

CONDOMINIUM PUBLIC REPORT

Prepared &
Issued by: Developer Seiki Higa Revocable Living Trust Agreement dated August 7, 1985 and Matsue Higa Revocable Living Trust Agreement dated August 7, 1985
Business Address 4705 South 157 Circle, Omaha, Nebraska 68135
Project Name(*): Murphy Street Estates
Address: 1617, 1625, 1627 and 1631 Murphy Street and 2632, 2634 and 2636 Nihi Street Honolulu, Hawaii 96819

Registration No. 5870
(conversion)

Effective date: April 13, 2007
Expiration date: July 30, 2007

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 government 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:** 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 by the developer when complete information is filed.
(yellow)

_____ **FINAL:** The developer has legally created a condominium and has filed complete information with the Commission.
(white)
 No prior reports have been issued.
 This report supersedes all prior public reports.
 This report must be read together with _____

X **SUPPLEMENTARY:** This report updates information contained in the: _____
(pink)
 Preliminary Public Report dated: _____
 Final Public Report dated: June 30, 2006
 Supplementary Public Report dated: _____

And Supersedes all prior public reports.
 Must be read together with the Final Public Report dated June 30, 2006
 This report reactivates the _____
public report(s) which expired on _____

(*) Exactly as named in the Declaration

This material can be made available for individuals with special needs. Please call the Senior Condominium Specialist at 586-2643 to submit your request.

FORM: RECO-30 286/986/189/1190/892/0197/1098/0800/0203/0104/0107

Disclosure Abstract: Separate Disclosure Abstract on this condominium project:

- * Required and attached to this report as Exhibit __ Not Required - Disclosures covered in this report.
*See Final Public Report, Exhibit H

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 developer.

Changes made are as follows:

1. The Declaration and Condominium Map were amended by that Third Amendment to Declaration of Condominium Property Regime of Murphy Street Estates and to Condominium Map dated November 16, 2006, recorded as Document No. 2006-14327 ("Third Amendment of Declaration") that amended the Declaration and replaced sheet A-2 of the Condominium Map to reflect the elimination of 2 bedrooms from Unit 1 and the addition of a storage and an internal stairway for Unit 1.

2. Section II.A. of this Supplementary Public Report ("SPR") discloses the Third Amendment to the Declaration and to Condominium Map.

3. On page 11, Section III.C.6 of the SPR, the number of bedrooms for Unit 1 has been reduced from 6 to 4.

4. An updated preliminary title report from Island Title Corporation dated February 6, 2007 has been issued and listed on page 14 in Section III.E. of the SPR replacing the previous title report in order to reflect the newly recorded Third Amendment to Declaration.

5. A new Exhibit E to this SPR replaces the previous Exhibit E to the Final Public Report to reflect the newly recorded Third Amendment to Declaration set forth in item 4 of Exhibit E.

SPECIAL ATTENTION SHOULD BE GIVEN TO THE ADDITIONAL INFORMATION (PAGES 20) AND THE SUMMARY OF RIGHTS RESERVED TO THE DEVELOPER (EXHIBIT "A") CONTAINED IN THE FINAL PUBLIC REPORT.

SPECIAL ATTENTION

Murphy Street Estates is a CONDOMINIUM PROJECT, not a subdivision. The Yard Areas beneath and immediately appurtenant to each apartment is designated as a LIMITED COMMON ELEMENT or an EXCLUSIVE USE AREA appurtenant to the respective apartment unit and does not represent legally subdivided lots. The walls, fences and dashed lines shown on the condominium map as delineating the Boundaries between the limited common element Yard Areas of the apartments or units should not be construed to be the property lines of legally subdivided lots.

This public report does not constitute approval of the Project by the Real Estate Commission, or any other governmental agency, nor does it ensure that all applicable County codes, ordinances and subdivision requirements have necessarily been complied with.

THE PROSPECTIVE PURCHASER IS CAUTIONED TO CAREFULLY REVIEW THE CONDOMINIUM DOCUMENTS REFERENCED IN THIS PUBLIC REPORT FOR FURTHER INFORMATION WITH REGARD TO THE FOREGOING.

**II. CREATION OF THE CONDOMINIUM;
CONDOMINIUM DOCUMENTS**

A condominium is created by recording in the Bureau of Conveyances and/or filing with the Land Court a Declaration of Condominium Property Regime, a Condominium Map (File Plan), and the Bylaws of the Association of Apartment Owners. The Condominium Property Act (Chapter 514A, HRS), the Declaration, Bylaws, and House Rules control the rights and obligations of the apartment owners with respect to the project and the common elements, to each other, and to their respective apartments. The provisions of these documents are intended to be, and in most cases are, enforceable in a court of law.

- A. **Declaration of Condominium Property Regime** contains a description of the land, buildings, apartments, common elements, limited common elements, common interests, and other information relating to the condominium project.

The Declaration for this condominium is:

- Proposed
 Recorded - Bureau of Conveyances Document No. 2006-091232
Book _____ Page _____
 Filed - Land Court Document Number _____

The Declaration referred to above has been amended by the following instruments [state name of document, date and recording/filing information]: First Amendment to Declaration dated November 14, 2005, recorded in said Bureau as Document No. 2005-249936; Second Amendment to Declaration dated December 15, 2005, recorded in said Bureau as Document No. 2005-257470. Third Amendment to Declaration recorded in said Bureau as Document No. 2006-14327.

- B. **Condominium Map (File Plan)** shows the floor plan, elevation and layout of the condominium project. It also shows the floor plan, location, apartment number, and dimensions of each apartment.

The Condominium Map for this condominium project is:

- Proposed
 Recorded - Bureau of Conveyances Condominium Map No. 4227
 Filed - Land Court Condominium Map No. _____

The Condominium Map has been amended by the following instruments [state name of document, date and recording/filing information]: Third Amendment to Declaration of Condominium Property Regime of Murphy Street Estates and to Condominium Map dated November 16, 2006 and recorded in said Bureau as Document No. 2006-14327.

- C. **Bylaws of the Association of Apartment Owners** govern the operation of the condominium project. They provide for the manner in which the Board of Directors of the Association of Apartment Owners is elected, the powers and duties of the Board, the manner in which meetings will be conducted, whether pets are prohibited or allowed and other matters which affect how the condominium project will be governed.

The Bylaws for this condominium are:

- Proposed
 Recorded - Bureau of Conveyances Document No. 2005-227924
Book _____ Page _____
 Filed - Land Court Document Number _____

The Bylaws referred to above have been amended by the following instruments [state name of document, date and recording/filing information]: N/A

5. Special Use Restrictions:

The Declaration and Bylaws may contain restrictions on the use and occupancy of the apartments. Restrictions for this condominium project include but are not limited to:

Dogs, cats and customary household pets permitted in reasonable number; provided no

Pets commercial breeding or use. No livestock, poultry or other animals.

Number of Occupants: _____

Other: Please ask to see Murphy Street Estates Rules & Regulations ("House Rules") adopted November 17, 2005. They contain prohibitions.

There are no special use restrictions.

6. Interior (fill in appropriate numbers):

Elevators: -0- Stairways: -0- Trash Chutes: -0-

Apt. Type	Quantity	BR/Bath	Net Living Area (sf)*	Net Other Area (sf)	Identify
Unit 1	1	4/2	1,627	376	Garage
Unit 2	1	3/1	1,012	546	Carport
Unit 3	1	3/2	1,447	441/43	Garage/Entry
Unit 4	1	3/1-1/2	1,052	458	Garage
Unit 5	1	3/1	956	440	Garage
Unit 6	1	3/1	956	458	Garage
Unit 7	1	3/1-1/2	1,052	458	Garage

Total Number of Apartments: 7

***Net Living Area is the floor area of the apartment measured from the interior surface of the apartment perimeter walls, excluding the Garage, Lanai and Balcony.**

Other documents and maps may give floor area figures which differ from those above because a different method of determining the floor area may have been used.

