

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

SUNSET LAKEVIEW APARTMENTS
Honolulu, Hawaii

REGISTRATION NO. 475

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: September 18, 1972
Expires: October 18, 1973

SPECIAL ATTENTION

A comprehensive reading by the prospective purchaser is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION DATED JULY 14, 1972, AND ADDITIONAL INFORMATION FILED AS OF SEPTEMBER 15, 1972. THE DEVELOPERS, IN NOTIFYING THE COMMISSION OF THEIR INTENTION TO SELL, ARE COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514, HAWAII REVISED STATUTES.

1. Sunset Lakeview apartments is a fee simple condominium project consisting of two-13 story buildings having a total of three hundred eight (308) apartment units. Parking stalls available on the project shall consist of: 57 single compact, 269 single regular, 28 tandem compact, 99 tandem regular, a total of 453 stalls.

2. The Developers of the project have filed all documents and materials deemed necessary by the Commission for the registration of this proposed condominium project and the issuance of this Final Public Report.
3. No advertising or promotional matter has been filed pursuant to the rules and regulations promulgated by the Commission.
4. The Developer of the project 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 Assistant Registrar of the Land Court of the State of Hawaii.

The Declaration of Horizontal Property Regime, dated June 19, 1972, with the By-Laws attached, was filed in the Office of the Assistant Registrar as Land Court Document No. 585366. Said Declaration and By-Laws were amended by Amendments to Declaration of Horizontal Property Regime dated August 22, 1972 and September 11, 1972, filed in the Office of the Assistant Registrar as Land Court Document Nos. 594888 and 597839.

The approved Floor Plans showing the layout, location, etc. have been designated Condominium Map No. 135 by the Assistant Registrar.

5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of the Horizontal Property Act, Chapter 514 of the Hawaii Revised Statutes 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, September 18, 1972, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the period of this report.

NAME OF PROJECT: SUNSET LAKEVIEW APARTMENTS

LOCATION: The 177,513 square feet of fee simple land committed to the Horizontal Property Regime is situated at 3215 Ala Ilima Street, at Moanalua, Honolulu, Hawaii.

TAX MAP KEY: First Division: 1-1-60: 12

ZONING: A-3 Apartment District

DEVELOPER: LEROY ROBERT ALLEN and HIROKO ALLEN, husband and wife, whose address is 4340 Paho Avenue, Honolulu, Hawaii, telephone number 734-4869.

ATTORNEY REPRESENTING DEVELOPER: Conroy, Hamilton, Gibson, Nickelsen & Rush (Attention: Dwight M. Rush and Ken Harimoto),

20th Floor Hawaii Building, 745 Fort Street, Honolulu, Hawaii
96813, Phone: 521-2611.

DESCRIPTION: The Declaration of Horizontal Property Regime, as amended, and plans submitted by the Developers indicate a fee simple condominium project consisting of two 13-story concrete buildings. There will be three hundred eight (308) freehold estates, 154 in each building, designated in the spaces within the perimeter walls of each of the 308 apartment units contained in the buildings, which spaces, together with appurtenant lanais, referred to herein as "apartments", are designated on said plans and described as follows:

1. One hundred fifty-four (154) apartments are located in each of the two (2) buildings comprising the Project designated Building A and Building B. Building A contains 13 stories with a partial basement. Building B contains 13 stories and half a basement. Each building contains 10 apartments on the 1st floor and 12 apartments on each of the 2nd through 13th floors.
2. With respect to the apartments located on the 1st through 13th floors of the buildings, the number or numbers preceding the last two numbers of the apartment number indicate the floor on which the apartment is located, and the last two numbers indicate the location of the apartment on such floor. The 13th floor of each building is designated PH (Penthouse). Apartments designated with the prefix "A" are located in Building A, and the prefix "B" is included in the numbers of apartments located in Building B of the Project. For example, Apartment B-401 is located at the west end of the 4th floor of Building B and B-1201 is located at the west end of the 12th floor of Building B.
3. The apartments are built in accordance with seven (7) different floor plans, designated Types A through G on said plans. A description of each of said floor plans designating the layout, numbers of rooms and approximate area thereof is as follows:
 - (a) FLOOR PLAN A (end units): Three bedrooms, 2 bathrooms, living room, entry hall, dining area, kitchen and 2 lanais with a floor area of approximately 1,000 square feet. In each building, Apartments 201, 301, 401, 501, 601, 701, 801, 901, 1001, 1101, 1201, PH-1, 212, 312, 412, 512, 612, 712, 812, 912, 1012, 1112, 1212 and PH-12 are constructed according to Floor Plan A, except that Apartments 201, 301, 401, 501, 601, 701, 801, 901, 1001, 1101, 1201 and PH-1 contain approximately 960 square feet and except that Apartments B-212, B-312 and B-412 are constructed according to Floor Plan G, as hereinafter described. Each of the apartments built according to Floor Plan A shall have appurtenant thereto a common interest of 0.335 per cent.

- (b) FLOOR PLAN B (interior units): Three bedrooms, 2 bathrooms, living room, entry hall, dining area, kitchen and a lanai with a floor area of approximately 940 square feet. In each building, Apartments 302, 402, 502, 602, 702, 802, 902, 1002, 1102, 1202, PH-2, 303, 403, 503, 603, 703, 803, 903, 1003, 1103, 1203, PH-3, 304, 404, 504, 604, 704, 804, 904, 1004, 1104, 1204, PH 4, 305, 405, 505, 605, 705, 805, 905, 1005, 1105, 1205, PH-5, 308, 408, 508, 608, 708, 808, 908, 1008, 1108, 1208, PH-8, 309, 409, 509, 609, 709, 809, 909, 1009, 1109, 1209, PH-9, 310, 410, 510, 610, 710, 810, 910, 1010, 1110, 1210, PH-10, 311, 411, 511, 611, 711, 811, 911, 1011, 1111, 1211 and PH-11 are constructed according to Floor Plan B. Each such apartment shall have appurtenant thereto a common interest of 0.335 per cent.
- (c) FLOOR PLAN C (interior units): Two bedrooms, 1 bathroom, living room, entry hall and kitchen with a floor area of approximately 730 square feet. In each building, Apartments 306, 406, 506, 606, 706, 806, 906, 1006, 1106, 1206, PH-6, 307, 407, 507, 607, 807, 907, 1007, 1107, 1207 and PH-7 are constructed according to Floor Plan C. Each such apartment shall have appurtenant thereto a common interest of 0.268 per cent.
- (d) FLOOR PLAN D (1st floor end units): Three bedrooms, 2 bathrooms, living room, entry hall, dining area, kitchen and 2 lanais. Apartments A-101, A-112 and B-101 are constructed according to Floor Plan D, with Apartment A-112 having a floor area of approximately 1,100 square feet and A-101 and B-101 each having a floor area of approximately 1,060 square feet. Each of Apartments A-101, A-112 and B-101 shall have appurtenant thereto a common interest of 0.335 per cent.
- (e) FLOOR PLAN E: Three bedrooms, 2 bathrooms, living room, entry hall, dining area, kitchen and a lanai, with a floor area of approximately 1,040 square feet. In each building, Apartments 102, 103, 104, 105, 108, 109, 110, 111, 202, 203, 204, 205, 208, 209, 210 and 211 are constructed according to Floor Plan E and each shall have appurtenant thereto a common interest of 0.335 per cent.
- (f) FLOOR PLAN F: Two bedrooms, 1 bathroom, living room, entry hall, kitchen, a lanai office and office lanai entry, with a floor area of approximately 960 square feet. Apartments A-106, A-107, B-106 and B-107, herein designated common elements, and Apartments A-206, A-207, B-206 and B-207 are constructed according to Floor Plan F. Apartments A-206, A-207, B-206 and B-207 shall each have appurtenant thereto a common interest of 0.268 per cent.
- (g) FLOOR PLAN G (special end units, Building B, only): Three bedrooms, 2 bathrooms, living room entry hall,

dining area, kitchen and 2 lanais. Apartments B-112, B-212, B-312 and B-412 are constructed according to Floor Plan G with a floor area of approximately 1,212 square feet. Each of Apartments B-112, B-212 and B-312 shall have appurtenant thereto a common interest of 0.347 per cent and Apartment B-412 shall have appurtenant thereto a common interest of 0.335 per cent.

Each apartment has access to the main corridor on each floor which leads to three (3) elevators located in the center of each building, connecting to the ground of the Project.

