

CONDOMINIUM PUBLIC REPORT

Prepared & Issued by: Developer HARBOR COURT DEVELOPERS
Address 841 Bishop St., Suite 2300, Honolulu, Hawaii 96813

Project Name(*): HARBOR COURT
Address: 66 Queen Street, Honolulu, Hawaii 96813

Registration No. 2897 Effective date: November 1, 1994
Expiration date: September 23, 1995

Preparation of this Report:

This report has been prepared by the Developer pursuant to the Condominium Property Act, Chapter 514A, Hawaii Revised Statutes, as amended. This report is not valid unless the Hawaii Real Estate Commission has issued a registration number and effective date for the report.

This report has not been prepared or issued by the Real Estate Commission or any other governmental agency. Neither the Commission nor any other government agency has judged or approved the merits or value, if any, of the project or of purchasing an apartment in the project.

Buyers are encouraged to read this report carefully, and to seek professional advice before signing a sales contract for the purchase of an apartment in the project.

Expiration Date of Reports. Preliminary Public Reports and Final Public Reports automatically expire thirteen (13) months from the effective date unless a Supplementary Public Report is issued or unless the Commission issues an order, a copy of which is attached to this report, extending the effective date for the report.

Exception: The Real Estate Commission may issue an order, a copy of which shall be attached to this report, that the final public report for a two apartment condominium project shall have no expiration date.

Type of Report:

- PRELIMINARY:**
(yellow) The developer may not as yet have created the condominium but has filed with the Real Estate Commission minimal information sufficient for a Preliminary Public Report. A Final Public Report will be issued when complete information is filed.
- FINAL:**
(white) The developer has legally created a condominium and has filed complete information with the Commission.
- THIRD SUPPLEMENTARY:**
(pink) Updates information contained in the
 - Prelim. Public Report dated _____
 - Final Public Report dated August 23, 1994
 - Supp. Public Report dated _____
- And Supersedes all prior public reports
- Must be read together with Final Public Report and Second Supplementary Public Report
- This report reactivates the _____ public report(s) which expired on _____

(*) Exactly as named in the Declaration

Disclosure Abstract: Separate Disclosure Abstract on this condominium project:

[] Required [X] Not Required - disclosures covered in the
Final Public report.

Summary of Changes from Earlier Public Reports:

This summary contains a general description of the changes, if any, made by the developer since the last public report was issued. It is not necessarily all inclusive. Prospective buyers should compare this public report with the earlier reports if they wish to know the specific changes that have been made.

[] No prior reports have been issued by the Commission.

[X] Changes made are as follows:

1. An updated title search has revealed some additional encumbrances noted on the revised Exhibit "J".
2. Summary of the additional encumbrances or revised description of encumbrances:
 - (a) Grave site (Exhibit J, item 3) - Not disclosed in Final Public Report.
 - (b) Dates of additional surveys (June 24 and 29, 1994) and results (Exhibit J, items 4 (a) through 4 (g)) - Not disclosed in Final Public Report;
 - (c) Addition of Mortgage (The Beam Harbor Venture) dated June 25, 1991 (Exhibit J, item 8) - Not disclosed in Final Public Report;
 - (d) The recording information for the Financing Statement (Exhibit J, item 9) - Not disclosed in Final Public Report;
 - (e) Addition of Assignment of Landlord's Interest (The Beam Harbor Venture) dated June 25, 1991 (Exhibit J, item 10) - Not disclosed in Final Public Report; and
 - (f) That certain unrecorded Parking Facilities Agreement for Harbor Court, by and between the City and County of Honolulu and The Beam Harbor Venture and Harbor Court Developers (Exhibit J, item 22) - Not disclosed in Final Public Report.

2. Rights Under the Sale Contract: Before signing the sale contract, prospective buyers should ask to see and carefully review all documents relating to the project. If these documents are not in final form, the buyer should ask to see the most recent draft. These include but are not limited to the:

- A) Condominium Public Reports issued by the Developer which have been given an effective date by the Hawaii Real Estate Commission.
- B) Declaration of Condominium Property Regime.
- C) Bylaws of the Association of Apartment Owners.
- D) House Rules.
- E) Condominium Map.
- F) Escrow Agreement.
- G) Hawaii's Condominium Law (Chapter 514A, HRS, as amended) and Hawaii Administrative Rules, Chapter 16-107, adopted by the Real Estate Commission, as amended).
- H) Other _____

Copies of the condominium and sales documents and amendments made by the developer are available for review through the developer and are on file at the Department of Commerce and Consumer Affairs. Reprints of Hawaii's Condominium Property Act (Chapter 514A, HRS) and Hawaii Administrative Rules, Chapter 16-107) are available at the Cashier's Office, Department of Department of Commerce and Consumer Affairs, 1010 Richards Street, 3rd Floor, Honolulu, Hawaii, mailing address: P.O. Box 541 Honolulu, HI 96809, at a nominal cost.

This Public Report is a part of Registration No. 2897 filed with the Real Estate Commission on July 2, 1993.

Reproduction of Report. When reproduced, this report must be on:

yellow paper stock white paper stock pink paper stock

D. The developer hereby certifies that all the information contained in this Report and the Exhibits attached to this Report and all documents to be furnished by the developer to buyers concerning the project have been reviewed by the developer and are, to the best of the developer's knowledge, information and belief, true, correct and complete.

HARBOR COURT DEVELOPERS

Name of Developer

By  October 25, 1994
Duly Authorized Signatory Date

G. Scott McCormack, Vice President, McCormack Harbor Properties, Ltd.
print name & title of person signing above

Distribution:

Department of Finance, City and County of Honolulu
Planning Department, City and County of Honolulu
Federal Housing Administration

SUPPLEMENTARY FINAL PUBLIC REPORT

HARBOR COURT

EXHIBIT "J"

ENCUMBRANCES AGAINST TITLE

1. -AS TO PARCEL SECOND: (Lot 2, area 3,821 sq.ft., registered land described in TCT No. 10,025) -

- (A) Restriction of vehicle access rights as shown on Map 2, as set forth by Land Court Order No. 10625, filed September 14, 1951.
- (B) Abutters rights of vehicle access as conveyed to the State of Hawaii, as set forth in DEED dated September 16, 1953, filed as Land Court Document No. 153053.

2. -AS TO PARCEL THIRD: (unregistered land containing 50,765 sq.ft.) -

- (A) Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- (B) The reservations and covenants contained in that certain Land patent Grant Number S-15, 729.
- (C) Restriction of vehicle access along Nimitz Highway, as shown on Kaahumanu Project Parcel Map No. 18-3-1-31, of the Division of Land Survey and Acquisition, Department of Public Works, City and County of Honolulu, dated February 14, 1990.

3. That certain grave site situated on the land described herein as Parcel Third, within the common area near the easterly boundary of said project between the Harbor Court building and the Bouslog building, said Bouslog building being located on the land identified as TMK: 2-1-02-19.

4. Any rights, interests or claims which may exist or arise by reason of the facts shown on a survey map prepared by Marius J. Fischer, Registered Professional Land Surveyor, Certificate No. 3502, with R.K. Towell Corporation, on June 25, 1991, and again by Russell Figueiroa, Registered Professional Land Surveyor, Certificate No. 4729, with R.K. Towell Corporation, on June 24, 1994 and June 29, 1994, which among others are as follows:

(a) The Eaves and cornices encroach from the building situated on Tax Key 2-1-002-Parcels 019 and 020 onto said land;

(b) The Utility pipes, telephone terminal and roof of air conditioner attached to building situated on Tax Key 2-1-002-019 (1) encroaches onto said land.

(c) A concrete wall crosses the Northeasterly boundary and encroaches onto Land Court Application 392 (Map 1) by 0.3 feet.

(d) A planter wall crosses the Southerly boundary and encroaches onto Lot 19 (Map 4) of Land Court Application 1743 by 0.5 feet.

(e) A concrete wall crosses the Southerly boundary and encroaches onto Lot 19 (Map 4 of Land Court Application 1743 by 0.4 feet.

(f) A grate lies on the Southerly boundary and extends from the top of the building in said land to the top of the building in Lot 19 (Map 4) of Land Court Application 1743.

(g) A water meter box lies on the boundary line fronting Merchant Street and a water manhole and valve is within said land near the Merchant Street boundary.

5. Unrecorded Master Development Lease (Kaahumanu Site) between City and County of Honolulu as Lessor and The Beam Harbor Venture, as Lessee, dated June 25, 1991.

6. Short Form of Master Development Lease dated June 25, 1991, filed as Document No. 1830578, and also recorded as Document No. 91-085043.

7. Lessor's Consent and Estoppel Certificate - Kaahumanu Site dated June 25, 1991, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. 1830579, and also recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 91-085044, by the CITY AND COUNTY OF HONOLULU, a municipal corporation of the State of Hawaii.

8. Mortgage, Security Agreement and Financing Statement (The Beam Harbor Venture) dated June 25, 1991, filed as Document No. 1830582, and also recorded as Document No. 91-085047, made by The Beam Harbor Venture, a Hawaii general partnership, "Mortgagor", to THE MITSUI TRUST & BANKING CO., LTD. ("Mortgagee"). Said Mortgage was amended by instrument dated November 5, 1992, filed as Document No. 1967770, and recorded as Document No. 92-179798.

9. Financing Statement recorded on June 26, 1991, as Document No. 91-085048, and amended by instrument dated November 5, 1992, and recorded as Document No. 92-179798.

10. Assignment of Landlord's Interest (The Beam Harbor Venture) dated June 25, 1991, recorded as Document No. 91-085049.

11. Unrecorded Master Development Sublease (Kaahumanu Site) dated June 25, 1991, between THE BEAM HARBOR VENTURE, a Hawaii general partnership, as Sublessor, and HARBOR COURT DEVELOPERS, a Hawaii limited partnership, as Sublessee.
12. Short form of Master Development Sublease dated June 25, 1991, filed as Document No. 1830483, and also recorded as Document No. 91-085050.
13. Mortgage, Security Agreement and Financing Statement (Harbor Court Developers) dated June 25, 1991, filed as Document No. 1830585, and also recorded as Document No. 91-085052, made by Harbor Court Developers, a Hawaii limited partnership, "Mortgagor", to THE MITSUI TRUST & BANKING CO., LTD. ("Mortgagee"). Said Mortgage was amended by instrument dated November 5, 1992, filed as Document No. 1967771, and recorded as Document No. 92-179799.
14. Financing Statement recorded on June 26, 1991, as Document No. 91-085053, and amended by instrument dated November 5, 1992, and recorded as Document No. 92-179799.
15. Assignment of Landlord's Interest (Harbor Court Developers) dated June 25, 1991, recorded as Document No. 91-085054.
16. DECLARATION OF RESTRICTIVE COVENANTS (LANAIS AND ROOF AREA) dated December 2, 1991, by and between the CITY AND COUNTY OF HONOLULU, "City", and THE BEAM HARBOR VENTURE ("Beam"), and HARBOR COURT DEVELOPERS, a Hawaii limited partnership, "Developer", recorded in said Bureau as Document No. 91-170747, and also filed in said Office as Document No. 1872362.
17. DECLARATION OF RESTRICTIVE COVENANTS (PRIVATE PARK) dated December 2, 1991, by and between the CITY AND COUNTY OF HONOLULU, "City", and THE BEAM HARBOR VENTURE ("Beam"), and HARBOR COURT DEVELOPERS, a Hawaii limited partnership, "Developer", recorded in said Bureau as Document No. 92-006963, and also filed in said Office as Document No. 1882036.
18. DEVELOPMENT AGREEMENT dated January 10, 1990, recorded as Document No. 90-005642, and also filed in said Office as Document No. 1699164, by and between the CITY AND COUNTY OF HONOLULU, "City", and BEAM HARBOR COURT PARTNERS, a Hawaii limited partnership, "Developer", and C. Itoh & Co., Ltd., a Japan corporation, "Itoh".
19. Declaration of Condominium Property Regime dated May 16, 1994, recorded in said Bureau as Document No. 94-090241, and also filed in said Office as Document No. 2150143 (Project covered by Condominium File Plan No. 2038 and Condominium Map No. 1031). Bylaws dated May 16, 1994, recorded as Document No. 94-090242 and also filed in said Office as Document No. 2150144.

20. Declaration of Restrictive Covenant (Landscaping and Planters) dated May 16, 1994, by and between the CITY AND COUNTY OF HONOLULU ("City"), and THE BEAM HARBOR VENTURE ("Beam"), and HARBOR COURT DEVELOPERS ("Developer"), recorded in said Bureau as Document No. 94-090243, and also filed in said Office as Document No. 2150145.

21. Agreement Relating to Sidewalks and Landscaping for Harbor Court dated May 16, 1994, by and between HARBOR COURT DEVELOPERS ("Developer") and THE BEAM HARBOR VENTURE ("Beam"), recorded in said Bureau as Document No. 94-090244, and also filed in said Office as Document No. 2150146.

22. Terms, provisions and conditions of that certain unrecorded Parking Facilities Agreement for Harbor Court, by and between The City and County of Honolulu, a municipal corporation, The Beam Harbor Venture, a Hawaii general partnership and Harbor Court Developers, a Hawaii limited partnership.