Boundaries of Each Apartment:

The outside surfaces of the exterior walls and roof and the bottom surfaces of the footings and foundations of each Dwelling.

Permitted Alterations to Apartments:

See attached Exhibit "B"

Apartments Designated for Owner-Occupants Only:

Fifty percent (50%) of **residential** apartments must be so designated; developer has a right to substitute similar apartments for those apartments already designated. Developer must provide this information either in a published announcement or advertisement as required by section 514A-102, HRS; or include the information here in this public report and in the announcement (see attachment 11a). Developer has not elected to provide the information in a published announcement or advertisement because :

The Units will not be sold. Two trusts are the owners of the Project and pursuant to the provisions of the Trusts, the Units will be distributed to the beneficiaries of the Trusts.

2. Limited Common Elements: Limited Common Elements are those common elements which are reserved for the exclusive use of the owners of certain apartments.

There are no limited common elements in this project.

The limited common elements and the apartments which use them, as described in the Declaration, are:

described in Exhibit "D".

as follows:

Note: Reference in said Exhibit "D" to "Exclusive Use Area" does not mean legally subdivided Lots.

3. Common Interest: Each apartment will have an undivided fractional interest in all of the common elements. This interest is called the "common interest." It is used to determine each apartment's share of the maintenance fees and other common profits and expenses of the condominium project. It may also be used for other purposes, including voting on matters requiring action by apartment owners. The common interests for the apartments in this project, as described in the Declaration, are:

described in Exhibit _____.

as follows:

Unit 1	15.243%
Unit 2	10.925%
Unit 3	17.898%
Unit 4	15.275%
Unit 5	12.713%
Unit 6	12.326%
Unit 7	<u>15.620%</u>
Total	100.00%

- E. Encumbrances Against Title:** An encumbrance is a claim against or a liability on the property or a document affecting the title or use of the property. Encumbrances may have an adverse effect on the property or your purchase and ownership of an apartment in the project.

Exhibit E describes the encumbrances against the title contained in the title report dated February 6, 2007 and issued by Island Title Corporation.

2. Rights Under the Sales Contract: Before signing the sales 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 issued an effective date by the Hawaii Real Estate Commission.
 - B) Declaration of Condominium Property Regime, as amended.
 - C) Bylaws of the Association of Apartment Owners, as amended.
 - D) House Rules, if any.
 - E) Condominium Map, as amended.
 - F) Escrow Agreement.
 - G) Hawaii's Condominium Property Act (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 or through the developer's agents, if any. The Condominium Property Regime law (Chapter 514A, HRS) and the Administrative Rules (Chapter 107) are available online. Please refer to the following sites:

Website to access official copy of laws: www.capitol.hawaii.gov

Website to access unofficial copy of laws: www.hawaii.gov/dcca/hrs

Website to access rules: www.hawaii.gov/dcca/har

This Public Report is a part of Registration No. 5870 filed with the Real Estate Commission on December 19, 2005.

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

YELLOW paper stock

WHITE paper stock

PINK paper stock

- D. The developer declares subject to the penalties set forth in section 514A-49(b) that this project is in compliance with all county zoning and building ordinances and codes, and all other county permitting requirements applicable to the project, pursuant to Act 251 (SLH 2000) [Section 514A-1.6] (The developer is required to make this declaration for issuance of an effective date for a final public report.)
- E. 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.

