

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII
424 SO. BERETANIA STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on
KALAKAUA SANDS
1664 and 1670 Kalakaua Avenue
Honolulu, Hawaii

REGISTRATION NO. 184

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.

Issued: December 27, 1967

Expires: January 27, 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 and prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED SEPTEMBER 21, 1967 AND INFORMATION SUBSEQUENTLY FILED DECEMBER 14, 1967. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT AND AMENDMENTS THERETO BY ACT 244 (L. 1967) EFFECTIVE JUNE 6, 1967.

1. KALAKAUA SANDS is a proposed leasehold residential condominium project consisting of fifty-four (54) dwelling units arranged throughout a single ten-story building. Fifty-four (54) parking stalls are available under a separate agreement.
2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the proposed condominium project and the issuance of the Final Public Report.
3. The Commission has determined that the basic documents (Declaration of Horizontal Property Regime, with By-Laws of Association of Apartment Owners attached, and a copy of the approved Floor Plans) have been filed in the office of the recording officer.

The Declaration of Horizontal Property Regime executed November 27, 1967, with By-Laws attached, was recorded December 8, 1967 in the Bureau of Conveyances of the State of Hawaii in Book 5894 at Page 1.

The Registrar of said Bureau designated Condominium Map No. 100 to the project.

4. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 170A, Revised Laws of Hawaii 1955 (as amended, particularly ACT 244, L. 1967 effective June 6, 1967) and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, December 27, 1967, unless a Supplementary Public Report issues or the Commission, upon review of the registration issues an order extending the effective period of this report.

NAME OF PROJECT: KALAKAUA SANDS

LOCATION: The approximate 18,614 square feet of land committed to the regime is situate on the East side of the sixteen hundred block of Kalakaua Avenue between Fern Street and Philip Street at Waikiki, Honolulu, Oahu, Hawaii.

TAX KEY: FIRST DIVISION 2-3-23-5.35

ZONING: Business and Apartment Hotel.

DEVELOPER: SANDS DEVELOPMENT CO., a registered partnership, comprised of the following:

Ruddy Tongg, Jr.	General Partner	1030 South King Street Honolulu, Hawaii Telephone 571-146
Walter G. B. Wee	General Partner	1594 Alewa Drive Honolulu, Hawaii Telephone 512-067

ATTORNEY REPRESENTING DEVELOPER: Hiroshi Sakai, Suite 909, City Bank Building, 810 Richards Street, Honolulu, Hawaii, Telephone 514-171.

DESCRIPTION: There are fifty-four (54) one bedroom apartments located in a ten-story hollow block and concrete apartment building covering a ground space of about 4,754 square feet with no basement. The first floor of the apartment building contains twenty-four (24) parking stalls and at the street end of the building there is located a lobby and waiting room of about 389 square feet. The second through the tenth floors contain six (6) one bedroom apartments in each floor and seven storage areas one of which is assigned to the janitor. Each floor from the second through the tenth floor contains a floor space of about 4,754 square feet. The apartments in the building are numbered as follows:

Second floor:	201, 202, 203, 204, 205, 206
Third floor:	301, 302, 303, 304, 305, 306
Fourth floor:	401, 402, 403, 404, 405, 406
Fifth floor:	501, 502, 503, 504, 505, 506
Sixth floor:	601, 602, 603, 604, 605, 606
Seventh floor:	701, 702, 703, 704, 705, 706
Eighth floor:	801, 802, 803, 804, 805, 806
Ninth floor:	901, 902, 903, 904, 905, 906
Tenth floor:	1001, 1002, 1003, 1004, 1005, 1006

The immediate common element to which each apartment has access is a concrete walkway running along the north side of the building. Each one bedroom apartment contains approximately 588 square feet within its perimeter walls consisting of the following rooms: living room, kitchen, one bedroom with closet and a bathroom. Appurtenant to each apartment is a storage area of 11.5 square feet with the apartment designation.

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 ceilings surrounding each apartment or any pipes, wires, conduits or other utility lines running through each apartment which are utilized for or serve more than one apartment the same being the 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 and the range, dishwasher, garbage disposal, refrigerator, washer-dryer and heater.

COMMON ELEMENTS: The Declaration identifies the common elements as (a) the approximate 18,614 square feet of land committed to the project except the fifty-four (54) parking stalls; (b) all foundations, columns, girders, beams, supports, bearing walls, roofs, entrys, stairways, walkways, corridors, entrances and exits of said building; (c) all ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, cold and hot water, refuse and telephone; (d) one automatic elevator and appurtenant equipment; and (e) all elements mentioned in the Horizontal Property Act which are actually constructed in the project, and specifically includes, but is not limited to those recited immediately above.

LIMITED COMMON ELEMENTS: The declarant states that certain parts of the common elements called "limited common elements" are set aside and reserved for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto an exclusive easement for the use of such limited common elements. The limited common elements so set aside and reserved are those rationally of limited common use for less than all of said apartments.

PARKING STALLS: There are fifty-four (54) separately designated and described parking stalls numbered 1 through 54 as shown on the typical floor plans and drawings, Condominium Map No. 100, each covering a space of 162 square feet and the air space above it for the parking of motor vehicles which space is defined and referred to as "parking stalls".

