

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

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

## FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on  
TROPICANA VILLAGE-AIEA, PHASE 1  
Kaonohi Ridge  
Honolulu, Hawaii

REGISTRATION NO. 257

### 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: March 14, 1969

Expires: April 14, 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 and prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED FEBRUARY 13, 1969, AND INFORMATION SUBSEQUENTLY FILED AS LATE AS MARCH 7, 1969. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW AND AMENDMENTS THERETO BY ACT 244 (L. 1967) EFFECTIVE JUNE 6, 1967.

1. The Developer has complied with Sec. 170A-13.6, R.L.H., and has fulfilled the requirements for the issuance of a Final Public Report prior to completion of construction.
2. TROPICANA VILLAGE-AIEA, PHASE 1 is a proposed leasehold town house condominium project consisting of ninety-two (92) dwelling units arranged throughout twenty-two (22) detached buildings of one or two floors each. There are one hundred eighty-four (184) parking stalls for apartment occupants and ten (10) parking stalls available for guests.
3. Advertising and promotional matter has not been submitted.

4. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 170A, Revised Laws of Hawaii 1955 (as amended, particularly by Act 244, L. 1967 and effective June 6, 1967) and the Condominium Rules and Regulations which relate to Horizontal Property Regime.
5. This Final Public Report is made a part of the registration on the TROPICANA VILLAGE-AIEA, PHASE 1 condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed copy of the Receipt for the Final Horizontal Property Regime Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.
6. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the condominium project and the issuance of this Final Public Report.
7. The Developer reports that the basic documents (Declaration of Horizontal Property Regime, with By-Laws of the Association of Apartment Owners attached, and a copy of the approved Floor Plans) have been filed in the office of the recording officer. Said Declaration and By-Laws are recorded starting at Book 6392 at page 328 of the Bureau of Conveyances.
8. This Final Public Report expires thirteen (13) months from the date of issuance, March 14, 1969, unless a supplementary report is published or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: TROPICANA VILLAGE-AIEA, PHASE 1

LOCATION: The 347,759 square feet of land committed to the project is situate at the intersection of Kaonohi Street and the proposed Interstate Highway, Kaonohi Ridge, Honolulu, Oahu, Hawaii, being Lot 1 as shown on File Plan 1090.

TAX KEY: FIRST DIVISION 9-8-11-3

ZONING: Apartment District B

DEVELOPER: AMFAC-TROUSDALE-WARFORD, a joint venture consisting of AMFAC, Inc., Trousdale Construction Company and Warford Bros., Inc.

ATTORNEY REPRESENTING DEVELOPER: Jenks, Kidwell, Goodsill & Anderson (Attention: Walter E. Bliss, Esq.) 16th Floor, Castle & Cooke Building, Financial Plaza of the Pacific, Honolulu, Hawaii, Telephone No. 5315-066.

DESCRIPTION: The project contains ninety-two (92) apartments situated in twenty-two (22) buildings, constructed principally of reinforced concrete slabs, concrete hollow-tile stucco facings and wood-frame walls and shake roofs and designated as Buildings 1 to 22, inclusive, which apartments are designated on Condominium Map No. 126, herein sometimes called "plans", and described as follows:

(a) (i) In addition to apartment numbers, building number and building type, all apartments are further identified by said plans and herein called either typical or alternate. All apartments with basements are so identified and called "typical", and all apartments without basements are so identified and called "alternate". Any apartment (either typical or alternate) further identified by said plans and herein called "reverse" is an apartment with the usual layout of rooms reversed.

(ii) Twelve (12) two-bedroom apartments, each utilizing plans identified as Floor Plan K containing six rooms and gross floor area of approximately 1,008 square feet, are located in four (4) two-story buildings, with two apartments in each of the two 2-apartment Building Type Y buildings and four apartments in each of two 4-apartment Building Type Z buildings, and numbered as follows:

<u>Apartment No.</u>	<u>Building No.</u>	<u>Building Type</u>
336 and 338	5	Y
356, 358, 360 and 362	8	Z
454, 456, 458 and 460	18	Z
476 and 478	21	Y

Apartments 338, 358, 362, 454, 458 and 476 are alternate types. Apartments 336, 356, 360, 456, 460 and 478 are alternate-reverse types.

