

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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

PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

250 OHUA
250 Ohua Avenue
Honolulu, Hawaii

REGISTRATION NO. 244

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 but may only take reservations therefore after

- (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: February 3, 1969
Expires: March 3, 1970

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 DECEMBER 17, 1968. THE DEVELOPER, BY 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. 250 OHUA is a proposed leasehold condominium project consisting of ninety-three (93) units arranged throughout a single fourteen (14) story building. The structure will have one hundred three (103) parking stalls available on the basement level and the ground floor level, the upper fourteen (14) floors will contain the residential units.
2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and issuance of this Preliminary Public Report.
3. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners, and a copy of the approved Floor Plans) have not been filed in the office of the recording officer.

4. Advertising and promotional matter has been submitted pursuant to the rules and regulations of 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 Regime.
6. This Preliminary Public Report automatically expires thirteen (13) months after date of issuance, February 3, 1969, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of the report.

NAME OF PROJECT: 250 OHUA

LOCATION: The approximate 22,428 square feet of land area, to be committed to the regime is situate on the ewa side (or west side) of Ohua Avenue mauka of Kuhio Avenue, at Waikiki, Honolulu, Island of Oahu, Hawaii.

TAX KEY: FIRST DIVISION 2-6-25-21

ZONING: Hotel-Apartment

DEVELOPER: Tudor Engineering Company, a California corporation whose business address in Hawaii is 1136 Union Mall, Honolulu, Hawaii, and whose California address is 525 Market Street, San Francisco, California.

ATTORNEY REPRESENTING DEVELOPER: Axel Ornelles, 1060 Bishop Street, Honolulu, Hawaii. Telephone 538-1991.

DESCRIPTION: This will be a leasehold condominium complex consisting of a multi-story reinforced concrete building containing 93 units. There will be 52 parking spaces located on the basement floor. On the ground floor there will be driveways, 51 parking spaces, a swimming pool, service yard, foyer, elevators and stair areas. The building will have 14 floors of condominium units. Each unit will be numbered as shown on the floor plans to be filed with the Declaration in the office of the recording officer and will be in accordance with said plans.

(a) Seven (7) apartments are located on the 1st through the 12th floor except the first floor where apartment 1B is reserved for use of the Manager of the Project as a common element. Five (5) apartments are located on the 13th floor and an additional 5 apartments are located on the 14th floor of the building. The building facilities are located as indicated and the apartments are numbered with the number of the floor followed by a letter of the alphabet indicating the location of the apartments on each floor, as follows:

Basement Level	Parking
Ground Level	Lobby, Parking and Swimming Pool
First Floor	1A, 1B, 1C, 1D, 1E, 1F, 1G
Second Floor	2A, 2B, 2C, 2D, 2E, 2F, 2G
Third Floor	3A, 3B, 3C, 3D, 3E, 3F, 3G
Fourth Floor	4A, 4B, 4C, 4D, 4E, 4F, 4G
Fifth Floor	5A, 5B, 5C, 5D, 5E, 5F, 5G
Sixth Floor	6A, 6B, 6C, 6D, 6E, 6F, 6G
Seventh Floor	7A, 7B, 7C, 7D, 7E, 7F, 7G
Eighth Floor	8A, 8B, 8C, 8D, 8E, 8F, 8G
Ninth Floor	9A, 9B, 9C, 9D, 9E, 9F, 9G
Tenth Floor	10A, 10B, 10C, 10D, 10E, 10F, 10G
Eleventh Floor	11A, 11B, 11C, 11D, 11E, 11F, 11G
Twelfth Floor	12A, 12B, 12C, 12D, 12E, 12F, 12G
Thirteenth Floor	PH-A, PH-B, PH-C, PH-D, PH-E
Fourteenth Floor	PH-F, PH-G, PH-H, PH-I, PH-J

The immediate common element to which each apartment has access is a corridor through the center of the building leading to the elevator.

(b) There are eighty-three (83) two-bedroom apartments on the first twelve floors divided into four types. The first type of apartment contains approximately 1,067 sq. ft. of enclosed area plus 238 sq. ft. of lanai area making an approximate total of 1,305 sq. ft. Each of these apartments consists of 2 bedrooms, 2 bathrooms, a lanai and combination living-room kitchen. Each such apartment is designated by a number corresponding with the floor and ending with the alphabetical designation A and C.

The second type of apartment contains approximately 1,107 sq. ft. of enclosed area plus 238 sq. ft. of lanai area making an approximate total of 1,345 sq. ft. Each of these apartments consists of 2 bedrooms, 2 bathrooms, a lanai and combination living room-kitchen. Each such apartment is designated by a number corresponding with the floor and ending with the alphabetical designation B.

