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

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT

NEWTOWN MEADOWS
98-633 Kilinoe Street
Waimalu, Aiea, Hawaii

Registration No. 1766

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: June 20, 1986
Expires: July 20, 1987

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 JUNE 9, 1986, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF JUNE 12, 1986. 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. NEWTOWN MEADOWS is a proposed fee simple, residential condominium project consisting of 152 residential condominium apartments contained in ten separate two-story buildings architecturally plotted at selected locations within the condominium project with two assigned parking spaces as parking space easements and as limited common elements for each apartment. There will be 310 uncovered parking spaces of which 6 stalls shall be designated as guest parking stalls.

2. 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 filed in the office of the recording officer.

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 Preliminary Public Report.

4. Advertising and promotional matter has not as yet 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 Horizontal Property Regimes.

6. This Preliminary Public Report is made a part of the registration of NEWTOWN MEADOWS condominium project. The Developer is responsible for placing this Preliminary Public Report (yellow paper stock), attached with Disclosure Abstract in the hands of all purchasers and prospective purchasers and for securing a signed copy of the receipt therefor.

7. This Preliminary Public Report automatically expires thirteen months after date of issuance, June 20, 1986, unless a Final or Supplementary Public Report is issued or the Commission upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: NEWTOWN MEADOWS

LOCATION: The project is located at 98-633 Kilinoe Street, Waimalu, Aiea, Hawaii, and consists of 690,265 square feet of land in fee simple.

TAX MAP KEY: 9-8-11:5, 9-8-60:13 & 29

ZONING: Apartment A-1, except a small section not utilized or occupied for project is in Preservation P-1 zoning.

DEVELOPER: VENTURE FIFTEEN, INC., a Hawaii corporation, having its principal place of business at 2024 N. King Street, Honolulu, Hawaii, 96819, Phone: 847-4241. The officers of the corporation are: President - Herbert K. Horita; Vice Presidents - Kazuaki Tanaka, Masakazu Horita; Secretary - Kinji Kanazawa; Treasurer - Iwao Kishimoto; Asst. Treasurer - Ronald K. Watase.

ATTORNEY REPRESENTING DEVELOPER: Kinji Kanazawa, Suite 675, Central Pacific Plaza, 220 S. King Street, Honolulu, Hawaii, 96813, Phone: 524-7180.

DESCRIPTION:

(a) All of the 152 residential condominium apartments will be two bedrooms, two bathroom apartments having identical floor plans of the living area containing 947 square feet. The apartments on the first floor will have an entry stairway, a storage area below the stairway, a planting area at the entrance and a lanai on the ground level, together with a living area to bring the total apartment area to 1,260 square feet. The apartments on the second floor will have an entry stairway and a deck on the second floor level, together with the living area to bring the total apartment area to 1,123 square feet.

(b) The apartments are numbered and located in the manner as shown on the Condominium Plans of Newtown Meadows.

(c) The apartments have immediate access to the grounds of the Project from the apartments on the first floor and by way of a stairway from the apartments on the second floor.

(d) The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter or party walls or

interior load-bearing walls, the floors and ceiling surrounding each apartment or any pipes, wires, conduits or other utility or service lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements. Each apartment shall be deemed to include all the walls and partitions which are not load-bearing within its perimeter or party walls, doors and door frames, windows and window frames, the lanai air space (if any), the inner decorated or finished surfaces of all walls, floors and ceilings, and all fixtures originally installed therein.

(e) All units will be furnished with carpeting in the living room, hallway, bedrooms, master bedroom, walk-in closet and dressing area, and vinyl composition tile flooring in the kitchen area and bathrooms. The appliances included with each apartment are a range and oven combination with ductless hood and fan over range, garbage disposal, stack-up washer/dryer, and under counter hot water heater.

(f) Each apartment will be installed with individual electric meters to register the consumption of electricity and the cost of such use will be assessed upon the individual apartment. There will be one water meter to register the water consumption for the project and the cost of such use will be assessed as a common assessment.

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

(a) Said land in fee simple.

(b) All foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter and load-bearing walls, roofs and water heaters.

