

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

1010 RICHARDS STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

## SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

THE HOLIDAY APARTMENTS  
(formerly known as PACIFIC GARDENS II)  
775 McNeil Street  
Honolulu, Hawaii

REGISTRATION NO. 131

### **This Report Is Not an Approval or Disapproval of This Condominium Project**

It was prepared as a supplement to an earlier Report dated \_\_\_\_\_ issued by the Real Estate Commission on the above 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.

Issued: December 10, 1969

#### SPECIAL ATTENTION

A comprehensive reading of the 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 TO SELL SUBMITTED OCTOBER 18, 1965 AND INFORMATION SUBSEQUENTLY FILED AS LATE AS NOVEMBER 25, 1969. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL AND SUBMITTING INFORMATION ON MATERIAL CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514 OF THE HAWAII REVISED STATUTES (CHAPTER 170A, REVISED LAWS OF HAWAII).

1. Since the issuance of the Commission's Final Public Report of April 12, 1966 on PACIFIC GARDENS II, Registration No. 131, the Developer reports that changes have been made in the plan or setup as presented in the October 18, 1965 notice of intention to sell.

The changes subsequently made are determined to be a material revision to the information disclosed earlier. This Supplementary Public Report (pink paper stock) amends the Final Public Report (white paper stock), becoming a part of the registration of THE HOLIDAY APARTMENTS. The Developer is responsible for placing a true copy of this Supplementary Public Report in the hands of all purchasers and prospective purchasers, along with a copy of the Final Public Report. The buyer shall sign the

required receipt signifying that he has had an opportunity to read both reports.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the project and the updating of information disclosed therein.
3. Advertising and promotional matter has been filed pursuant to the Rules and Regulations promulgated by the Commission.
4. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, and the Condominium Rules and Regulations promulgated thereunder which relate to Horizontal Property Regimes.

NAME OF PROJECT: The name of the project has been changed to THE HOLIDAY APARTMENTS.

LOCATION: The street numbering authorities for the City and County of Honolulu have designated the address as 775 McNeil Street. In addition to the original 42,600 square feet committed to the project, an adjacent area of 11,360 square feet, formerly comprising Winant Street, has been obtained and committed to the project. Thus the total area now committed to the project is approximately 53,960 square feet.

TAX MAP KEY: First Division 1-5-26-14 & 52

ZONING: The information under the topical heading ZONING remains unchanged.

DEVELOPER: Condominium Hawaii, Inc., a Hawaii corporation, is the new developer. The company qualified before the State of Hawaii on August 14, 1963 and its principal place of business is 801 Kaheka Street, Honolulu, Hawaii 96814. Telephone 946-1646. The officers and directors are as follows:

President and Director	Harry H. Otsuji 620 McCully Street Honolulu, Hawaii 96814
Vice President and Director	August A. Yee 1447 Ohialoke Street Honolulu, Hawaii 96821
Secretary and Director	Glenda K. Rother 4556 Sierra Drive Honolulu, Hawaii 96816
Treasurer and Director	Abraham K. Tokioka 1147 Waiianiani Place Honolulu, Hawaii 96821

ATTORNEY REPRESENTING DEVELOPER: The attorneys now representing the developer are Hogan, Howell & Rother (Attention: Phillip L. Rother), 320 Dillingham Building, 735 Bishop Street, Honolulu, Hawaii 96813. Phone 531-6851.

DESCRIPTION: Apartment 104B now contains two bedrooms instead of only one and now has a gross floor area of approximately 779 square feet including lanai instead of only 648 square feet including lanai. In other words, Apartment 104B is now a normal type B apartment.

COMMON ELEMENTS: A recreational area and facilities have been added to the common elements. There are no longer coin-operated laundry and drying machines as part of the common elements but merely space for such machines as part of the common elements. The manager's office is now adjacent to Apartment No. 123B rather than adjacent to Apartment No. 104B.

The information under the topical headings LIMITED COMMON ELEMENTS, INTEREST TO BE CONVEYED PURCHASER and USE remains unchanged.

OWNERSHIP TO TITLE: The fee simple title to the land continues to be vested in the Trustees of the Estate of Bernice Pauahi Bishop, noted in Transfer Certificate of Title No. 28,714 and now also noted in Transfer Certificate of Title No. 116,606.

