

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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## SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

THE WAILANA AT WAIKIKI  
1360 Ala Moana Boulevard  
Honolulu, Hawaii

REGISTRATION NO. 168

### **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.

October 11, 1967

#### 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED TO THE COMMISSION APRIL 13, 1967 AND ADDITIONAL INFORMATION FILED AS LATE AS OCTOBER 10, 1967.

1. Since the issuance of the Commission's Preliminary Public Report of July 6, 1967 on THE WAILANA AT WAIKIKI, Registration No. 168, the Developer reports that changes have been made in the plan or setup as presented in the April 13, 1967 notice of intention to sell. The subsequent changes are determined to be a material revision to the information first disclosed. This Supplementary Public Report amends the July 6, 1967 document becoming a part of the Preliminary Public Report on THE WAILANA AT WAIKIKI. The Developer is responsible for placing a true copy of the Supplementary Public Report in the hands of all purchasers and prospective purchasers, along with a true copy of the Preliminary 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 updating the information disclosed therein.

3. Advertising and promotional matter has been filed pursuant to the Rules and Regulations promulgated by the Commission.
4. As of the date of this report the basic documents (Declaration of Horizontal Property Regimes, By-Laws of the Association of Owners, and a copy of the approved floor plans) have not been filed in the office of the recording officer.
5. The purchaser and prospective purchaser is advised to acquaint himself with the provisions of Chapter 170A, Revised Laws of Hawaii 1955 (as amended), and the Condominium Rules and Regulations promulgated thereunder which relate to Horizontal Property Regimes.

NAME OF PROJECT: THE WAILANA AT WAIKIKI

DESCRIPTION: The revised specimen Declaration of Horizontal Property Regime states that there will be one twenty-four (24) story building containing a total of one hundred eighty-six apartment units from the fifth to the twenty-fourth floor, commercial office space on the fourth floor, garages for apartment use on the third and second floors, commercial stores and restaurant space on the ground floor and commercial garage in the basement, all to be in accordance with the plans incorporated in the Declaration by reference and to be filed in the office of the recording officer on the required condominium map.

The project, according to the setup or plan submitted to the Commission, is divided as follows:

A. Condominium Units. The project shall contain residential apartments, commercial units containing offices, stores and restaurant, and a parking garage.

(a) Residential Apartments: There shall be one hundred and eighty-six (186) apartment units in the building consisting of eleven (11) apartments per floor from floors five (5) to nineteen (19) and penthouse apartments consisting of five (5) apartments per floor from floors twenty (20) through twenty-three (23) and one (1) apartment on the twenty-fourth (24th) floor. The apartments on each floor will be numbered from "0" to "10", preceded by the number which corresponds to the floor, with even numbers along the makai (ocean) wing and odd numbers along the mauka (mountain) wing. For example, those on the fifth floor starting from the makai and proceeding to mauka will bear the numbers 510, 508, 506, 504, 502, 500, 501, 503, 505, 507, 509. The penthouse apartments on each floor will be lettered PH, and numbered from "00" to "04" preceded by the numbers which correspond to the floor. For example, those penthouse apartments on the twentieth floor will bear the letters and numbers of PH 2004, PH 2002, PH 2000, PH 2001, PH 2003. The penthouse apartment on the twenty-fourth (24th) floor shall be known as the penthouse suite. Except for the penthouse suite, each of the one hundred eighty-six (186) apartments will be one of the five types or a modified type thereof: Types A, B, C, D, and E.

Type "A" Apartment: Each type "A" apartment shall include two bedrooms, two bathrooms, a lanai, a living room, a dining room and kitchen, and shall contain approximately 1180 sq.ft. of enclosed area and 124 sq.ft. of lanai area, or a 1304 sq.ft. of total apartment area, excepting, however, the modified type "A<sub>1</sub>" apartment shall contain the same number of rooms hereto before described but shall contain 1188 sq.ft. of enclosed area and 124 sq.ft. of lanai area or 1312 sq.ft. of total apartment area. Appurtenant to apartment 509 is 1395 sq.ft. of lanai area on the ewa (west) side of the apartment.

Type "B" Apartment: Each type "B" apartment shall include two bedrooms, two bathrooms, a lanai, a dressing room, a living room, a dining room and a kitchen, and shall contain approximately 1171 sq.ft. of enclosed area and 124 sq.ft. of lanai or 1295 sq.ft. of total apartment area.

Type "C" Apartment: Each type "C" apartment shall include two bedrooms, two bathrooms, two lanais, a living room, a dressing room, a laundry room, a dining room and a kitchen and shall contain approximately 1331 sq.ft. of enclosed area and 226 sq.ft. of lanai area or 1597 sq. ft. of total apartment area.

Type "D" Penthouse Apartment: Each type "D" penthouse apartment shall include two bedrooms, two bathrooms, two dressing rooms, a lanai, a dining room, a living room and a kitchen, and shall contain approximately 1381 sq. ft. of enclosed area and 161 sq. ft. of lanai area or 1542 sq. ft. of total apartment area, except the modified type "D<sub>1</sub>" penthouse apartment on the twentieth floor only shall contain the same number of rooms and enclosed area but the lanai shall be 979 sq.ft. or 2360 sq.ft. of total apartment area.

