercial, warehouse or light industrial use with a total of 31,178 square feet under roof.

Apartment 3B is a portion of a one story building proposed for commercial, warehouse or light industrial use with a total of 39,877 square feet.

Apartment 3C is a portion of a one story building proposed for commercial, warehouse or light industrial use with a total of 525 square feet.

Apartment 4 is a two story building proposed for commercial office or light industrial use with a total of 12,847 square feet under roof as follows: First floor - 7,525 square feet and Second floor 5,322 square feet.

Apartment 5A is a portion of the first floor of a two story building proposed for commercial office or light industrial use with a total of 6,700 square feet.

Apartment 5B is a portion of the first floor of a two story building proposed for commercial office or light industrial use with a total of 275 square feet.

Apartment 5C is the second floor of a two story building proposed for commercial office or light industrial use with a total of 7,650 square feet.

Apartment 6 is a two story building proposed for commercial, warehouse or light industrial use with a total area of 106,201 square feet under roof as follows: First floor - 79,913 square feet and Second floor - 26,288 square feet.

Apartment 7 is the enclosed area beneath the ramp leading to Apartment 8 proposed for warehouse or light industrial use with 964 square feet under roof.

Apartment 8 is comprised of 278 parking stalls, including those located on that portion of the roof of Apartments 3A, 3B and 3C with a total area of 39,719 square feet.

NOTE: The sale and conveyance of Apartment 8 to the association of Apartment Owners of Iwilei Business Center shall be made upon the sale and conveyance of 200,000 square feet of the saleable space in the project.

Each apartment has immediate access to a common element leading to a public street.

COMMON ELEMENTS: The following subparagraphs have been revised:

(b) All sidewalks, driveways, yards, gardens and the vehicular ramp and stairways leading to the roof of Apartments 3A, 3B and 3C as designated on said Condominium Map.

(c) All ducts, sewer lines, drain lines, water lines, electrical equipment, pipes, wiring and other central and appurtenant transmission facilities, installations which serve more than one apartment for services such as power, light, water, fire sprinkler system, refuse, telephone, radio and television signal distribution.

(e) The area other than the clerestory structure and portions of Apartment 8 on the roof of Apartments 3A, 3B and 3C.

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

(a) Decks and steps, if any, which will be used only for purposes of ingress and egress for a specific unit, shall be appurtenant to and for the exclusive use of such unit.

(b) The walls, roofs, clerestory structure and skylights, serving all the Apartments with the exception of Apartment 8 as shown on the Condominium Maps shall be appurtenant to and for the exclusive use of such apartment, save and except that the walls serving any two apartments as shown on the Condominium Map shall be appurtenant to and for the exclusive use of said Apartments e.g. the wall serving Apartments 1 and 3A shall be appurtenant to and for the exclusive use of said Apartments 1 and 3A.

(c) Certain limited common elements designated on the Condominium Map to be used for parking, loading, access purposes and for the placing of refuse containers are set aside and reserved specifically for the exclusive use of certain apartments as follows:

<u>Apartment</u>	<u>Specific Limited Common Element Area</u>	<u>Gross Area</u>
1	L1	1,306 square feet
3A	L3A	836 square feet
3B	L3B	2,445 square feet
3C	L3C	229 square feet
4	L4	1,878 square feet
5A	L5A & 5C	71 square feet
5C	L5A & 5C	71 square feet
	L5C	90 square feet
	L5C	56 square feet
6	L6	2,598 square feet

(d) All other common elements of the Project which are rationally related to less than all of said apartments shall be limited common elements appurtenant to the apartments to which they are so related.

INTEREST TO BE CONVEYED TO PURCHASER: The percentage of undivided interest in the common elements appertaining to each apartment shall be as follows:

<u>APARTMENT</u>	<u>PERCENTAGE INTEREST</u>
1	.104
2	.056
3A	.106
3B	.136
3C	.002
4	.044
5A	.023
5B	.001
5C	.026
6	.363
7	.003
8	.136

For purposes of voting on all matters requiring action by the owners, as well as the common profits and expenses of the Project, the above percentages shall govern.