The title examiner, Security Title Corporation, reports that the leasehold interest in the land is now held by Condominium Hawaii, Inc., a Hawaii corporation.

Bishop Estate Lease No. 13,306 was assigned to Condominium Hawaii, Inc., by Commissioner's Assignment of Lease dated November 27, 1968 filed as Land Court Document No. 460816. Said Bishop Estate Lease No. 13,306 was thereafter surrendered by Condominium Hawaii, Inc., to Bishop Estate by instrument dated January 1, 1969 to be filed with the Assistant Registrar of the Land Court and a document number to be assigned, for a new Bishop Estate Lease No. 14,956 dated January 1, 1969 to be filed with the Assistant Registrar and a document number to be assigned. Said Lease No. 14,956 was assigned to Harry Hideyo Otsuji by Assignment of Lease dated September 30, 1969 to be filed with the Assistant Registrar. Said Harry Hideyo Otsuji subleased said premises to Condominium Hawaii, Inc. by Sublease dated September 30, 1969 and this indenture will also be filed with the Assistant Registrar of the Land Court and a document number assigned.

Note: The Commission acknowledges the November 21, 1969 statement of the Developer that all documents which have not been filed with the Assistant Registrar of the Land Court of the State of Hawaii have been duly executed and acknowledged and placed in escrow.

The Commission is satisfied that the Developer has met its requirements for a full disclosure.

ENCUMBRANCES AGAINST TITLE: The encumbrances are: (1) Bishop Estate Lease No. 14,956 previously referred to; (2) First Mortgage in favor of Cooke Mortgage Company, Inc., dated August 20, 1964, filed as Land Court Document No. 340953, assigned to Sun Life Assurance Company of Canada, by instrument dated August 5, 1965, filed as Land Court Document No. 367304; (3) Second Mortgage in favor of Finance Factors, Limited dated November 18, 1968, filed as Land Court Document No. 460817; (4) Assessment-Improvement District No. 167 (Assessment Lot No. 17); (5) Land Court Condominium Map No. 29; (6) Declaration of Horizontal Property Regime dated February 24, 1966, filed as Land Court Document No. 386594, and the By-Laws attached thereto; (7) Amendment of Declaration of Horizontal Property Regime dated September 30, 1969, to be filed with the Assistant Registrar and a document number to be assigned; (8) the aforesaid Assignment of Lease dated September 30, 1969; and (9) the aforesaid Sublease dated September 30, 1969.

For any taxes that may be due and owing and a lien on the lands, reference should be made to the Office of the Tax Assessor of the District in which said lands are situated.

It is the intention of the Developer to satisfy the above mortgages before issuing apartment leases.

The executed Escrow Agreement dated October 10, 1969 details the procedures established for satisfying encumbrances and liens.

PURCHASE MONEY HANDLING: The Developer has filed with the Commission a copy of the Escrow Agreement made October 10, 1969 identifying Pacific Savings & Loan Association, a Hawaii corporation, as Escrow. On examination the specimen Contract of Sale and the executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes.

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

MANAGEMENT AND OPERATION: The proposed By-Laws of the Association of Apartment Owners state that the Board of Directors shall have all powers necessary for the administration of the Association. The Developer advises that Metropolitan Management Corporation, a Hawaii corporation, has been appointed as the managing agent.


INDIVIDUAL MORTGAGE LOANS: The Developer has filed a copy of a statement of financing and a loan commitment letter indicating that Pacific Savings & Loan Association will provide financing to qualified purchasers of the Holiday Apartments.

STATUS OF BUILDING: The existing three floor building was completed May 24, 1965 and has been operated since inception of the project as a conventional apartment building. Since that time changes have been made as set forth in the topical headings DESCRIPTION and COMMON ELEMENTS hereinabove.

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The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted October 18, 1965 and information subsequently filed as of November 25, 1969.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 131 filed with the Commission October 18, 1965.

This report, when reproduced, shall be a true copy of the Commission's public report. The paper stock used in making facsimiles must be pink in color.

  
WILLIAM H. C. YOUNG, Member  
REAL ESTATE COMMISSION  
STATE OF HAWAII

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Distribution:  
DEPARTMENT OF TAXATION  
BUREAU OF CONVEYANCES  
PLANNING DEPARTMENT, CITY & COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

Registration No. 131  
December 10, 1969