These stalls may be separately sold, leased, rented, mortgaged, encumbered, used and occupied subject, however, to the rights of all apartment owners, their tenants and guests the right of ingress and egress over and across the parking stalls from the street to the building.

INTEREST TO BE CONVEYED PURCHASER: Each one bedroom apartment shall have appurtenant thereto an undivided 0.01741 percentage interest in the common elements and each parking stall shall have appurtenant thereto an undivided 0.001108 percentage interest in the common elements, such interest being defined and referred to in the Declaration of Horizontal Property Regime as the "common interest" and the same proportionate share in all common profits and expenses of the project and for all other purposes including voting.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The purpose for which the apartment may be used is as an apartment hotel and such uses as may be permitted under the zoning ordinances, subject to such limitations and conditions as may be contained in the Declaration and the By-Laws of Association of Apartment Owners and House Rules which may be adopted from time to time governing the use of the apartments.

OWNERSHIP TO TITLE: The Notice of Intention states that title to the land is vested in Young Wo Choy and Loretta Yau Tim Choy. The Preliminary Report of Title prepared December 8, 1967 by Security Title Corporation, a Hawaii corporation, verifies that title is vested in Young Wo Choy and Loretta Yau Tim Chang Choy (who also acquired title under the name of Loretta Choy), husband and wife, as Tenants by the Entirety. By the terms and provisions of that certain Lease dated December 1, 1964, recorded on December 30, 1964 in the Bureau of Conveyances in Book 4922 Page 43 Young Wo Choy and Loretta Choy, husband and wife, as Lessors, leased the property in question to Silversword Development, Inc., a Hawaii corporation, as Lessee, for the term of 55 years commencing from the 1st day of December, 1964.

The Developer, Sands Development Co., a registered partnership of Ruddy Tongg, Jr., and Walter G. B. Wee, both General Partners, propose to construct the fifty-four unit condominium project. The owners of the property in fee simple, Young Wo Choy and Loretta Choy, have consented to and joined in the Master Deed and Declaration of Horizontal Property Regime with Silversword Development, Inc.

ENCUMBRANCES AGAINST TITLE: The Security Title Corporation title search document made December 8, 1967 identifies the following: Reservation - in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent No. 103. Grant - of easement dated January 2, 1958, recorded January 7, 1958, in the Bureau of Conveyances in Book 3368 Page 251, in favor of Young Wo Choy and Loretta Yau Tim Chang Choy, husband and wife, granting forever an easement appurtenant to Lot 5, for roadway, utility and other purposes, over, along, across, under and upon the land being a portion of Royal Patent 103, Land Commission Award 660, Part 1 to G. P. Judd and more particularly described elsewhere. Lease - terms and provisions of that certain Lease dated December 1, 1964, recorded on December 30, 1964 in said Bureau of Conveyances in Book 4922 Page 43, made by and between Young Wo Choy and Loretta Choy, husband and wife, as Lessors, and Silversword Development, Inc., a Hawaii corporation, as Lessee, for the term of 55 years commencing from the 1st day of December, 1964. Mortgage - dated June 17, 1965, recorded on June 21, 1965 in said Bureau of Conveyances in Book 5068 Page 497, made by Silversword Development, Inc., as Mortgagor, to Central Pacific Bank, a Hawaii corporation, as Mortgagee, to secure the repayment of the sum of \$40,000.00 any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagors therein referred to. Consent thereto recorded on June 21, 1965 in Book 5068 Page 504. Taxes - Real Property Taxes 1967 are delinquent. Tax Key 2-3-23-5 As to Lot 4 total due (including penalty and interest) \$2,043.72. Tax Key 2-3-23-35 As to Lot 5 total due (including penalty and interest) \$1,726.86. Covenants agreements, obligations, conditions and other provisions set forth in Declaration of Horizontal Property Regime dated November 27, 1967, recorded December 8, 1967 in said Bureau of Conveyances in Book 5894 Page 1, and the By-Laws attached thereto. The Registrar has designated Condominium Map No. 100 to the project.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement, made November 21, 1967, by and between Security Title Corporation, a Hawaii corporation, as the "Escrow Agent" and the Developer, Sands Development Co., a registered partnership, has been submitted to the Commission. The Developer has met and fulfilled the requirements of Sec. 170A-13.6 which establishes the provisions for the issuance of final reports prior to the completion of construction.'

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

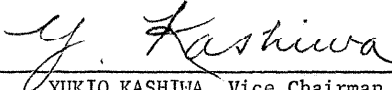
MANAGEMENT AND OPERATIONS: The declarant states that the operation of the condominium project shall be conducted for the Association of Apartment Owners by a responsible corporate managing agent. As of the date of this report there is no property management contract in effect for this condominium project.

STATUS OF PROJECT: The Developer, Sands Development Company, on October 11, 1967 entered into a contract with Tani Construction, Inc., the Contractor, to build the described project. The work is to commence upon issuance of the building permit and the building completed for occupancy within three hundred (300) calendar days. A copy of the 100% Performance Bond for the construction has been filed with the Commission.

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 September 21, 1967 and additional information filed as late as December 14, 1967.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 184 filed with the Commission on September 21, 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 white.



YUKIO KASHIWA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

REB:km

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ESCROW AGENT

December 27, 1967
Registration No. 134