Type "E" Penthouse Apartment: Each type "E" penthouse apartment shall contain three bedrooms, two bathrooms, two dressing rooms, a lanai, a dining room, a living room and a kitchen, and shall contain approximately 1667 sq. ft. of enclosed space and 239 sq. ft. of lanai area, or 1906 sq.ft. of total apartment area except "E<sub>1</sub>" penthouse apartment shall contain the same numbers of rooms and enclosed area but the lanai shall be 2006 sq.ft. or 3673 sq.ft. of total apartment area.

Penthouse Suite: The penthouse suite shall contain one bedroom, one bathroom, a powder room, a lanai, a dining room, a living room and a kitchen, and shall contain approximately 1718 sq.ft. of enclosed space and 696 sq.ft. of lanai area, or 2414 sq.ft. of total apartment area.

Location of Apartment:

(1) One Hundred Five (105) apartments having the last two numbers from "03" to "09" are type "A" and fifteen (15) apartments having the last two numbers "10" are the modified type "A<sub>1</sub>".

(2) Thirty (30) apartments having the last two numbers "01" and "02" are type "B".

(3) Fifteen (15) apartments having the last two numbers "00" are type "C".

(4) Twelve (12) penthouse apartments having the letters PH and last two numbers from "01" to "04" are type "D" except those penthouse apartments on the twentieth floor only are the modified type "D<sub>1</sub>".

(5) Three (3) penthouse apartments having the letters PH and last two numbers "00" are type "E" except PH 2000 which is the modified "E<sub>1</sub>". All of said apartments are described and located on the condominium map to be filed in the office of the recording officer.

(6) One (1) penthouse suite which is located on the twenty-fourth (24th) floor.

Boundary Line: The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load bearing walls, the floors and ceiling surrounding the apartments or any pipes, wires, conduits or other utility lines, running through such apartments which are utilized for or serve more than one apartment, the same being deemed common elements as hereinafter provided. Each apartment shall be deemed to include all the walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings, the exterior of the lanai railing and all airspace encompassed within the boundary line, together with fixtures and other such improvements located within.

(b) Commercial Units: There shall be located on the ground floor and the fourth floor commercial units to be used primarily for shops and/or services, offices and restaurant and storage.

1. Ground Floor. There shall be located on the ground floor four commercial units to be used primarily for restaurant, shops or services, storage, which units are described as follows:

"A" Unit located on the makai end of the building containing approximately 793 sq.ft.

"B" Unit located on the ewa side of the building containing approximately 2920 sq.ft.

"C" Unit located on the diamond head side of the building, opposite "B" Unit, containing approximately 1390 sq.ft.

"D" Unit located on the mauka side of "C" Unit containing approximately 688 sq.ft.

"E" Unit located on the mauka-diamond head end of the building containing approximately 5891 sq.ft.

The bathroom facilities situated mauka of the manager's office shall be held by commercial units "A" and "B" and "C" as tenants in common and shall be appurtenant thereto.

"KDI" Unit located on the diamond head-makai end of the building containing approximately 3649 sq.ft. with the right to use same for restaurant operation, and appurtenant thereto a non-exclusive service area at the diamond head-makai end of the building.

"Commercial Storage" Unit located on the ewa-mauka end of the building containing approximately 2,373 sq.ft.

2. Fourth Floor. There shall be five commercial units to be used primarily as office space which units are described as follows:

Office Area "A" located on the makai wing of the building and extending to the elevator corridor containing approximately 6,030 sq.ft.

Office Area "B" located on the mauka wing of the building and extending to the elevator corridor, containing approximately 7,292 sq.ft.

Office Area "C" located on the ewa portion of the center of the building adjacent to the elevator lobby, containing approximately 2,398 sq.ft.

Office Area "D" located makai of office area "C" containing approximately 620 sq.ft.

Office Area "E" located mauka of office area "C" containing approximately 1,512 sq.ft. The bathroom facilities situated on the makai-ewa of the floor shall be held by office area "A", "B", "C", "D" and "E" as tenants in common and shall be appurtenant thereto. All of said commercial units are described and located on the condominium map to be filed in the office of the recording officer.

Boundary Line: The boundary line of each of the commercial units described herein is the exterior of doors, windows, and glass walls and the frames thereof, and the interior of unfinished surfaces of the perimeter walls, load bearing walls and floors and ceilings, said commercial unit meaning and including the paint, wallpaper, tiles, enamel, stain or other finishing on such interior surfaces, the air space encompassed within said boundary line, together with fixtures and other such improvements located within said boundary line, but reserving as common elements any pipes, wires, conduits, and other utility lines running through such commercial units which are utilized for or serve other condominium units.

(c) Commercial Garage: There shall be located in the basement floor eighty-five (85) parking stalls for use as commercial parking to service the restaurant, stores and offices, containing approximately 14,275 sq.ft. together with access to the driveways and the ingress and egress ramps. The boundary line of each stall shall be as shown and described on the condominium map to be filed in the office of the recording officer.

COMMON ELEMENTS: No change in the information presented in the July 6, 1967 Preliminary Public Report.

LIMITED COMMON ELEMENTS: Minimal changes to this heading of the Preliminary Public Report are as follows:

Parking: Sixteen parking stalls are reserved by the Developer unless otherwise relinquished by sale or lease by the Developer.

Storage Facilities: Those facilities for storage on the second and third floors are for the exclusive use of the residential apartment units.

Office Garden: The office garden located on the fourth floor shall contain 2,160 square feet being appurtenant to and for the exclusive use of office Area "A" and "B".

INTEREST TO BE CONVEYED PURCHASER: Each unit according to its type shall have appurtenant thereto an undivided percentage interest called "common interest" in the common elements for all purposes, including voting as follows:

<u>Type of Apartment</u>	<u>Percentage Common Interest</u>
A	.004300
A <sub>1</sub>	.004329
Apt. 509	.005854
B	.004269
C	.004952
D	.005054
D <sub>1</sub>	.006012
E	.006153
E <sub>1</sub>	.008228
Penthouse Suite	.006869

Commercial Units

(a) Ground Floor	
"A", "B", "C", "D", "E"	.041145
Commercial Storage	.01119
"KDI"	.03463
(b) Fourth Floor	
"A", "B", "C", "D", "E"	.062877
(c) Basement Commercial Garage	.016805

The "common interest" of the apartment units shall be determined by the total of the square footage of the interior apartment and one-third (1/3) of the square footage of the lanai. The "common interest" of the basement commercial garage shall be determined by including only one-third (1/3) of the square footage of the parking stalls. The "common interest" of the commercial units shall be determined by the square footages occupied by said units.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: Minimal changes to the body of information under this heading of the Preliminary Public Report are as follows: Items (a), (b), (c), and (d) are not modified or changed. Subparagraph (e) is to now read: The commercial area "A", "B", "C", "D" and "E" on the ground floor and office area "A", "B", "C", "D" and "E" on the fourth floor shall be used only for sale of merchandise or services or office purposes, or any other commercial undertaking as permitted by law except for the sale and serving of food and alcoholic beverages for consumption on the premises. Subparagraph (f) is to read: The commercial area "KDI" shall be used only for the operation of a restaurant for dispensing of food, alcoholic beverages and entertainment together with equipment and appurtenances necessary for such restaurant operation. Subparagraph (g) is to read: The owner of each condominium unit may utilize his unit and the common interest appurtenant

thereto only in accordance with the provisions stated above and for vehicular and pedestrian ingress and egress to the units on established ways and means provided therefor, and in such manner as permitted in the By-Laws and Rules and Regulations. Subparagraph (h), being an addition to this heading consists of the language in item (g) of the Preliminary Public Report. There being no changes, revisions or modification to this last condition on use.

OWNERSHIP TO TITLE: No change in the information under this heading of the Preliminary Public Report.

ENCUMBRANCES AGAINST TITLE: No change in the Commission's document published July 6, 1967.

PURCHASE MONEY HANDLING: An Escrow Agreement has been executed and a copy of same has been filed with the Commission. Security Title Corporation is identified as the Escrow Agent. Upon examination the specimen Deposit Receipt and Sale Agreement and the executed Escrow Agreement provide adequate protection of the purchaser's funds. The Escrow Agent shall, upon written request of purchaser(s), refund to purchaser his fund and cancel his sales contract if prior to issuance of the Final Public Report (a) there is any change in the condominium building plans subsequent to the execution of the contract requiring approval of a county officer having jurisdiction over issuance of permits for construction of buildings unless purchaser's written approval or acceptance of the specific change is obtained; (b) the Final Public Report differs in any material aspect from the Preliminary Public Report and the purchaser(s) desires to withdraw; and (c) the Final Public Report is not issued one year from the date of the issuance of the Preliminary Public Report or the Supplementary Public Report and purchaser(s) desires to withdraw.

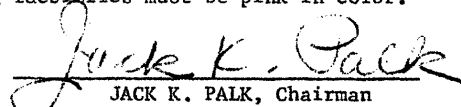
It is incumbent upon the purchaser and prospective purchaser that he reads with care the Deposit Receipt and Sale Agreement and the executed Escrow Agreement. The latter agreement establishes how the proceeds from the sale of condominium units and funds from other sources are placed in trust, as well as the retention and disbursement of said trust funds.

MANAGEMENT AND OPERATION: No change.

STATUS OF PROJECT: No change.

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The purchaser or prospective purchaser should be cognizant of the fact that this report represents information disclosed by the Developer in the required Notice of Intention submitted April 13, 1967 and subsequent examination of the registration up to October 10, 1967.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 168 filed with the Commission on April 13, 1967. The 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.

  
JACK K. PALK, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

REB:km

Distribution:

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

October 11, 1967  
Registration No. 168