

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

HALE LUANA
1215 ALEXANDER STREET
HONOLULU, HAWAII

REGISTRATION NO. 555

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 : July 25, 1973
Expires: August 25, 1974

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 MAY 2, 1973, AND ADDITIONAL INFORMATION SUBMITTED AS OF JULY 25, 1973. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. The HALE LUANA is a proposed leasehold condominium project consisting of ninety-five (95) units to be sold contained in a 13 story plus basement reinforced concrete building. Ninety-six (96) parking stalls are available.

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 Final Public Report.

3. The basic documents (Declaration of Horizontal Property Regime, as amended, By-Laws of Association of Apartment Owners and a copy of the approved Floor Plans) have been filed in the office of the recording officer.

The Declaration submitting the property to the Horizontal Property Regime made April 24, 1973, with By-Laws of the Association of Apartment Owners attached, was filed in the Bureau of Conveyances, State of Hawaii on June 6, 1973, in Liber 9204, page 1, and Amendment To Declaration dated May 31, 1973 was filed in said Bureau on June 6, 1973, in Liber 9204, page 49, and Second Amendment To Declaration dated July 10, 1973 was filed in said Bureau on July 11, 1973 in Liber 9304, page 23.

Condominium Map No. 285 has been assigned the Project by the Registrar, Bureau of Conveyances.

4. No advertising or promotional matter has been submitted pursuant to rules and regulations promulgated by the Commission.

5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, and the Condominium Rules and Regulations which relate to Horizontal Regime.

6. This Final Public Report automatically expires thirteen (13) months after date of issuance, July 25, 1973, 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: HALE LUANA

LOCATION: The subject 24,024 square feet property is situate at 1215 Alexander Street, Honolulu, City and County of Honolulu, State of Hawaii.

TAX MAP KEY: First Taxation Division: 2-8-10-24.

ZONING: Apartment

DEVELOPER: Carlson-Morrison, Incorporated, a Washington corporation, whose address in the State of Hawaii is 1728 Nalulu Place, Honolulu, Hawaii, telephone number 373-1554. The officers of the corporation are:

Carl A. Carlson - President
Beverly Morrison - Vice President
Elaïne Carlson - Vice President
Carl A. Morrison - Secretary-Treasurer

ATTORNEY REPRESENTING DEVELOPER: Allen I. Marutani, Suite 602 Capital Investment Building, 850 Richards Street, Honolulu, Hawaii, telephone number 537-6575, is the attorney for the Developer.

DESCRIPTION: The Declaration of Horizontal Property Regime, as amended, and the plans, as amended, submitted by the Developer indicate a leasehold condominium project consisting of a thirteen story reinforced concrete building. There will be ninety-five (95) one-bedroom apartment units with each unit allocated a parking space. In addition there is one (1) Manager's apartment.

Parking is in the basement and in the first level, with the apartments being located on the second through the thirteenth levels. On each of the second through the thirteen levels of the building, there are eight (8) one-bedroom apartments. Each of the apartments is numbered in a numerical fashion. Each of the apartment numbers on the second through the ninth levels contain three digits, while each of the apartment numbers on the tenth through the thirteenth levels contain four digits. The first number on each of the three digit number for apartments on the second through the

ninth levels, and the first two numbers on each of the four digit number for apartments on the tenth through the thirteenth levels, denote the floor in which the apartment is located in the following fashion. The first number on the apartments located on the second level is 2, and the first number on apartments located on the third level is 3. However, the one exception to this numbering system is the apartments on the thirteenth level where the first two numbers are 14 and not 13. The second number on each of the three digit number, and the third number on each of the four digit number, is a zero. The last number of the three and four digit number denotes the location of the apartment. The apartment facing closest to Alexander Street will have the number one (1) and the next apartment will have the number two (2) and so on down, until the last apartment on that level which will bear the number eight (8). The Manager's apartment is designated apartment No. 205.

Each of the apartment units contains approximately 704 square feet of gross area, measured to the middle of party walls and to the exterior of outside walls, or a net area of approximately 625 square feet measured within the perimeter walls, broken down as follows:

(1) Entry	25 square feet
(2) Combined Dining area and Living room	182 square feet
(3) Kitchen	65 square feet
(4) Bedroom	123 square feet
(5) Bathroom.	62 square feet
(6) Closet.	31 square feet
(7) Lanai	<u>137 square feet</u>
Total Net Area.625 square feet	

The Manager's apartment is designated Apartment No. 205 and is located on the second level of the building, and this apartment shall be reserved for the use and occupancy by the resident manager.

The Declaration reserves for the Owners and Developers the right, at its option, but no later than December 31, 1982, to alter the project.

Note: The Developer advises the Commission that it has no intention to pursue the option to alter the project.