The third type of apartment contains approximately 1,067 sq. ft. of enclosed area plus 170 sq. ft. of lanai area making an approximate total of 1,237 sq. ft. Each of these apartments consists of 2 bedrooms, 2 bathrooms, a lanai and combination living room-kitchen. Each such apartment is designated by a number corresponding with the floor and ending with the alphabetical designation D and G.

The fourth type of apartment contains approximately 1,014 sq. ft. of enclosed area plus 170 sq. ft. of lanai area making an approximate total of 1,184 sq. ft. Each of these apartments consists of 2 bedrooms, 2 bathrooms, a lanai and combination living room-kitchen. Each such apartment is designated by a number corresponding with the floor and ending with the alphabetical designation E and F.

(c) The thirteenth apartment floor level will contain 5 penthouse apartments divided into three types. The first type of apartment contains approximately 1,067 sq. ft. of enclosed area plus 238 sq. ft. of lanai area making an approximate total of 1,305 sq. ft. Each of these apartments consists of 2 bedrooms, 2 bathrooms, a lanai and combination living room-kitchen. These apartments are designated as PH-A and PH-B.

The second type of apartment contains approximately 1,238 sq. ft. of enclosed area plus 336 sq. ft. of lanai area making an approximate total of 1,574 sq. ft. Each of these apartments consists of 2 bedrooms, 2 bathrooms, a lanai and combination living room-kitchen. These apartments are designated as PH-C and PH-E.

The third type of apartment contains approximately 993 sq. ft. of enclosed area plus 280 sq. ft. of lanai area making an approximate total of 1,273 sq. ft. This apartment consists of 2 bedrooms, 2 bathrooms, a lanai and combination living room-kitchen. This apartment is designated as PH-D.

(d) The fourteenth apartment floor level will contain 5 penthouse apartments divided into three types. The first type of apartment contains approximately 1,067 sq. ft. of enclosed area plus 238 sq. ft. of lanai area making an approximate total of 1,305 sq. ft. Each of these apartments consists of 2 bedrooms, 2 bathrooms, a lanai and combination living room-kitchen. These apartments are designated as PH-F and PH-G.

The second type of apartment contains approximately 998 sq. ft. of enclosed area plus 336 sq. ft. of lanai area making an approximate total of 1,334 sq. ft. Each of these apartments consists of 2 bedrooms, 1½ bathrooms, a lanai and combination living room-kitchen. These apartments are designated as PH-H and PH-J.

The third type of apartment contains approximately 793 sq. ft. of enclosed area plus 280 sq. ft. of lanai area making an approximate total of 1,073 sq. ft. This apartment consists of 1 bedroom, 1 bathroom, a lanai and combination living room-kitchen. This apartment is designated as PH-I.

The respective apartments shall not 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 or service lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements. Each apartment shall 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 all fixtures originally installed therein.

COMMON ELEMENTS: The proposed Declaration states that the common elements of the project include the following: (a) the leasehold above described; (b) all foundations, columns, girders, beams, supports, bearing walls, roofs, chases, entry halls, stairs, walkways, entrances and exits of said building; (c) all yards and refuse areas; (d) all parking areas and swimming pool; (e) all ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, cold and hot water, air conditioning, refuse and telephone; (f) two automatic electric passenger elevators with elevator housing and appurtenant equipment; (g) the lobby located on the ground floor; (h) the apartment 1B on the first floor of the building designated the Manager's apartment, together with the parking space assigned to said apartment reserved for use by the resident manager of the project; and (i) all other parts of the property necessary, or convenient to its existence, maintenance and safety or normally in common use for the operation of the building or the common elements.

LIMITED COMMON ELEMENTS: The limited common elements, according to the proposed Declaration, shall consist of one or more parking stalls for the exclusive use of each unit and designated on the floor plans to be placed on record by a number corresponding to the number of such unit.

INTEREST TO BE CONVEYED PURCHASER: Each apartment unit shall have appurtenant thereto an equal undivided 1.075+ percentage (1/93) interest in the common elements as specified and established herein for such, and known as the "common interest." The aggregate of the common interests of all the owner shall be the basis for determination of assessments and allocations of common expenses, division and distribution of common profits, for voting in the Association of 250 Ohua Condominium Apartment Owners, and for all other related purposes.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The entire building above the ground floor except the roof structure is intended for residential use and shall be used for no other purpose, in accordance with the terms of the proposed Declaration, the By-Laws of the Association of 250 Ohua Condominium Apartment Owners, and the House Rules, as they exist or as they may be amended from time to time, and each Owner shall also observe, comply with and perform all applicable laws, ordinances and rules and regulations of all governmental agencies.