Note: The common interest is based solely upon the enclosed area of the apartments within the perimeter walls of the buildings of the project, and does not include common elements or limited common elements.

PURPOSE OF APARTMENTS AND RESTRICTION AS TO USE:

Apartments 1, 2, 3A, 3B, 3C, 6 and 7 shall be occupied and used only for light industrial, commercial, or warehouse purposes which are consistent with and appropriate to the design of the buildings and for which adequate ventilation, plumbing and similar facilities exist and for such other uses permitted from time to time by applicable zoning ordinances, rules and regulations. Apartments 4, 5A, 5B and 5C shall be occupied and used only for commercial office or light industrial purposes which are consistent with and appropriate to the design of the buildings and for which adequate ventilation, plumbing and similar facilities exist and for such other uses permitted from time to time by applicable zoning ordinances, rules and regulations. Apartment 8 shall be used exclusively for the parking of vehicles. The apartment owners shall have the absolute right to rent or lease their apartment subject to the limitations and conditions contained in the Declaration, By-laws or Conveyance Document. Purchasers are urged to examine with care the revised House Rules, a copy of which has been submitted to the Commission as Exhibit 1 to the By-Laws, to familiarize themselves with limitations as to usage of the property.

OWNERSHIP OF TITLE: The Preliminary Report dated November 15, 1984, issued by Title Guaranty of Hawaii, Inc., indicates that title to the land is vested in the Developer, Iwilei Business Center, Inc., a Hawaii corporation.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Report dated November 15, 1984, reports that title to the land is subject to the following encumbrances:

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

2. AS TO PARCEL FIRST ONLY: Encroachment as set forth in Land Title Survey prepared by John Cline Mann, Registered Professional Land Surveyor, dated May 16, 1983 (revised July 11, 1983, July 18, 1983, September 14, 1983 and September 26, 1983), to-wit:

"7. An eave appurtenant to the building on Lot A, Land Court Application No. 449, encroaches into Parcel Second approximately 6 feet for a length of approximately 68 feet." (This eave extends from the adjoining property onto that common area alongside Apartment 6 and will be allowed to remain unless the Association of Apartment Owners of Iwilei Business Center desires to have same removed.)

3. AS TO PARCEL SECOND ONLY: Encroachment as set forth in Land Title Survey prepared by John Cline Mann, Registered Professional Land Surveyor, dated May 16, 1983 (revised July 11, 1983, July 18, 1983, September 14, 1983 and September 26, 1983), to-wit:

"8. A conveyor belt and support beams appurtenant to the building on Parcel Third crosses the Northerly boundary of said Parcel Third." (This belt and beams have been removed.)

4. AS TO PARCEL THIRD (C) ONLY:

(A) Grant in favor of the City and County of Honolulu, dated February 24, 1939, recorded in Liber 1488 at Page 415; granting the right, in the nature of an easement, to be exercised and enjoyed by the Board of Water Supply, City and County of Honolulu, to install, maintain, operate, repair and remove an underground water pipe line or pipe lines under and across a portion of said parcel, said easement being more particularly described as per survey of John Cline Mann, Registered Professional Land Surveyor, dated May 16, 1983 (revised July 11, 1983, July 18, 1983, September 14, 1983 and September 26, 1983).

(B) Grant in favor of the City and County of Honolulu, dated _____, (acknowledged August 15, 1978), recorded in Liber 13158 at Page 780; granting easements to construct, reconstruct, install, maintain, operate, repair and remove an underground sewer pipe line or pipe lines through, under and across a portion of said parcel, said easements being more particularly described per survey of John Cline Mann, Registered Professional Land Surveyor, dated May 16, 1983 (revised July 11, 1983, July 18, 1983, September 14, 1983 and September 26, 1983).

(C) Encroachments as set forth in Land Title Survey prepared by John Cline Mann, Registered Professional Land Surveyor, dated May 16, 1983 (revised July 11, 1983, July 18, 1983, September 14, 1983 and September 26, 1983), to-wit:

"10. A conveyor belt crosses Iwilei Road, joining the buildings on Parcels Fourth and Fifth." (This will be removed.)

