

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

GUGELYK'S LITTLE UKRAINE
3349-A Anoa'i Place
Honolulu, Hawaii 96822

REGISTRATION NO. 1729 (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: April 22, 1986

Expires: May 22, 1987

SPECIAL ATTENTION

A comprehensive reading 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 REQUIRED NOTICE OF INTENTION FILED December 31, 1985, AND INFORMATION SUBSEQUENTLY FILED AS OF APRIL 14, 1986. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514A, HAWAII REVISED STATUTES.

1. GUGELYK'S LITTLE UKRAINE is a fee simple condominium project consisting of two (2) residential apartments located in two (2) two-story buildings.

2. Materials. The principal materials used in the construction of the buildings are wood, metal, plaster and concrete.

3. The Developer of the project has submitted to the commission for examination all documents deemed necessary for the registration of the condominium project and the issuance of this Final Public Report.

The Developer reports that the basic documents (Declaration of Horizontal Property Regime, with By-Laws of the Association of Apartment Owners attached, and a copy of the approved Floor Plans) have been recorded in the Office of the Assistant Registrar of the Land Court of the State of Hawaii.

The executed Declaration of Horizontal Property Regime and By-Laws were filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1343491.

The First Amendment to the Declaration of Horizontal Property Regimes, dated March 25, 1986, was filed as Document No. 1362920 on April 4, 1986.

The approved Floor Plans showing the layout, location, building numbers, etc., have been designated Condominium File Plan No. CM 570.

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, and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.

6. This Final Public Report expires thirteen (13) months from the date of issuance, April 22, 1986, unless a supplementary report is published of the Commission upon preview of the registration, issues and order extending the effective period of this report.

7. This Final Public Report is made a part of registration on GUGELYK'S LITTLE UKRAINE Condominium Project. The Developer has the responsibility of placing a true copy of the Final Public Report (white paper stock) in the hands of all purchasers. Securing a signed copy of the Receipt for the Final Horizontal Property Regime Public Report and the Disclosure Abstract from each purchaser is also the responsibility of the Developer.

NAME OF THE PROJECT: GUGELYK'S LITTLE UKRAINE

LOCATION: The 10,000 square feet of the project is located at 3349-A Anoa'i Place, Honolulu, Hawaii.

TAX MAP KEY: 1-2-9-71-15

ZONING: R-6

DEVELOPER: Theodore Myron Gugelyk, [REDACTED]

ATTORNEY REPRESENTING DEVELOPER: Jack Durham, Suite 302, 45-1144 Kamehameha Highway, Kaneohe, Hawaii 96744; Telephone: 235-6688.

DESCRIPTION: The said Declaration of Horizontal Property Regime, as amended, and plans submitted by the Developer indicate a fee simple project consisting of two (2) units, contained in one (1) two-story building without a basement and one (1) two-story building with a basement.

Each apartment contains the number of rooms and the approximate floor area according to the Declaration and Condominium File Plan submitted by the Developer as follows:

APARTMENT A consists of six (6) rooms, including a living/dining room, a kitchen located on the upper level, a master bedroom and bath, one (1) bedroom located on the lower level. This building contains a covered floor area of approximately 1033 square feet; there are three (3) decks consisting of approximately 50, 48 and 274 square feet, respectively.

APARTMENT B consists of seven (7) rooms, including five (5) bedrooms, 2-1/2 bathrooms, a kitchen, and a living/dining room. This building contains a covered floor area of approximately 2,512 square feet, including a basement of approximately 1,037 square feet; plus an additional carport of 420 square feet; there are two decks and a lanai consisting of approximately 75, 145 and 64 square feet respectively.

Each apartment has immediate access to the grounds of the project.

The respective apartments shall not be deemed to include any pipes, wires, conduits or other utility or service lines running through such apartments which are utilized for or serve more than one apartment, the same being deemed common elements as hereinafter provided. Each apartment shall be deemed to include all the walls and partitions within its perimeter walls, all walls, floors, ceilings and roofs, doors and door frames, windows and window frames, the appurtenant lanai(s) (if applicable), the appurtenant terrace(s) (if applicable), the appurtenant deck(s) (if applicable), the appurtenant balcony or balconies (if applicable), the appurtenant court yard(s) (if applicable), the appurtenant motor court (if applicable), the appurtenant garden(s) (if applicable) and all fixtures originally installed therein.