OWNERSHIP TO TITLE: A certificate of title prepared December 2, 1968 by Security Title Corporation shows that title to the land committed to the regime is vested in Valentine Spitzer Lewis, widow, evidenced by Transfer Certificate of Title No. 4817. Rhoda V. Lewis was appointed Guardian of the Estate of Valentine Spitzer Lewis in Probate Proceedings No. 31474 in the First Circuit Court of Hawaii on November 21, 1968.

ENCUMBRANCES AGAINST TITLE: Submitted as part of the registration for examination by Commission are copies of the following: Lease - made November 26, 1968, by and between Rhoda V. Lewis, as Guardian of the Estate of Valentine Spitzer Lewis, widow, as Lessor, and Tudor Engineering Company, a California corporation, whose place of business in Honolulu, Hawaii, is 1136 Union Mall, as Lessee. Term of the lease is for seventy-five (75) years, commencing November 26, 1968. Rent conditions agreed to are as follows:

(a) for the time prior to taking of occupancy by the Lessee but not more than 182 days, the total sum of seven thousand five hundred dollars (\$7,500.00);

(b) for a period of ten (10) years from the taking of occupancy, an annual rental of twenty-six thousand nine hundred thirteen dollars and sixty cents (\$26,913.60) in monthly installments of two thousand two hundred forty-two dollars and eighty cents (\$2,242.80) payable in advance on the first day of each and every month of said period:

(c) for the next period of ten (10) years, an annual rental of thirty-three thousand six hundred forty-two dollars (\$33,642.00) in monthly installments of two thousand eight hundred three dollars and fifty cents (\$2,803.50) payable in advance on the first day of each and every month of said period;

(d) for the next period of ten (10) years, an annual rental of forty-two thousand fifty-two dollars and forty-four cents (\$42,052.44) in monthly installments of three thousand five hundred four dollars and thirty-seven cents (\$3,504.37) payable in advance in the first day of each and every month of said period; and

(e) for and during each of the four 10-year periods next ensuing and the final 5-year period, the annual rental for such periods payable in monthly installments of one twelfth (1/12) thereof, in advance as aforesaid, shall be such amount as the Lessor and Lessee shall determine by mutual agreement at least ninety (90) days before the commencement of each such period.

Recorded December 2, 1968, as Land Court Document No. 460696 noted on Transfer Certificate of Title No. 4817.

Taxes for 1969 - Real property taxes for the year 1969 are a lien; rate pending.

PURCHASE MONEY HANDLING: A copy of the Escrow Agreement, executed December 12, 1968, between First National Bank of Hawaii, a national banking association, as "Escrow", and Tudor Engineering Company, as "Developer", has been submitted to the Commission as part of this registration. The specimen Agreement of Sale and the executed Escrow Agreement have been examined. The documentation provides that the sale contract will not become effective until the Commission issues its Final Public Report on the project and the purchaser has given his receipt for a copy of same. If the Final Public Report is not issued within one year after issuance of this Preliminary Public Report, the sale contract provides that all money paid by the purchaser shall be refunded and the contract automatically cancelled. Trust funds will be returned at purchasers' written requests if there is any change in the condominium building plans subsequent to execution of Agreement of Sale requiring approval of a County or City and County Officer having jurisdiction over issuance of permits for construction of buildings, unless purchasers agree in writing to such change.

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

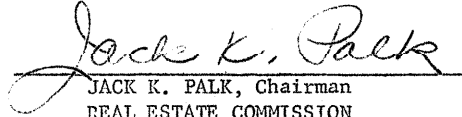
MANAGEMENT AND OPERATION: The proposed Declaration of Horizontal Property Regime states that the administration of the project shall be vested in the Association of 250 Ohua Condominium Owners, whose members include all of the owners of apartment units, in accordance with the By-Laws of the Association. The By-Laws vest the Board of Directors with the authority to employ and at all times maintain a responsible managing agent. The specimen Agreement of Sale represents that the Developer will employ First National Bank of Hawaii, Honolulu, Hawaii, as the first Managing Agent.

STATUS OF PROJECT: No building contract has been executed as of the date of this Preliminary Public Report. The Developer advises that the anticipated contractor is Pacific Construction Company, Limited, a Hawaii corporation, and it is anticipated that groundbreaking and commencement of building to start during the week of April 1, 1969. Construction time for 250 Ohua apartments is estimated to be fourteen (14) months.

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 December 17, 1968.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 244 filed with the Commission on December 17, 1968.

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


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

REB:sw

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ESCROW AGENT

February 3, 1969
Registration No. 244