(c) All yards, grounds, landscaping, planters, planting areas, fences, all recreation areas and all nature of utility panels, laundry area, storage areas and like facilities.

(d) All ducts, sewer 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, gas, refuse, and telephone signal distribution.

(e) The parking spaces, including 6 stalls designated guest stalls, and the driveway serving the parking stalls.

(f) Any and all other apparatus and installations of common use and all other parts of the project necessary or convenient to its existence, maintenance or safety, and normally in common use.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, herein called and designated "limited common elements", are hereby 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. The limited common elements so set aside and reserved are as follows:

(a) Each apartment is assigned two uncovered parking spaces as appurtenant easements. Any automobile parking space easement may be transferred from apartment to apartment in the project by amendment of Exhibit "C" of the Declaration and such transfer of parking spaces between apartments shall be effective only upon compliance with the requirements set

forth in the Declaration and recording of the same of record, setting forth such transfer and executed by the apartment owners affected, Tenants and Mortgagee, if any. The parking space numbers for the parking spaces appurtenant to each apartment are identical and same as the number assigned to each apartment and as set forth in Exhibit "B" attached hereto and as shown on the Condominium Map.

(b) All other common elements of the project which are rationally related to less than all of said apartments shall be limited to the use of such apartments.

COMMON INTEREST: Each apartment shall have appurtenant thereto an undivided 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:

> The percentage of common interest assigned to each apartment in Newtown Meadows will be an undivided .00658 percentage interest in all of the common elements of the project, except Apartment No. EKAHI 1-A-1 will have a percentage interest of .00642.
>
> The percentage of common interest attributed to each apartment is equal to the net livable area of each unit divided by the total net livable area of the whole condominium complex (multiplied by 100 to convert to percentage).

PURPOSE OF BUILDING AND RESTRICTION AS TO USE: The apartment shall be occupied and used only for dwelling purposes and for no other purpose. The owners of the respective apartments shall have the absolute right to lease such apartments subject to all provisions of the Declaration of Horizontal Property Regime and the By-Laws of NEWTOWN MEADOWS.

OWNERSHIP: According to a Preliminary Title Report issued by Long & Melone, Ltd., dated May 19, 1986, the owner of the fee simple title is vested in Venture Fifteen, Inc., a Hawaii corporation.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Title Report shows the premises are subject to the encumbrances as set forth in Exhibit "A" attached hereto.

EASEMENTS: In addition to the above, the apartments and common elements shall also have and be subject to the following easements:

1. Each apartment shall have appurtenant thereto nonexclusive easements in the common elements designed for such purposes for ingress to, egress from, utility services for and support of such apartment; in the other common elements for use according to their respective purposes, subject always to the exclusive use of the limited common elements as provided herein; and in all other apartments of the building for support.

2. If any part of the common elements now or hereafter encroaches upon any apartment or limited common element, a valid easement for such encroachment and the maintenance thereof, so long as it continues, shall exist. In the event the building shall be partially or totally destroyed and then rebuilt, minor encroachments of any part of the common elements due to construction shall be permitted, and valid easements for such encroachments and the maintenance thereof shall exist.

3. The Association of Apartment Owners of the Project shall have the right, to be exercised by its Board of Directors or Managing Agent, to enter any apartments and limited common elements, if any, from time to time during reasonable hours as may be necessary for the operation of the Project or at any time to undertake emergency repairs therein required to prevent damage to any apartments or common elements or for the installation, repair or replacement of any common elements.

PURCHASE MONEY HANDLING: An Escrow Agreement dated June 6, 1986, has been executed and a copy of same has been filed with the Commission. The Escrow Agent is Developers Escrow Services, Inc., a Hawaii corporation. Upon examination, the specimen Sales Contract and the executed Escrow Agreement are found to be consonant with Chapter 514A, Hawaii Revised Statutes, as amended, and particularly Section 514A-39 and 514A-63 and 65.

It is incumbent upon the prospective purchaser that he reads with care the Sales Contract and the executed Escrow Agreement. The Escrow Agreement establishes how the proceeds from the apartments and all sums received from any source are placed in trust, as well as the retention and disbursement of said trust funds.

NOTE: The specimen Sales Contract contains among others the following provisions:

1. No Interest On Deposits. Any and all interest received by Seller and/or Escrow on Buyer's deposits shall become the sole property of the Seller, and Buyer and Seller hereby jointly so instruct Escrow pursuant to the provisions of Sections 402-8 and 449-16.5 of the Hawaii Revised Statutes.

Except for the agreement set forth above, it is expressly understood and agreed by and between Seller and Buyer that Buyer's Apartment will be conveyed to Buyer as is and that THERE ARE NO EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS OF THE APARTMENT FOR A PARTICULAR PURPOSE, involved in this sale.

2. Subordination. Buyer agrees that all of the rights of Buyer under this agreement are and shall be subject and subordinate to the lien of any mortgage securing the repayment of the interim loans made to finance the cost of construction and other costs during construction and to any and advances made thereon, and to any and all sums which may become a lien pursuant to the terms of such interim loans or any other agreement relating thereto. Buyer irrevocably appoints Seller, the Attorney-in-Fact of Buyer, to execute and deliver on behalf of Buyer any instrument of subordination which the interim lenders of their respective successor in interest may require.

MANAGEMENT AND OPERATIONS: The By-Laws of the Association of Owners vest the Board of Directors with the powers and duties necessary for the administration of the affairs of the project.

The Developer anticipates selecting IND-COMM MANAGEMENT, INC., a Hawaii corporation, 681 S. King Street, Suite 202, Honolulu, Hawaii, as the initial management agency.

STATUS OF PROJECT: Site clearance and land development work have been initiated. S. Horita Contracting & Building Supplies, Ltd., general contractor, is ready to commence construction of the ten buildings as soon as site preparation is completed. Developer has arranged adequate financing to initiate and complete the project with GECC Financial Corporation.

The purchaser or prospective purchaser should be cognizant of the fact that this Preliminary Public Report represents information disclosed by the Developer in the required Notice of Intention submitted June 9, 1986 and information subsequently filed as of June 12, 1986.

THIS PRELIMINARY HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 1766 filed with the Commission on June 9, 1986.

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

Registration No. 1766

DATED: June 20, 1986

EXHIBIT "A"

FIRST: ALL of that certain parcel of land situate at Waimalu, District of Ewa, City and County of Honolulu, State of Hawaii, described as follows:

LOT 882, area 97,416.0 square feet, as shown on Map 43, filed with Land Court Application No. 950 (amended) of Edith Austin, and others.

Being all of the land described in and covered by Land Court Transfer Certificate of Title No. 282,718 issued to Venture Fifteen, Inc., a Hawaii corporation.

SECOND: ALL of that certain parcel of land situate at Waimalu Valley, Ewa, City and County of Honolulu, State of Hawaii, being all of the land described in Land Patent Grant 4428 issued to Honolulu Plantation Company, containing an area of 6-8/10 acres, more or less.

THIRD: ALL of that certain parcel of land situate at Waimalu Valley, Ewa, City and County of Honolulu, State of Hawaii, being all of the land described in Land Patent 5231 issued to Honolulu Plantation Company, containing an area of 4-2/10 acres.

FOURTH: ALL of that certain portion of the Ahupuaa of Waimalu, Royal Patent 6971, Land Commission Award 11216, Apana 9, situate in Waimalu Gulch, containing an area of 1.93 acres, and noted as Exclusion 5 in Land Court Application 950 filed in said Office of the Assistant Registrar.

Save and except 29,079 square feet conveyed to OCEANVIEW VENTURES, a Hawaii Limited Partnership, by Deed dated September 23, 1976, recorded in the Bureau of Conveyances in Book 11781, Page 408.

TOGETHER WITH an easement for roadway purposes upon, over and across Waimalu Valley Road within Lot 1, as shown on Map 1, filed with Land Court Application 950, said easement being 16 feet wide, commencing at Exclusion 11 (the main government road) and running to the Westerly boundary of Exclusion 5, and thereafter 10 feet wide commencing at the Easterly boundary of said Exclusion 5, and running thence mauka to a fork as shown on said Map 1, and thereafter running Southeasterly to the boundaries of said Parcels One and Two as shown outlined in red on Exhibit "A-2" annexed to instrument filed as Document No. 553191 and also recorded in the Bureau of Conveyances in Book 7825, Page 382.

