



**REAL ESTATE COMMISSION**  
PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII  
313 SO. BERETANIA ST.  
P. O. BOX 3469  
Honolulu 1, Hawaii

**FINAL**  
**HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)**  
**PUBLIC REPORT**

ON  
HAWAII-KAI CONDOMINIUM PROJECT  
Lot 8, File Plan 801  
City and County of Honolulu  
State of Hawaii

REGISTRATION NO. 34

**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.

June 4, 1964

SPECIAL ATTENTION

Particular attention of purchasers and prospective purchasers is directed to the following:

- (1) HAWAII-KAI CONDOMINIUM PROJECT, Lot 8, File Plan 801 is a proposed leasehold condominium.
- (2) Since the issuance of the Commission's Preliminary Report under Registration No. 7 on this Horizontal Property Regimes project, the Developer has incorporated material changes into the plan. The Developer's subsequent changes represent a material revision of the information first disclosed. The Preliminary Report on Registration No. 7 is cancelled. Hereafter Lot 8, File Plan 801 will be identified as Registration No. 34.
- (3) In addition to the documents submitted with the original Notice of Intention, and the February 4, 1963 revised plans for Lot 8, File Plan 801 in Marina Kaalaki Subdivision 1-E, the Developer has filed the following documents or specimen documents for examination by the Commission: Declaration of Horizontal Property Regime; By-Laws of Association of Dwelling Owners; Dwelling Lease; Assignment and Consent Form; and Description of Materials. The required map has been filed in the Bureau of Conveyances and is identified as Condominium File Plan No. 11.

- (4) The purchaser is advised to acquaint himself with the general provisions of the Horizontal Property Act enacted by the Legislature of the State of Hawaii in 1961. This statute was amended by the Legislature in 1962, and again in 1963 and 1964.

NAME OF THE PROJECT: HAWAII-KAI CONDOMINIUM PROJECT  
Lot 8, File Plan 801.

DEVELOPER: KAISER HAWAII-KAI DEVELOPMENT CO., 7120 Kalaniana'ole Highway, Honolulu, Hawaii 96802. The Developer is a wholly-owned subsidiary of the Henry J. Kaiser Company, Incorporated in the State of Nevada, September 21, 1959. A roster of the Directors and Officers of the Corporation has been filed with the Commission. The Developer states that the Declaration of Horizontal Property Regime will be entered into by the landowners, the Trustees of the Bishop Estate, and their developers, Kaiser Hawaii-Kai Development Co.

LOCATION: At Kaalaki Marina Subdivision 1-E, Maunaloa, Honolulu, City and County of Honolulu, Hawaii. The development lies approximately ten miles to the east (Koko Head) of the central downtown area of Honolulu in Kaalaki Valley.

TAX MAP KEY: FIRST DIVISION 3-9-08

DESCRIPTION: The Developer in his Declaration advises that there shall be 3 one-story buildings, constructed principally of wood and concrete tile containing a total of 8 attached dwellings on a land area of 37,473 square feet. The location of each dwelling shall be as shown on the Condominium File Plan recorded at the Hawaii Bureau of Conveyances. The immediate common elements to which each dwelling shall have access shall be a walkway leading to a public street. The identification letter, approximate square footage and number of rooms in each dwelling, together with the approximate square footage of the privacy area appurtenant to each dwelling are reported as follows:

<u>Dwelling</u>	<u>Area</u>	<u>Rooms</u>	<u>Privacy Area</u>
A	1,184	7	359
B	1,170	7	561
C	1,100	6	485
D	1,000	6	388
E	1,354	8	532
F	1,000	6	388
G	1,170	7	505
H	1,184	7	359

The property in question is zoned for apartment use.

COMMON ELEMENTS: The Developer states that the Common Elements are as follows: (a) The land described in the Declaration; (b) the foundations, concrete, flooring, columns, girders, beams, supports, perimeter, partition and bearing walls, roofs and ceilings of the residential buildings and carports, excluding the finished interior portions of all walls, concrete flooring and ceilings of the residential building; (c) the yards, gardens, parking area and storage spaces; (d) central and appurtenant installations, including all pipes, wires, cables, conduits and other utility lines running within said land to and through the buildings and/or carports, for services such as power, light, gas, hot and cold water, incinerators and radio and television signal distribution; (e) any and all apparatus and installations existing for common use; and (f) all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

LIMITED COMMON ELEMENTS: The Developer reports the Limited Common Elements are as follows: (a) One privacy area (including a private lanai) designated on the Condominium File Plan by the same letter as each dwelling of varying sizes as indicated above under DESCRIPTION; (b) one stall for a car within a carport (with space for storage therein) designated on the Condominium File Plan by the same letter as each dwelling; and (c) all other elements of the property, including, but not limited to the concrete walks, driveways and incinerators, which are rationally of limited common use by less than all of said dwellings.