Seiki Higa Revocable Living Trust Agreement dated August 7, 1985 and Matsue Higa Revocable Living Trust Agreement dated August 7, 1985
Printed Name of Developer

By: Wilfred Higa 2/15/07
Duly Authorized Signatory* Date

Wilfred Higa, as Successor Trustee of Seiki Higa Revocable Living Trust Agreement dated August 7, 1985 and Matsue Higa Revocable Living Trust Agreement dated August 7, 1985
Print Name and Title of Person Signing Above

Distribution:

Department of Finance, City and County of Honolulu
Planning Department, City and County of Honolulu

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***Must be signed for a: corporation by an officer; partnership or Limited Liability Partnership (LLP) by the general partner; Limited Liability Company (LLC) by the manager or member; and for an individual by the individual.**

EXHIBIT "E"

ENCUMBRANCES AGAINST TITLE

1. Title to all minerals and metallic mines reserved to the State of Hawaii.

2. EASEMENT

Dated: June 20, 1957
Recorded: Book 3298, Page 192
Purpose: Underground sewer pipe lines
In favor of: The City and County of Honolulu

3. Condominium Map No. 4112, filed in the Bureau of Conveyances, State of Hawaii.

4. Covenants, conditions, restrictions, reservations, agreements, obligations, easements and other provisions set forth in the Declaration of Condominium Property Regime of Murphy Street Estates:

Dated: October 25, 2005
Recorded: Document No. 2005-227923 in the Bureau of Conveyances.
to which reference is hereby made, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c) or Section 515-6, HRS.

The foregoing was amended by as follows:

First Amendment to Declaration of Condominium Property Regime of Murphy Street Estates

Dated: November 14, 2005
Recorded: Document No. 2005-249936

Second Amendment to Declaration of Condominium Property Regime of Murphy Street Estates

Dated: December 15, 2005
Recorded: Document No. 2005-257470

Third Amendment to Declaration of Condominium Property Regime of Murphy Street Estates and to Condominium Map

Dated: November 16, 2006
Recorded: Document No. 2006-214237

5. Terms and provisions contained in the By-Laws of the Association of Apartment Owners of Murphy Street Estates:

Dated: October 25, 2005
Recorded: Document No. 2005-227924 in said Bureau

6. Any and all covenants, conditions, restrictions and easements encumbering the apartment herein mentioned, and/or the common interest appurtenant thereto, as created by or mentioned in said Declaration, and/or in said Apartment Deed, and/or as delineated on said Condominium Map.
7. Terms and provisions of that certain unrecorded Seiki Higa Revocable Living Trust dated August 7, 1985.
8. Terms and provisions of that certain unrecorded Matsue Higa Revocable Living Trust dated August 7, 1985.
9. MORTGAGE (Loan No. --)

Dated: November 4, 2004
Recorded: Document No. 2004-233320
Amount: A line of credit up to the amount of \$100,000.00
Mortgagor: Wilfred Higa, as successor Trustee of the Seiki Higa Revocable Living Trust dated August 7, 1985, and also as successor Trustee of the Matsue Higa Revocable Living Trust dated August 7, 1985
Mortgagee: City Bank, a Hawaii corporation

(Note: Besides Other Land)

10. ASSIGNMENT OF LESSOR'S INTEREST AS ADDITIONAL SECURITY TO SAID TENANT LEASES

Dated: November 4, 2004
Recorded: Document No. 2004-233321
Assignor: Wilfred Higa, as successor Trustee of the Seiki Higa Revocable Living Trust dated August 7, 1985, and also as successor Trustee of the Matsue Higa Revocable Living Trust dated August 7, 1985
Assignee: City Bank, a Hawaii corporation

(Note: Besides Other Land)

NOTES:

The death of Seiki Higa and the appointment of Wilfred Higa as Successor Trustee as set forth in Acceptance of Trusteeship by Successor Trustee dated August 31, 2004, recorded as Document No. 2004-203290.

The death of Matsue Higa and the appointment of Wilfred Higa as Successor Trustee as set forth in Acceptance of Trusteeship by Successor Trustee dated August 31, 2004, recorded as Document No. 2004-203291.