(iii) Eight (8) two-bedroom apartments, each utilizing plans identified as Floor Plan L containing six rooms and gross floor area of 956 square feet, are located in four (4) two-story buildings, with two apartments located in the one 2-apartment Building Type S building and one apartment at either end in each of the three 6-apartment Building Type X buildings, and numbered as follows:

<u>Apartment No.</u>	<u>Building No.</u>	<u>Building Type</u>
372 and 418	10	X
406 and 434	14	X
420 and 430	15	X
480 and 482	22	S

Apartment 430 is an alternate-reverse type. Apartments 372, 406, 420 and 482 are typical types. Apartments 480, 418 and 434 are typical-reverse types.

(iv) Seventy-two (72) three-bedroom apartments, each utilizing plans identified as Floor Plan M containing nine rooms and a gross area of approximately 1,356 square feet, are located in seventeen (17) two-story buildings, with six apartments in each of the four 6-apartment Building Type T buildings; four apartments in each of the four 4-apartment Building Type U buildings; four apartments in each of the two 4-apartment Building Type V buildings; three apartments in each of the four 3-apartment Building Type W buildings, and four apartments comprising the center units in each of the three 6-apartment Building Type X buildings, and numbered as follows:

<u>Apartment No.</u>	<u>Building No.</u>	<u>Building Type</u>
300, 302, 304 and 306	1	U
308, 310 and 312	2	W
314, 316, 318, 320, 322 and 416	3	T
324, 326, 328, 330, 332 and 334	4	T
340, 342, 344, 346	6	U
348, 350, 352 and 354	7	U
364, 366, 368 and 370	9	V
374, 376, 378 and 380	10	X
382, 384, 386 and 388	11	V
390, 392, 394, 396, 398 and 400	12	T
402, 404 and 432	13	W
408, 410, 412 and 414	14	X
422, 424, 426 and 428	15	X
436, 438, 440 and 442	16	U
444, 446, 448, 450, 452 and 462	17	T
464, 466 and 468	19	W
470, 472, and 474	20	W

Apartments 304, 306, 310, 312, 344, 346, 352, 354, 368, 370, 404 and 432 are alternate types. Apartments 300, 302, 308, 340, 342, 348, 350, 364, 366 and 402 are alternate-reverse types. Apartments 314, 316, 318, 330, 332, 334, 374, 376, 382, 384, 386, 388, 390, 392, 394, 408, 410, 422, 424, 440, 442, 444, 446, 448, 464, 466, 468, 470, 472 and 474 are typical types. Apartments 320, 322, 324, 326, 328, 378, 380, 396, 398, 400, 412, 414, 416, 426, 428, 436, 438, 450, 452 and 462 are typical-reverse types.

(b) Each apartment has immediate access to the front and rear entries appurtenant to such apartment and walkways connecting to the street entrances and parking areas of the project.

(c) 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 or service lines running through such apartment 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, and all fixtures originally installed therein including refrigerator, built-in range-oven, water heater, garbage disposer, range hood, dishwasher, washer-dryer and room air conditioner.

