



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
DIAMOND HEAD GARDENS
3002 Pualei Circle
Honolulu, Hawaii

REGISTRATION NO. 35

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.

December 28, 1964

SPECIAL ATTENTION

Particular attention of the purchaser or prospective purchaser is directed to the following:

1. DIAMOND HEAD GARDENS is an existing rental apartment complex converting to a leasehold condominium.
2. Since the issuance of the Commission's Preliminary Report under Registration No. 35, dated June 4, 1964, on this Horizontal Property Regime project, the Developer has prepared and submitted additional information in support of the original Notice of Intention filed May 15, 1964. This Final Public Report supersedes the June 4, 1964 report and is the document the Developer must give to all purchasers or prospective purchasers of apartments.
3. The Developer has filed the following documents or specimen documents with the Commission for examination: Notice of Intention; Declaration of Submission of Lease to Horizontal Property Regime; Sublease; Amendment of Sublease; Articles of Incorporation of Condominium Hawaii, Inc. and Affidavit; By-Laws of Condominium Hawaii, Inc.; Assignment of Sublease; Consent of Assignment; Sublease to Condominium Hawaii, Inc.; Consent to Sub-Sublease to Condominium Hawaii, Inc.; Letter of Loan Commitment; Letter Regarding Purchase of Diamond Head Gardens; Policy of Title Insurance; Certificate and Related Documents of Insurance; Escrow Agreement; Manager Appointment Letter; Collection Agreement; Apartment Lease Assignment; By-Law of Association of Apartment Owners of Diamond Head Gardens; Agreement for Responsibility for Closing and Other Expenses; and Drawings and Plans of the Existing Buildings.

With its request for a Final Public Report, the Developer has filed a modified Promissory Note, Declaration, By-Laws, and Apartment Lease, together with a new Management Contract and a new Sublease to Condominium Hawaii, Inc. The Developer has also filed copies of Amendment to the Master Lease and the First Sublease which provides for a condominium development.

4. The Developer proposes to have the sublease from Edwin Yee, Ltd., as Sublessor, to Condominium Hawaii, Inc., as Sublessee, placed in the Horizontal Property Regime.
5. The purchaser or prospective purchaser is advised to acquaint himself with the general provisions of the Horizontal Property Act (HPA) passed by the Legislature of the State of Hawaii in 1961, which statute was amended by the Legislature in 1962 and substantially improved again by 1963 and 1964 amendments.

NAME OF PROJECT: DIAMOND HEAD GARDENS

DEVELOPER: CONDOMINIUM HAWAII, INC.
801 Kaheka Street
Honolulu, Hawaii
Telephone: 961651

Incorporated August 14, 1963 as a Hawaiian corporation,

present officers are:

Edwin K. Q. Yee, President... 801 Kaheka Street, Honolulu
Harry H. Otsuji, Executive Vice President... 801 Kaheka Street, Honolulu
Herbert H. C. Chun, Vice President... 4120 Papu Circle, Honolulu
Abraham K. Tokioka, Secretary-Treasurer... 1548 Pukele Street, Honolulu

(All four officers comprise the Board of Directors.)

ATTORNEY REPRESENTING DEVELOPER: Henshaw, Conroy & Hamilton
(Attention: Mr. Dwight M. Rush)
1410 First National Bank Building
Honolulu, Hawaii 96813
Telephone: 561-002

LOCATION: Three thousand and two (3002), official street number of the project, is on the East side of Pualei Circle and the complex rests on the West (ewa) slopes of Diamond Head. Access to the area is gained at the East side of the intersection of Pualei Circle and Leahi Avenue.

TAX KEY: FIRST DIVISION 3-1-25; 3-1-26

DESCRIPTION: The land is Lot No. 20, area of 30,998 square feet, of the Leahi Avenue Subdivision, File Plan No. 613, being a portion of L. P. 8165, Part B, L.C.A. 8559-B, Apana 32 to William C. Lunalilo.

The complex is comprised of two buildings, designated Building "A" and Building "B", the latter having two wings, which are designated as the East Wing and the West Wing. There are a total of 42 apartment units, types, number and locations as follows:

	Building "A"	Building "B"		Total
		East Wing	West Wing	
One Bedroom	12	-	12	24
Two Bedroom	<u>6</u>	<u>12</u>	-	<u>18</u>
Total	18	12	12	42

The sizes of the apartments are:

	<u>One Bedroom</u>	<u>Two Bedroom</u>
Interior	590 sq. ft.	720 sq. ft.
Lanai	<u>108</u>	<u>142</u>
Total	698 sq. ft.	862 sq. ft.

Construction consists of reinforced concrete bearing walls and concrete flat slabs for floors and roofs. Windows are of jalousies, and aluminium sliding doors are provided between the interior of the apartments and the lanais. Interior partitions are made of single board redwood within the apartments and of reinforced concrete between apartments. Balcony and lanai railings are constructed of wood with composition panels. The buildings were started in August 1958 and construction was completed in April 1959. There are three stories in each of the buildings. Building "B" West Wing, is raised off the ground by one floor to provide parking space. This area is also utilized to provide space for common laundry equipment.

Each apartment is furnished with counter-top range unit, built-in ovens and refrigerator, all electric; garbage disposal; water heater and bathroom units.

There are 42 parking stalls of which 28 are uncovered and 14 are covered. Each of the stalls is assigned to apartments as indicated in a schedule.

COMMON ELEMENTS: The Developer identifies the common elements as: Foundations, supports, main walls, roofs, stairs, stairways, hallways, yards, gardens, swimming pool and area, janitorial storage, laundry area, conduits and related equipment to provide services of light, electricity, hot and cold water.

LIMITED COMMON ELEMENTS: Parking spaces assigned to each apartment, the garden area adjacent to entrance way of Apartment 106, consisting of approximately 252 square feet, is appurtenant to Apartment 106.

OWNERSHIP TO TITLE: The title in fee is vested in the Estate of Manuel Gomes, Deceased. A Policy of Title Insurance, issued July 24, 1956 by the Pacific Coast Title Insurance Company and Louisville Title Insurance Company has been filed for examination.

ENCUMBRANCE AGAINST TITLE: The Developer reports the following as encumbrances: The Master Lease to Albert M. Felix, Clyde K. Yamamoto and Hiroo Nakao; the Sublease between Albert M. Felix, Clyde K. Yamamoto, Hiroo Nakao and Finance Investment Company, Ltd.; the Assignment of Sublease from Finance Investment Co., Ltd. to Edwin Yee, Ltd.; and the Sub-Sublease from Edwin Yee, Ltd. to Condominium Hawaii, Inc., the Developer.


INTEREST TO BE CONVEYED TO PURCHASER: The Developer states in the Apartment Lease Assignment specimen document that each purchaser who offers to sublease an apartment in the project will receive a certain apartment described in the Description of the Premises, together with an assigned parking stall. The purchaser of a 2-bedroom apartment will be assigned an undivided 2.6745% percentage interest in the common elements. Purchasers of 1-bedroom apartments will be assigned an undivided 2.1607% percentage interest.

PURCHASE MONEY HANDLING: An Escrow Agreement, in specimen style, has been submitted for examination. The agreement to be executed is between Guardian Escrow, Inc., as "Escrow Agent" and Condominium Hawaii, Inc. as "Seller".

Note: It is incumbent upon the purchaser or prospective purchaser that he reads this escrow agreement which establishes how the proceeds from the sale of apartments are placed in trust, as well as the retention and disbursement of the trust fund.

MANAGEMENT AND OPERATIONS: The Board of Directors, under the By-Laws of Association of Apartment Owners of DIAMOND HEAD GARDENS is empowered to engage the

services of a manager or managing agent. First Management and Sales, Inc., a Hawaii corporation, has been retained as Managing Agent of the project.



JACK K. PALK
Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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