Being the same land conveyed to Venture Fifteen, Inc., a Hawaii corporation, by Deed dated May 14, 1986 recorded in the Bureau of Conveyances of the State of Hawaii in Book 19510, Page 587, and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1372311, noted on Land Court Transfer Certificate of Title No. 282,718.

SUBJECT, HOWEVER, to the following encumbrances, to-wit:

AS TO FIRST ONLY:

(a) Perpetual easement in favor of the State of Hawaii for the natural flowage of water over, through and across that portion of the Waimalu Stream included within the boundaries of the land registered herein; but, provided, however, that the said easement shall not be deemed to be a waiver of or prejudicial to the rights of the applicants herein to presently existing water rights in said Waimalu Stream appurtenant or belonging to the lands herein registered.

(b) Lease of Right-of-Way in favor of Hawaiian Electric Company, Inc., and Hawaiian Telephone Company, dated March 9, 1956, filed as Land Court Document No. 190860, for utility purposes, and for a term expiring December 31, 1965 and thereafter from year to year until terminated.

(c) Designation of Easement 343 (50 feet wide) 5,702 square feet for flowage purposes; Easement 344, 3,860 square feet for flowage purposes; and Easement 345 (10 feet wide) for electrical purposes, affecting said lot, as shown on Map 70, filed with said Application No. 950 (amended), as set forth by Land Court Order No. 65838, filed May 10, 1983.

AS TO FOURTH ONLY:

(a) Title to all mineral and metallic mines reserved to the State of Hawaii.

(b) Roadway easement commonly known as Waimalu Valley Road as shown on Map 1, filed with Land Court Application No. 950 (amended).

AS TO SECOND, THIRD and FOURTH ONLY:

(a) Grant of Easement in favor of HAWAIIAN ELECTRIC COMPANY, INC., and HAWAIIAN TELEPHONE COMPANY dated January 16, 1956 recorded in the Bureau of Conveyances in Book 3066, Page 370 for utility purpose as shown on Hawaiian Electric Company, Inc.'s Map 1955-149A.

(b) Free flowage of Waimalu Stream as shown on Tax Map.

(c) Unilateral Agreement and Declaration for Conditional Zoning covering Newtown Meadows II, dated June 20, 1985, recorded in the Bureau of Conveyances in Book 18724, Page 408.

Unilateral Agreement and Declaration for Conditional Zoning dated July 1, 1981, filed as Land Court Document No. 1075133, and also recorded in Book 15671, Page 198.

AS TO FIRST, SECOND, THIRD AND FOURTH PARCEL:

(a) For real property taxes due and payable, reference is made to Director of Finance, City and County of Honolulu.

(b) SECURITY AGREEMENT AND FINANCING STATEMENT (ASSIGNMENT OF PURCHASER'S INTEREST OF AGREEMENT OF SALE) dated February 1, 1985, filed as Land Court Document No. 1283787, and also recorded in the Bureau of Conveyances in Book 18459, Page 328, by and between Venture Fifteen, Inc., a Hawaii corporation, and The Trustees of the Estate of Bernice Pauahi Bishop. Consent to assignment filed as Land Court Document No. 1283788, and also recorded in Book 18459, Page 337.

The foregoing encumbrances are mentioned in and/or noted on Land Court Transfer Certificate of Title No. 282,718.

EXHIBIT "B"

PARKING ASSIGNMENTS

All parking spaces will be uncovered.

Each apartment will be assigned two parking spaces. All end apartments will be assigned two parking spaces near the apartment and all interior apartments will be assigned one parking space near the apartment and one parking space (compact) in central parking area.

The assigned parking spaces for each apartment will bear the same identification assigned to each apartment in the following manner:

EKAHI - BUILDING 1 (16 apartments)

The parking spaces assigned to apartments EKAHI 1-A-1 and EKAHI 1-A-2 will be identified as follows:

APARTMENT	PARKING SPACES
EKAHI 1-A-1 First Floor	EKAHI 1-A-1 EKAHI 1-A-1
EKAHI 1-A-2 Second Floor	EKAHI 1-A-2 EKAHI 1-A-2