COMMON ELEMENTS: One freehold estate is hereby designated in all remaining portions and appurtenances of the project, herein called the "common elements", including specifically but not limited to: (a) Said land in fee simple; (b) All foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter and load-bearing walls, chases, entries and roofs of said buildings; (c) All yards, grounds, landscaping, the swimming pool and other recreational facilities, all refuse facilities, mail boxes, patio slabs and rock gardens; (d) The Storage Room under Apartment 430; (e) All parking areas, driveways and walkways; (f) All ducts, electrical equipment, wiring, pipes and other central and appurtenant transmission facilities and installations over, under and across the project which serve more than one apartment for services such as power, light, water, gas, sewer, telephone and radio and television signal distribution; and (g) Any and all other apparatus and installations of common use and all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, herein called the "limited common elements", are hereby designated and set aside for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto easements for the use of such limited common elements as follows:

(a) Not less than two automobile parking spaces shall be appurtenant to each apartment upon the original conveyance thereof and shall be for the exclusive use of such apartment. Those parking spaces designated on said Condominium File Plan by numbers shall be appurtenant to each alternate type apartment of the same number, and each typical apartment shall have appurtenant parking spaces within the basement beneath their respective apartments.

(b) The front and rear entries of each apartment including refuse container, and the patio slab or rock garden adjoining each three-bedroom apartment, shall be appurtenant to and for the exclusive use of such apartment.

(c) All other common elements of the project which are rationally related to less than all of said apartments or buildings shall be limited to the use of such apartments or buildings.

COMMON INTEREST: Each apartment shall have appurtenant thereto an undivided 1/92 fractional interest (1.08+ percentage interest) in all common elements of the project (herein called the "common interest") and the same proportionate share in all common profits and expenses of the project and for all other purposes including voting.

EASEMENTS: In addition to any easements herein designated in the limited common elements, the apartments and common elements shall have and be subject to the following easements:

(a) Each apartment shall have appurtenant thereto nonexclusive easements in the common elements designed for such purposes for ingress to, egress from, utility services for and support of such apartment; in the other common elements for use according to their respective purposes, subject always to the exclusive or limited use of the limited common elements as herein provided; and in all other apartments of the building for support.

(b) If any part of the common elements encroaches upon any apartment or limited common element, a valid easement for such encroachment and the maintenance thereof, so long as it continues, shall and does exist. In the event any buildings of the project shall be partially or totally destroyed and then rebuilt, minor encroachments of any parts of the common elements due to such construction shall be permitted, and valid easements for such encroachments and the maintenance thereof shall exist.

PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE: The apartments shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, domestic servants and social guests, and for no other purpose. The apartments shall not be rented for transient or hotel purposes, which are defined as (a) rental for any period less than 30 days, or (b) any rental in which the occupants of the apartment are provided customary hotel services such as room service for food and beverage, maid service, laundry and linen or bellboy service. Except for such transient or hotel purposes the owners of the respective apartments shall have the absolute right to lease such apartments subject to all provisions of this Declaration.

OWNERSHIP TO TITLE: The Notice of Intention states the ownership to title is vested in the Trustees Under the Will and of the Estate of Bernice Pauahi Bishop, Deceased. The title evidence report prepared February 11, 1969 by Title Guaranty of Hawaii, Incorporated, a Hawaii corporation, verifies that the vestee is as designated above.

ENCUMBRANCES AGAINST TITLE: 1. Lease No. 16,680 from the Trustees of the Estate of Bernice Pauahi Bishop, as Lessors, to Central Oahu Land Corporation, a Hawaii corporation, and Trousdale Construction Company, a California corporation, which corporations are associated in a joint venture known as Central-Trousdale, as Lessees, dated August 1, 1968 and recorded in Liber 6392 at page 305. Term: 27 years from August 1, 1968.

2. Real property taxes for the second half of fiscal year - Oahu. (Tax Key: 9-8-11-3, Class 1 Residential, Area Assessed: 551.524 acres of which said Lot 1 is a portion.) Second payment due June 25, 1969 - \$33,439.91.

3. Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent No. 1963.

4. Agreement dated December 27, 1967, recorded in Liber 5916 at page 1. Central Oahu Land Corporation, et al. - re nonexclusive easements over "Francis II Brown Golf Course".

5. Restricted access rights along the Southerly boundary of Lot 1 abutting the proposed Interstate Highway (Federal Aid Project I-H1-1 (16)), as shown on File Plan No. 1090.