"11. Two 8 inch downspouts, two cleanouts and two 1-1/2 inch electrical conduit pipes encroach into Sumner Street by distances ranging from zero to 0.7 foot." (Located on Apartment 3B, this will be allowed to remain.)

"15. Decorative projections at two levels, approximately 16.5 feet and 20 feet above sidewalk, encroach approximately 0.8 foot into Sumner Street and Iwilei Road from structural columns." (Located on Apartment 3B, this will be allowed to remain.)

"18. A 2 inch pipe crosses over Sumner Street from Parcel Fourth to Parcel Seventh." (This will be removed.)

"19. An eave encroaches into Iwilei Road by distances ranging from zero to approximately 0.5 foot for a length of approximately 115 feet." (Located on Apartment 1, this will be allowed to remain.)

"20. Stairs, landing and pump on concrete appurtenant to the building on Parcel Sixth encroach into Parcel Fourth: Stairs and landing encroach into Parcel Fourth by distances of approximately 2 feet and 5.5 feet for a length of approximately 6 feet; pump and concrete pad encroach into Parcel Fourth by approximately 5 feet for a length of approximately 5.5 feet." (This will be removed.)

"21. An eave appurtenant to the building on Parcel Sixth encroaches into Parcel Fourth for a distance of approximately 3 feet for a length of approximately 7 feet." (This will be removed.)

"22. An overhead 8 inch pipeline joins the building on Parcel Fourth to the building on Parcel Sixth." (This will be removed.)

"23. An 8 inch PVC pipe appurtenant to Parcel Fourth encroaches into Parcel First by distances of zero to approximately 1.3 feet for a length of approximately 110 feet." (This will be removed.)

"24. A wood frame shed appurtenant to Parcel First encroaches into Parcel Fourth by a distance of 0.37 foot for a length of 10 feet." (This will be removed.)

"25. Eight structural columns appurtenant to the building in Parcel First encroach into Parcel Fourth by distances of zero to approximately 0.2 feet." (These columns encroach onto Apartment 6 from the adjoining property at its western boundary. Developer will allow these columns to remain and grant the necessary easements to the owner of the adjoining property.)

5. Mortgage and Security Agreement dated November 21, 1983, filed as Land Court Document No. 1205423, recorded in Liber 17492 at Page 532, made by Lone Star Hawaii Properties, Inc., a Hawaii corporation, to Del Monte Corporation, a New York corporation, to secure the repayment of the sum of \$6,000,000.00.

Said above Mortgage and Security Agreement was assigned to Bank of Hawaii, a Hawaii corporation, by instrument dated November 10, 1983, filed as Document No. 1205424, recorded in Liber 17492 at Page 565.

6. Unrecorded Lease dated November 17, 1983, entered into by and between Lone Star Hawaii Properties, Inc., a Hawaii corporation, "Landlord", and Del Monte Corporation, a New York corporation, "Tenant", of which a Short Form Lease is dated November 17, 1983, filed as Document No. 1205422, recorded in Liber 17492 at Page 516; leasing and demising the premises described herein for a term commencing on December 3, 1983 and expiring on February 29, 1984.

7. Real Property Taxes as may be due and owing. For further information, check with the Finance Director for the district in which the property is located.

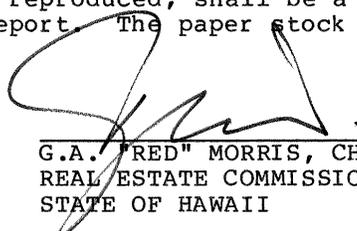
MANAGEMENT OF THE PROJECT: The Developer has selected Brian Thomas, Inc., 700 Richards Street, Suite 1108, Honolulu, Hawaii 96813, as the initial managing agent for the project.

STATUS OF PROJECT: Changes and modifications to the existing buildings have been completed.

The purchaser or prospective purchaser shall be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention dated February 1, 1984 and information subsequently filed as of December 5, 1984.

This Final Horizontal Property Regimes (Condominium) Public Report is made a part of Registration No. 1588 filed with the Commission on February 1, 1984.

The 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 Finance
Bureau of Conveyances
Planning Department, City and County of Honolulu
Federal Housing Administration
Escrow Agent

Registration No. 1588

December 12, 1984