COMMON ELEMENTS. One freehold estate is designated in all of the remaining portions of the project, herein called "common elements", including specifically but not limited to:

1. Said land in fee simple;
2. Driveways and walkways providing access to the buildings;
3. Parking areas;
4. Refuse and service areas;

3. All pipes, cables, conduits, ducts, electrical equipment, wiring and other central and appurtenant transmission facilities and installations over, under and across the project which serve more than one building for services such as power, light, gas, water, sewer, telephone and television signal distribution, if any.

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

The area upon which each respective apartment is built shall be appurtenant to and for the exclusive use of such apartment, being designated on said condominium file plan by way of Metes and bound description, as follows:

Apartment A: 3075 square feet
Apartment B: 5430 square feet

INTEREST TO BE CONVEYED TO PURCHASERS. The Declaration indicates that the purchasers securing an apartment deed will obtain a building together with an undivided fifty percent (50%) interest in the common elements of the project. This same percentage interest for each building shall be used in determining each purchaser's proportionate share of all common profits and expenses of the project and shall be used for all other purposes including determining the proportionate representation for voting purposes in the Association of Apartment Owners of the project.

PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE. The Declaration provides that the apartments shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, domestic servants and personal guests. The apartments may not be used for any other purpose unless consent of the Board of Directors is secured. The owners of the respective apartments shall have the absolute right to lease the same subject to the limitations, restrictions, covenants and conditions of the Declaration.

OWNERSHIP OF TITLE. The Declaration of Horizontal Property Regime dated December 23, 1985, represents that THEODORE MYRON GUGELYK, unmarried, is the Owner of the fee simple title to the property committed to the project. A title report dated December 5, 1985 issued by T.I. of Hawaii, Inc. confirms the above.

ENCUMBRANCES AGAINST TITLE. Said Title Report lists the following encumbrances against title to the property:

1. For any taxes that may be due and owing a lien on the land, reference is hereby made to the Office of the Finance Director, City and County of Honolulu.

2. Mortgage dated April 12, 1977, by and between Theodore Myron Gugelyk, unmarried, "Mortgagor" and Liberty Bank, a Hawaii corporation, "Mortgagee" and filed as Land Court Document No. 814752.

3. Mortgages by and between Theodore Myron Gugelyk, unmarried, "Mortgagor" and GECC Financial Corporation, a Hawaii corporation, "Mortgagee", dated December 6, 1984, filed as Land Court Document No. 127120 and dated October 23, 1985 and filed as Land Court Document No. 1331432.

4. The reservation and covenant in Deed dated November 14, 1916, filed as Land Court Document No. 1156.

5. Agreement dated October 20, 1952, filed as Land Court Document No. 143578. (as to Lot 98-C)

6. Designation of Easement U over and across Lot 98-B, Section "B", as shown on Map 132, as set forth by Land Court Order No. 15775, filed October 23, 1957.

7. Grant dated March 3, 1958, filed as Land Court Document No. 213092, in favor of OSAMU SHIMANA and SHIZUE SHIMANA, husband and wife, granting an easement for underground sewer pipeline purposes across Easement U.

8. Grant dated October 9, 1958, filed as Land Court Document No. 226893, in favor of HAWAIIAN ELECTRIC CO., INC. and HAWAIIAN TELEPHONE CO., granting an easement for electrical purposes across Lot 98-C.

9. Grant dated February 19, 1964, filed as Land Court Document No. 236525, in favor of the CITY AND COUNTY OF HONOLULU, a municipal corporation of the State of Hawaii, granting an easement to construct, etc. pipelines, etc. under and across Lot 98-C.

10. As to LOT 98-B only:

a) Grant dated March 21, 1968, filed as Land Court Document No. 442528, in favor of BOONE McCONNAHA MORRISON and STEPHANIE AUSTIN MORRISON, husband and wife, granting an easement for ingress and egress over Easement "L" over Lot 218 of Certificate No. 85372 appurtenant to Lot 98-B, until dedicated for public use.

b) Grant dated March 8, 1968, filed as Land Court Document No. 442530, in favor of BOONE McCONNAHA MORRISON and STEPHANIE AUSTIN MORRISON, husband and wife, granting an easement for ingress and egress over Lot 215 of Certificate No. 61,126 appurtenant to Lot 98-B, until dedicated for public use.

11. MORTGAGE

Mortgagor	:	THEODORE MYRON GUGELYK, unmarried
Mortgagee	:	GECC FINANCIAL CORPORATION
Dated	:	December 6, 1984
Filed	:	Land Court Document No. 1271020
Consideration	:	\$100,000.00

PURCHASE MONEY HANDLING. A copy of the executed Escrow Agreement dated December 23, 1985, between Developer and Title Guaranty Escrow, as Escrow, has been filed with the Commission. On examination, the executed Escrow Agreement is found to be in compliance with Chapter 514A, Hawaii Revised Statutes, and particularly Section 514A-65, H.R.S. Among other provisions, the executed Escrow Agreement states that a purchaser shall deposit in trust all monies under said escrow arrangements with instruction that no disbursement shall be made from such trust funds on behalf of the seller until the contract has become effective and the final report has been issued.

NOTE: Developer advises that no representations or references will be made to either purchasers or prospective purchasers concerning rental of the building, income from the building or any other economic benefit to be derived from the rental of the building, including but not limited to, any reference or representation to the effect that Developer or any Managing Agent of the project will provide, directly or indirectly, any services relating to the rental or sale of the building, or as to possible advantages from the rental of an building under federal or state tax laws. Rental in connection therewith is and shall be the sole responsibility of the purchaser.

It is incumbent of the purchaser and prospective purchaser to read and understand the Escrow Agreement before signing any sales agreement. Purchasers and prospective purchasers are advised to read with care the provisions of the Escrow Agreement and any sales agreement.

MANAGEMENT OF THE PROJECT. The By-Laws which are incorporated in the Declaration provide that the operation of the project shall be conducted for the Association of Apartment Owners by the Board of Directors.

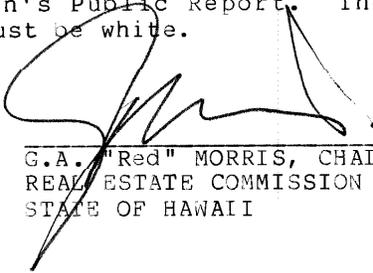
STATUS OF THE PROJECT. The project is a conversion of two existing residences.

By letter dated November 16, 1985 the Director and Building Superintendent of the City and County of Honolulu has confirmed that the 2 two-story residences met all code requirements at the time of construction, and there were no variances or special permits granted to allow deviations from any applicable code, rule or regulation.

NOTE: THERE MAY BE, AMONG OTHER REQUIREMENTS, ZONING CODES, BUILDING CODES AND LAND USE LAWS PRECLUDING THE PURCHASER OR THE PROSPECTIVE PURCHASER FROM REBUILDING OR MAKING CHANGES TO THE PROPERTY SUBMITTED HEREIN FOR REGISTRATION AS A CONDOMINIUM PROJECT. PURCHASER OR PROSPECTIVE PURCHASER SHOULD ACQUAINT HIMSELF WITH SUCH REQUIREMENTS AT THE APPROPRIATE GOVERNMENT AGENCIES.

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 December 31, 1985, and information subsequently filed as of April 14, 1986.

This is a FINAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT which is made a part of REGISTRATION NO. 1729 filed with the Commission December 31, 1985. 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 FINANCE,
CITY AND COUNTY OF HONOLULU
BUREAU OF CONVEYANCES
DEPARTMENT OF LAND UTILIZATION
CITY AND COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

REGISTRATION NO. 1729

DATED: April 22, 1986

DISCLOSURE STATEMENT

GUGELYK'S LITTLE UKRAINE

(Section 514A-61, HRS)

Project: GUGELYK'S LITTLE UKRAINE

Developer: THEODORE MYRON GUGELYK
3349-A Anoa'i Place
Honolulu, Hawaii 96822
Telephone: 988-6109

Sales Agent: DOLMAN ASSOCIATES, INC.
210 Ward Avenue
Honolulu, Hawaii 96814
Telephone: 531-6488

Annual Maintenance Fees: \$600.00

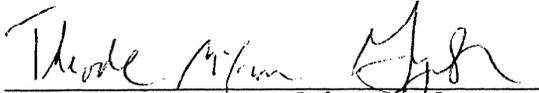
Monthly Costs per Apartment: \$ 50.00

WARRANTIES:

Developer assigns without recourse all warranties given Developer by the contractor, subcontractors and materialmen on Unit "A" only, which warranties extend to July 15, 1986. Developer makes no other warranties. All apartments shall be for residential use. There shall be no commercial or non-residential development within this project.

As to Unit "B" only, a report by an independent Registered Engineer states the structure is in good condition with no structural defects and the electrical and plumbing systems appear to be functioning properly with no major deficiencies noted.

Developer makes no representations as to the expected useful life of Unit "B" and, based on a report from the City and County of Honolulu Building Department, there are no building code violations.


Theodore Myron Gugelyk, Developer