6. Easement 3 (10 feet wide) for sewer purposes, as shown on File Plan No. 1090.

7. Easement 2 for water purposes across said Lot 1, as shown on File Plan No. 1090.

8. Easement 1 (30 feet wide) for water purposes across said Lot 1, as shown on File Plan No. 1090.

9. Easement "A" for electric and telephone purposes across said Lot 1, as shown on File Plan No. 1090.

10. Easement "B" for electric and telephone purposes across said Lot 1, as shown on File Plan No. 1090.

11. Lis Pendens dated December 13, 1968, recorded in Liber 6335, at page 189 in Civil No. 26800. State of Hawaii "Plaintiff" vs. The Trustees of the Estate of Bernice Pauahi Bishop, Deceased "Defendants". An Order putting Plaintiff in possession. Re Sewer Easement No. 3 and access rights abutting proposed Interstate Highway.

12. "Reserving unto the Lessors within said easements rights of way and the right to grant to any public utility or governmental authority such rights of way over, across and under said easements for lines and other transmission facilities and appurtenances for electricity, gas, telephone, water, sewer, drainage and similar public services and utilities, and the right to enter for such purposes and to repair such facilities and to trim any trees in the way of such lines." as reserved in Lease No. 16,680.

13. The Declaration of Horizontal Property Regime dated August 1, 1968 and recorded in Liber 6392 at page 323 being known as TROPICANA VILLAGE-AIEA, PHASE 1. Map covering the same is filed as Condominium Map No. 126.

14. By mesne assignments the Development Rights to the land are presently vested in AMFAC, Inc., Trousdale Construction Company and Warford Bros., Inc., associated as a joint venture under the name of AMFAC-Trousdale-Warford. Said Development Rights were mortgaged to First National Bank of Hawaii, now known as First Hawaiian Bank, by instrument dated July 23, 1968 and recorded in Liber 6397 at page 113.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement, made January 23, 1969, identifies First Hawaiian Bank, a Hawaii banking corporation, as the Escrow Agent. On examination the specimen Sales Agreement and executed Escrow Agreement are found to be in compliance with Chapter 170A, Revised Laws of Hawaii 1955 (as amended), and particularly Sec. 170A-33, and Sec. 170A-33.1 through Sec. 170A-33.5 as incorporated in the Horizontal Property Act through Act 244 (L. 1967) effective June 6, 1967.

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

APARTMENT LEASES: The Developer has advised that it will sell to prospective purchasers fifty-five (55) year leases on the apartments. Each lease will be executed by the Trustees under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, and Central Oahu Land Corporation and Trousdale Construction Company, doing business as Central-Trousdale, a joint venture. At the time these leases are issued, the apartments covered by the leases will be released from the mortgage from AMFAC-Trousdale-Warford to First Hawaiian Bank.

MANAGEMENT AND OPERATIONS: The Declarant discloses that the administration of the project shall be vested in the Association of Apartment Owners. The proposed By-Laws of the Association place the responsibility of employing a responsible Hawaii corporation as Managing Agent to manage and control the project, subject at all times to direction by the Board. A proposed agreement has been submitted as part of the registration and First Hawaiian Bank is identified as the managing agent.

STATUS OF PROJECT: In the Notice of Intention, the Developer advised the Commission that in September 1968 construction of the building commenced. It is estimated that the building will be completed in October 1969. The Developer, AMFAC-Trousdale-Warford, is constructing the buildings.

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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 February 13, 1969, and information filed subsequently as late as March 7, 1969.

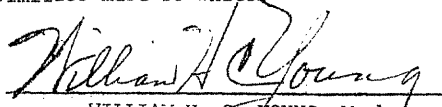
This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 257 filed with the Commission February 13, 1969.

The report, when reproduced, shall be a true copy of the Commission's public report. The paper stock used in making facsimilies must be white.

REB:sw

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

March 14, 1969  
Registration No. 257