COMMON ELEMENTS: The Declaration, as amended, identifies the following as common elements:

- (a) Said land in fee simple;
- (b) All foundations, columns, girders, beams, supports, bearing walls, roofs, chases, entrys, stairways, walkways, balconies, entrances and exits of said building;
- (c) Elevator and appurtenant equipment and installation for such elevator service;
- (d) All hallways and lobbies;
- (e) All yards, recreation and refuse areas;
- (f) All parking and driveway areas;
- (g) All ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, cold and hot water, refuse

and telephone;

- (h) All other parts of the project necessary or convenient to its existence, maintenance, and safety, or normally in common use;
- (i) Apartment No. 205 (Manager's apartment) located on the second level of the building, which shall be reserved for the use and occupancy by the resident manager.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, herein called and designated as "limited common elements", are hereby 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 as follows:

- (a) One parking space designated on said Condominium Map by the identical number corresponding to the number of each apartment shall be appurtenant to and for the exclusive use of said apartment;
- (b) All other elements of the project which are rationally of limited common use for less than all of said apartments.

INTEREST TO BE CONVEYED TO PURCHASER: Each owner of an apartment, whether owned jointly or singly, shall have an undivided 1.052631+ percentage interest (1/95th fractional interest) in and to the land, building, and the common elements herein described. For purposes of voting on all matters requiring action by the apartment owners, there shall be ninety-five (95) votes; the number of votes being dependent on the number of units. There shall be one (1) vote for each such unit, whether owned jointly or singly.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration, as amended, states that each unit shall be used only in accordance with the uses permitted under the applicable laws and ordinances, unless such uses are prohibited by the Association, in accordance with the terms of the Declaration, the By-Laws of the Association of Apartment Owners, and the House Rules as they exist or as they may be amended from time to time, and each owner shall observe, comply with, and perform all rules, regulations, ordinances, and laws made or adopted by the various governmental agencies.

OWNERSHIP TO TITLE: The Notice of Intention states that ownership to the fee title is vested in Aisuke Kuniyuki, Chika Kuniyuki, and Kuniyuki Brothers, LLC.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report dated July 11, 1973, issued by Security Title Corporation shows no encumbrance against title except for the following:

- (a) For any Taxes that may be due and owing on the land, reference is hereby made to the office of the Tax Assessor of the First Taxation Division.
- (b) Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent Grant No. 153.
- (c) Declaration of Horizontal Property Regime with By-Laws attached dated April 24, 1973, recorded in Book 9204, Page 1. As amended by instrument dated

May 31, 1973, recorded in Book 9204, Page 49.
Being further amended by instrument dated July
10, 1973, recorded in Book 9304, Page 23.

Condominium Map No. 285, filed in the Bureau of
Conveyances on June 6, 1973.

(d) Indenture of Leases, dated June 6, 1973, in favor
of the Developer recorded in the Bureau of Con-
veyances. As amended by instrument dated July
10, 1973 recorded in Book 9304, Page 31.

(e) Mortgages covering the Leases dated June 6,
1973, recorded in the Bureau of Conveyances.
As amended by instrument dated July 10, 1973,
recorded in Book 9304, Page 41.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated April
24, 1973 between Security Title Corporation, as "Escrow", and Carlson-Morrison,
Incorporated, as "Seller", 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 are 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 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.

Among other provisions the Escrow Agreement provides that if at any time
prior to the recordation of any lease, (a) Escrow receives a written request
from Seller to return to a purchaser such purchaser's funds held hereunder by
Escrow, or (b) Seller notifies Escrow in writing that the Project cannot be
completed within the time specified in the agreements with Buyers and that
Seller has exercised the option of cancellation granted Seller in such event;
(c) or if at any time Seller shall notify Escrow in writing that Seller or
a purchaser has exercised the option of cancellation in the event such apart-
ment shall not have been built by the time provided in such sales agreement
(d) if a purchaser's funds were obtained prior to the issuance of a final
public report and if there is any change in the building plan subsequent to
the execution of the sales agreement requiring the approval of a county of-
ficer having jurisdiction over the issuance of permits for construction of
buildings unless the purchaser has given written approval or acceptance of
the specific change; or (e) if the final public report differs in any mate-
rial respect from the preliminary public report, unless the purchaser has
given written approval or acceptance of the difference; then in any such event
Escrow shall return such purchaser's funds, without interest, together with
such sales agreement, marked "cancelled", and the Seller and purchaser shall
be deemed no longer held hereunder.

Among other provisions the specimen sales agreement provides that in
the event less than 60 apartment units are sold prior to December 31, 1973,
Seller may at its option cancel this agreement, in which event Seller will
cause Escrow to refund to Buyer all monies paid, without interest, and Sel-
ler shall be relieved and released of all further liability hereunder.


MANAGEMENT OF THE PROJECT: The By-Laws which are incorporated in the Decla-
ration 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 Aaron M.
Chaney, Inc., a Hawaii corporation, whose principal place of business and
post office address is 841 Bishop Street, Honolulu, Hawaii.

STATUS OF PROJECT: Construction of the project has commenced. The Developer entered into a construction contract with Nordic Construction, Inc. A copy of this executed construction contract 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 May 2, 1973, and additional information filed as of July 25, 1973.

This is a FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT which is made a part of REGISTRATION NO. 555, filed with the Commission May 2, 1973.

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 in color.


DOUGLAS R. SODETANT, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

Department of Taxation
Bureau of Conveyances
Planning Commission, City and County of Honolulu
Federal Housing Administrator
Escrow Agent

July 25, 1973
Registration No. 555