4. 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 any other 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.

COMMON ELEMENTS: The Declaration states that one freehold estate is designated in all remaining portions of the project, herein called the "common elements", including specifically but not limited to:

1. Said land in fee simple;
2. All foundations, columns, beams, supports, load-bearing walls, roofs, chases, entry halls, elevators, stairs, walkways, entrances and exits of said buildings;
3. All yards, grounds, landscaping and refuse areas, the Trash Rooms, in the basements of each of Buildings A and B, and Storage Areas Nos. 1, 2, 3, 4, 5 and 6, all located in the basement of Building B.
4. All parking areas;
5. All pipes, cables, conduits, ducts, electrical equipment, wiring 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, gas, water, sewer, telephone and television signal distribution, if any;
6. Swimming pools and adjacent areas;
7. Apartments A-106 ("Manager's Apartment") and A-107 ("Manager's Office") located on the first floor of Building A, which shall be reserved for use and occupancy by the resident manager of Building A, and Apartments B-106 ("Manager's Office") and B-107 ("Manager's Apartment") located on the first floor of Building B which shall be reserved for use and

occupancy by the resident manager of Building B;

8. The gymnasium, sauna and appurtenant facilities, multi-purpose room, game courts and adult recreation area and children's play sculpture and equipment area, all located on the roof levels of each of Buildings A and B.
9. The areas designated on said plans as "Children's Nursery Area No. 1", "Children's Nursery Area No. 2", "Reception", "Kitchen", and the boys' and girls' lavatories, all located in the basement of Building B;
10. 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: The Declaration states that certain parts of the common elements, therein called the "limited common elements", are 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:

1. One or more parking stalls designated on said plans by the letter and number of an apartment, shall be appurtenant to and for the exclusive use of such apartment.
2. Each entry hallway adjoining an apartment or apartments shall be appurtenant to and for the exclusive use of such apartment or apartments which it adjoins; and
3. The corridors and elevator lobbies on any apartment floor above the first floor shall be appurtenant to and for the exclusive use of the apartments on such floor.

INTEREST TO BE CONVEYED TO PURCHASERS: The Declaration states that each apartment shall have appurtenant thereto an undivided percentage interest in the common elements of the project, as set forth in sub-paragraphs 3(a) through 3(g), inclusive, of the DESCRIPTION set forth above. Such interest is hereby defined and referred to herein as the "common interest". The proportionate shares of the profits and common expenses of the project and the proportionate representation for voting purposes in the Association of Apartment Owners of the project, shall be in said percentage for each apartment. The purchaser will secure an apartment deed conveying an apartment together with the aforementioned common interest.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration provides that the apartments shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, domestic servants and personal guests. The apartments shall not be rented for transient or hotel purposes, which are defined as (1) rental for any period less than 30 days, or (2) any rental in which the occupants of the apartments 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 the same subject

to the limitations, restrictions, covenants and conditions of the Declaration.

OWNERSHIP OF TITLE: The Developers in their Notice represent that the owners of the fee simple title to the property committed to the project are Leroy Robert Allen and Hiroko Allen, husband and wife, said property having been conveyed to the said Leroy Robert Allen and Hiroko Allen by Pac-Service, Inc., a Hawaii corporation, by deed dated June 6, 1972, and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 584201.

ENCUMBRANCES AGAINST TITLE: A Lien Letter Report dated June 9, 1972, issued by Security Title Corporation, submitted to the Commission, provides that the following are encumbrances against title to the property:

1. Lot 2972, subject to the restriction of access rights as shown on Maps 309, 317, 371 and 387, filed with Land Court Application No. 1074, as shown on land Court No. 27738, filed November 17, 1967.
2. The terms and provisions of that certain Agreement dated October 14, 1965, and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 372558, to which reference is hereby made.
3. EXCEPTING AND RESERVING THEREFROM unto the Trustees under the Will and of the Estate of Samuel M. Damon, deceased, all artesian and other underground water and rights thereto appurtenant to said premises, as reserved in Deed dated October 7, 1965, filed as Document No. 372554; said Trustees released all right to enter upon surface of lands to exercise said exception and reservation in Document No. 372554, including any rights of ingress and egress upon said lands by Release dated October 12, 1965, and filed as Document No. 372562.
4. Declaration of Covenants affecting the within premises dated October 16, 1967, filed in said Office of the Assistant Registrar as Document No. 429467, as amended by instrument dated November 28, 1967, filed as Document No. 432374 and instrument dated November 30, 1967, filed as Document No. 432899, to which reference is hereby made.
5. Designation of Easement 634, as shown on Map 371, for transformer vault purposes, as set forth by Land Court Order No. 26708, filed January 26, 1967.
6. Designation of Easement 677, affecting Lot 2972, as shown on Map 387, for water, sanitary sewer, and underground electric purposes as set forth by Land Court Order No. 27738, filed November 17, 1967.
7. Cancellation of a portion of Easement 665, affecting Lot 2972; and Designation of Easement 686, over and across Lot 2972, as shown on Map 393, as set forth by Land Court Order No. 28404, filed April 18, 1968.

8. Grant dated February 27, 1967, filed in said Office of the Assistant Registrar as Document No. 411485, in favor of Hawaiian Electric Company, Inc., a Hawaii corporation, granting easement for transformer vault purposes over Easement 634 over Lot 2972.
9. Grant dated March 8, 1968, filed in said Office of the Assistant Registrar as Document No. 461973, in favor of the City and County of Honolulu for Board of Water Supply, granting easement for water pipelines over Easement 677 over Lot 2972.
10. Grant dated March 8, 1968, filed in said Office of the Assistant Registrar as Document No. 471831, in favor of the City and County of Honolulu, granting easement for sewer over Easement 677 over Lot 2972.

By Subordination Agreement dated March 8, 1968, filed in said Office of the Assistant Registrar as Document No. 471832, the agreement referred to in Encumbrance 2 was subordinated to the lien of the foregoing grant.

11. Mortgage dated June 6, 1972, filed in said Office of the Assistant Registrar as Document No. 584202, made by Leroy Robert Allen and Hiroko Allen, husband and wife, as Mortgagors, to Pacific Savings and Loan Association, a Hawaii corporation, as Mortgagee, to secure the repayment of the sum of \$993,750.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said Mortgagors therein referred to.
12. Second Mortgage dated June 6, 1972, recorded in said Office of the Assistant Registrar as Document No. 584203, made by Leroy Robert Allen and Hiroko Allen, husband and wife, as Mortgagors, to Pac-Service, Inc., a Hawaii corporation, as Mortgagee, to secure the repayment of the sum of \$400,000.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said Mortgagors therein referred to.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated June 30, 1972, between Security Title Corporation as "Escrow", and Leroy Robert Allen and Hiroko Allen, as "Sellers", has been filed with the Commission. On examination, the executed Escrow Agreement, as well as the specimen Condominium Reservation Agreement, Deposit Receipt and Contract, filed with the Commission is found to be in compliance with Chapter 514, Hawaii Revised Statutes. It is incumbent on the purchaser and prospective purchaser to read and understand the Escrow Agreement before signing the Condominium Reservation Agreement, Deposit Receipt and Contract, since the Escrow Agreement prescribes the procedure for receiving and disbursing purchasers' funds. The specimen sales agreement specifically provides that the purchaser approves said Escrow Agreement and assume the benefits and obligations therein provided.


MANAGEMENT OF THE PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the project shall be conducted for the Association of Apartment Owners under the direction of the Board of Directors by a responsible managing agent. The

initial managing agent will be Loyalty Enterprises, Ltd., a Hawaii corporation, the address of which is 233 Merchant Street, Honolulu, Hawaii.

STATUS OF PROJECT: Construction of the project commenced on July 3, 1972. The Developers entered into a contract for construction, dated June 26, 1972, with Dynamic Industries Corporation. The Developer estimates that Building B of the project will be completed on or before November 2, 1973, and Building A will be completed on or before May 2, 1974.

The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developers in the required Notice of Intention submitted July 14, 1972, and additional information filed as of September 15, 1972.

This is a FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT which is made a part of REGISTRATION NO. 475 filed with the Commission July 14, 1972. This report when reproduced shall be a true copy of the Commission's Public Report. The paper stock used in making facsimiles must be white.


(For) DOUGLAS R. SODEYANI, CHAIRMAN
Real Estate Commission
State of Hawaii

Distribution:

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

September 18, 1972
Registration No. 475