OWNERSHIP TO TITLE: The land on which the three (3) one-story buildings will be constructed is owned in fee simple by the Trustees under the will and of the Estate of Bernice Pauahi Bishop, deceased. The property in question is described as follows: "All that certain parcel of land situate at Maunaloa, Honolulu, City and County of Honolulu, State of Hawaii, being part of R.P. 4475, L. C. Award 7713, Apana 30 to Victoria Kamamalu, shown and described on the map filed in the Bureau of Conveyance of Hawaii as follows: Lot 8, File Plan 801, Area 37,473 square feet." (Declaration is filed in Liber 4719, Pages 525-541.)

DEVELOPER'S INTEREST: On April 27, 1961, the Trustees under the will and of the Estate of Bernice Pauahi Bishop, entered into an unrecorded confidential agreement authorizing the Kaiser Hawaii-Kai Development Co. to develop the Trustees land in Maunaloa, Oahu, Hawaii. Under the agreement, the Kaiser Hawaii-Kai Development Company has the exclusive right to develop and market properties within this 6,000 acre project for a period of ten years from the date thereof.

ENCUMBRANCES AGAINST TITLE: The Developer advises that it will finance the construction of the three buildings out of its own resources.

Lot 8, File Plan 801 and all occupants of buildings thereon will be subject to a Declaration of Protective Provisions which has been adopted by the Kaiser Hawaii-Kai Development Co. and the Trustees under the will and of the Estate of Bernice Pauahi Bishop. In general, this document grants to the lessees and occupants of the lot above-mentioned, the right to use and enjoy the waterways of Kuapa Pond with certain restrictions.

NOTE: The purchaser should acquaint himself with the provisions of the Declaration of Protective provisions, a specimen copy of which is on file in the Developer's office and available for examination upon request.

DWELLING LEASE, ASSIGNMENT AND CONSENT: Under the Development Agreement mentioned above, the Trustees under the will and of the Estate of Bernice Pauahi Bishop are obligated to issue leases for particular properties on the request of the Developer. The Commission has been advised that all remaining lots on File Plan 801, including Lot 8, will be expressed to the Horizontal Property Regime arrangement in the Declaration entered into by the landowners, the Trustees under the will and of the Estate of Bernice Pauahi Bishop, and their developers, the Kaiser Hawaii-Kai Development Co. In place of the Master Lease apparatus referred to in the Commission's Preliminary Report of July 20, 1962, the Developer as a lessee of the owners of the fee, will offer individual Dwelling Leases which are to be assigned to each purchaser by and with the consent of the Trustees under the will and of the Estate of Bernice Pauahi Bishop. The term of the lease on each dwelling has been extended to 57 years of which the fixed rental term will be for a period of 32 years.

NOTE: The purchaser should acquaint himself with the form and provisions of the Dwelling Lease and the Assignment and Consent form on file in the Developer's office and available for examination upon request.

INTEREST TO BE CONVEYED PURCHASER: The purchaser's separate freehold estate will include:

- (1) A leasehold interest, by assignment, in a certain dwelling for his exclusive use;
- (2) An undivided interest in the common elements; and
- (3) An undivided interest in the limited common elements.

In the Developer's Declaration of Horizontal Property Regime under Common Interest it is stated as follows: "Each dwelling shall have appurtenant thereto the respective undivided interest in the common elements as specified and established herein for such dwelling, such interest being defined and referred to herein as the "common interest." The common interest, the proportionate share in the profits and common expenses of the project and the

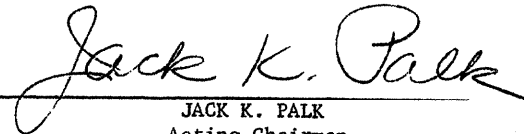
proportionate representation for voting purposes in the Association of Dwelling Owners of the project, hereby established for each dwelling, shall be as set forth in percentage as follows:

<u>Dwelling</u>	<u>Percentage Interest</u>
A	12.5
B	12.5
C	12.5
D	12.5
E	12.5
F	12.5
G	12.5
H	12.5

MANAGEMENT AND OPERATION: The Developer has submitted for the Commission's examination a specimen copy of the By-Laws of the Association of Dwelling Owners. Under these by-laws the Board of Directors, in addition to other powers and duties, has the responsibility for the management and operation of the project.

PURCHASE MONEY HANDLING: The Developer advises that all purchase money will be placed in a clients' trust account designated Kaiser Hawaii-Kai Development Co. Condominium Escrow Account at the Hawaii National Bank, Hawaii Kai Branch, Honolulu, Hawaii.

NOTE: It is incumbent upon the purchaser before executing the Sale Deposit Contract to determine the arrangement under which the proceeds from the sale of a dwelling are placed in trust, as well as the retention and disbursement of the trust fund.



JACK K. PALK  
Acting Chairman  
HAWAII REAL ESTATE COMMISSION

cc: DEPARTMENT OF TAXATION  
DEPARTMENT OF REGULATORY AGENCIES  
(Business Registration Division)  
BUREAU OF CONVEYANCES  
PLANNING DEPARTMENT, CITY & COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION