

**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

WAIKIKI PARK HEIGHTS  
2441 Cleghorn Street  
Honolulu, Hawaii

REGISTRATION NO. 566

**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 5, 1973

Expires: January 5, 1975

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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED MAY 31, 1973, AND INFORMATION SUBSEQUENTLY FILED AS OF NOVEMBER 30, 1973.

1. The Waikiki Park Heights is a fee simple condominium project consisting of a single building with 23 levels plus a basement, with the first four levels of the building consisting principally of two lobbies and parking and thereafter the building consisting of 150 living units and 3 commercial units. The Developer intends to sell the living units together with an undivided interest in the common elements of the project. There will be 151 parking stalls of which 38 will be common

elements and 113 will be conveyed as a single unit.

2. The Developer has complied with the requirements for the issuance of a Final Public Report as set forth in Chapter 514, Hawaii Revised Statutes.

3. This Final Public Report is made a part of the registration on WAIKIKI PARK HEIGHTS condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchaser and for securing a signed copy of the Receipt for Horizontal Property Regime Public Report from each purchaser and prospective purchaser.

4. 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.

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 Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. 657584 on November 15, 1973, and recorded in the Bureau of Conveyances of the State of Hawaii in Liber 9596, at Page 414. The project is covered by Condominium Map No. 189 and 320.

5. Advertising and promotional matter have not as yet been submitted pursuant to the rules and regulations promulgated by the Commission.

6. The purchaser and 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 Property Regimes.

7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, December 5, 1973, unless a Supplementary Report is issued or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: WAIKIKI PARK HEIGHTS

LOCATION: The Waikiki Park Heights is located between Cleghorn Street and Kuhio Avenue in Waikiki, Honolulu, City and County of Honolulu, State of Hawaii, on approximately 34,927 square feet committed to the regime.

TAX MAP KEY: First Division, 2-6-24-15 (Lots 98 & 97-B), 25, 26, 27.

ZONING: H-2

DEVELOPER: TOKAI LAND CORPORATION [TOKAI FUDOSAN KABUSHIKI KAISHA] is a Japan corporation duly licensed to do business in the State of Hawaii with its principal place of business in the State of Hawaii located at Suite 100, 225 Queen Street, Honolulu,

City and County of Honolulu, State of Hawaii, and whose telephone number is 521-9881.

ATTORNEY REPRESENTING DEVELOPER: Kashiwa and Kanazawa (Attention: Mr. Douglas S. Hasegawa), Suite 302 Town Tower at Harbor Square, 225 Queen Street, Honolulu, Hawaii, 96813.

DESCRIPTION: The Declaration of Horizontal Property Regime, as filed with the Assistant Registrar of the Land Court of the State of Hawaii and recorded in the Bureau of Conveyances of the State of Hawaii, states that the land will be improved by constructing thereon a single building of 23 levels plus a basement. The building will be constructed of steel beams, reinforced concrete slabs, poured concrete, plaster board, aluminum sliding glass doors and non-load bearing partition walls of steel studs. There will be a total of 150 living units, 151 parking stalls and 3 commercial units.

On the basement floor, there will be fifteen parking stalls, driveways and ramps, men's and women's restrooms, laundry and storage, laundromat, trash room, transformer room, pump room, switch room, chiller room, stairways and elevator lobby. There are four parking stalls, ramps and driveways, men's and women's restrooms, three commercial units, main lobby, elevator lobby, open lobby, women's lounge, desk counter, stairways and planter on the first floor. The second floor has 41 parking stalls, ramps and driveways, mechanical room, elevator lobby and stairways. The third floor has 45 parking stalls, ramps and driveways, elevator lobby, trash chute, electric closet, vestibule, stairways and swimming pool equipment room. The fourth floor has 46 parking stalls, ramps and driveways, trash chute, electric closet, elevator lobby, stairways, swimming pool shower, swimming pool deck and swimming pool. The fifth through eleventh floors each have ten two bedroom living units with lanais. The twelfth floor contains five two bedroom living units with lanais and five one bedroom living units with lanais. The numerical designation for the thirteenth floor has been left out and is shown on the plans as the fourteenth floor. All of the floors thereafter follow in numerical sequence. The fourteenth through eighteenth floors each have ten one bedroom living units with lanai. The nineteenth through twenty-second floors each have five three bedroom living units with two lanais. The twenty-third floor is the roof of the building with an open recreational area. The twenty-fourth floor has the heating room, pump room and cooling tower.

Electricity and water will be provided on a common meter basis, except that electricity for the commercial units shall be separately metered.

The project will be serviced by two elevators. The living units, a portion of the parking stalls and the commercial units may be separately sold, conveyed, mortgaged, encumbered, leased, rented, used and occupied.

DESCRIPTION OF LIVING UNITS: There are six (6) types of living units: one bedroom with lanai either of two design types (Design Plan C or D), two bedroom with lanai either of two design types (Design Plan E or F), and three bedroom with two lanais either of two design types (Design Plan A or B).

ONE BEDROOM DESIGN PLAN C. Each of the one bedroom living units include: entry foyer, hallway, bedroom with "tokonoma", wardrobe closet, living room kitchen combination, bathroom, restroom, dressing area, storage closet, towel closet and lanai. The one bedroom living units Design Plan C are approximately 597.31 square feet.

ONE BEDROOM DESIGN PLAN D: Each of the one bedroom living units include: entry foyer, hallway, bedroom, wardrobe closet, dressing area, restroom, bathroom, storage closet, living room kitchen combination, towel closet and lanai. The one bedroom living unit Design Plan D are approximately 548.04 square feet.

TWO BEDROOM DESIGN PLAN E: Each of the two bedroom living units include: entry foyer, hallway, restroom, dressing area, bathroom, one bedroom with wardrobe closet, one bedroom with wardrobe closet and "tokonoma", lanai, towel closet and bar sink with counter and cabinet above and below the counter. The two bedroom living unit Design Plan E are approximately 596.53 square feet.

TWO BEDROOM DESIGN PLAN F: Each of the two bedroom living units include: entry foyer, hallway, restroom, dressing area, bathroom, two bedroom with wardrobe closet, towel closet, lanai and bar sink with counter and cabinet above and below counter. The two bedroom living units Design Plan F are approximately 548.04 square feet.

THREE BEDROOM DESIGN PLAN A: Each of the three bedroom living units include: entry foyer, hallway, hallway storage closet, washer-dryer alcove, restroom, dressing room, bathroom, two bedrooms with wardrobe closet, one bedroom with wardrobe closet and "tokonoma", living room-dining room combination, kitchen with storage closet and two lanais. The three bedroom living units Design Plan A are approximately 1157.57 square feet.

THREE BEDROOM DESIGN PLAN B: Each of the three bedroom living units include: entry foyer, hallway, hallway storage closet, washer-dryer alcove, restroom, dressing room, bathroom, three bedrooms with wardrobe closet, kitchen with storage closet, living room-dining room combination and two lanais. The three bedroom living units Design Plan B are approximately 1095.98 square feet.

The living units in the building are located as shown on the aforesaid condominium map, are numbered as follows, and are of the type and on the floor designated:

<u>NUMBER</u>	<u>FLOOR</u>	<u>TYPE</u>
501 and 512	5	2 bedroom D. P. "E"
502, 503, 505 thru 508, 510, 511	5	2 bedroom D. P. "F"
601 and 612	6	2 bedroom D. P. "E"
602, 603, 605 thru 608, 610, 611	6	2 bedroom D. P. "F"
701 and 712	7	2 bedroom D. P. "E"
702, 703, 705 thru 708, 710, 711	7	2 bedroom D. P. "F"
801 and 812	8	2 bedroom D. P. "E"
802, 803, 805 thru 808, 810, 811	8	2 bedroom D. P. "F"
901 and 912	9	2 bedroom D. P. "E"

<u>NUMBER</u>	<u>FLOOR</u>	<u>TYPE</u>
902, 903, 905 thru 908, 910, 911	9	2 bedroom D. P. "F"
1001 and 1012	10	2 bedroom D. P. "E"
1002, 1003, 1005 thru 1008, 1010, 1011	10	2 bedroom D. P. "F"
1101 and 1112	11	2 bedroom D. P. "E"
1102, 1103, 1105 thru 1108, 1110, 1111	11	2 bedroom D. P. "F"
1201	12	2 bedroom D. P. "C"
1202, 1203, 1205, 1206	12	2 bedroom D. P. "D"
1212	12	1 bedroom D. P. "E"
1207, 1208, 1210, 1211	12	1 bedroom D. P. "F"
(reference to the 13th floor has been left out and numbered the 14th floor)		
1401 and 1412	14	1 bedroom D. P. "C"
1402, 1403, 1405 thru 1408, 1410, 1411	14	1 bedroom D. P. "D"
1501 and 1512	15	1 bedroom D. P. "C"
1502, 1503, 1505 thru 1508, 1510, 1511	15	1 bedroom D. P. "D"
1601 and 1612	16	1 bedroom D. P. "C"
1602, 1603, 1605 thru 1608, 1610, 1611	16	1 bedroom D. P. "D"
1701 and 1712	17	1 bedroom D. P. "C"
1702, 1703, 1705 thru 1708, 1710, 1711	17	1 bedroom D. P. "D"
1801 and 1812	18	1 bedroom D. P. "C"
1802, 1803, 1805 thru 1808, 1810, 1811	18	1 bedroom D. P. "D"
1901 and 1906	19	3 bedroom D. P. "A"
1902, 1903, 1905	19	3 bedroom D. P. "B"
2001 and 2006	20	3 bedroom D. P. "A"
2002, 2003, 2005	20	3 bedroom D. P. "B"
2101 and 2106	21	3 bedroom D. P. "A"
2102, 2103, 2105	21	3 bedroom D. P. "B"
2201 and 2206	22	3 bedroom D. P. "A"
2202, 2203, 2205	22	3 bedroom D. P. "B"

Each of the living units on the fifth through twenty-second floors, inclusive, have access to a corridor, as shown on the aforesaid map, which are part of the common elements, leading to the two elevators and stairways, also part of the common elements and serving all of the apartments.

DESCRIPTION OF COMMERCIAL SPACE. There are three commercial units, designated Commercial #1, Office #1 and Office #2 on the aforesaid map, located, marked and identified on the first floor, containing the following approximate areas:

(a) Commercial #1	5,658 square feet
(b) Office #1	200 square feet
(c) Office #2	90 square feet

Commercial #1, has immediate access to the Open Lobby which is part of the common elements. Office #1 and Office #2 have immediate access to the counter area and the Main Lobby which are part of the common elements.

DESCRIPTION OF PARKING STALLS. There are 151 parking stalls located on the basement and first four floors of the building. 120 stalls are standard stalls and contain approximately 19,210.57 square feet. There are 31 compact stalls containing approximately 4330.35 square feet. Each stall on the basement and first through and including the third floor has immediate access

to that point of the floor on which it is located which is part of the common elements and which is set aside for driveway and ramp purposes. The parking stalls on the fourth floor have immediate access to the ramp leading from the third floor to the fourth floor which is part of the common elements.

The standard parking stalls are located as follows:

Basement	A-1 through A-15 inclusive
Floor 1	B-1 through B-4 inclusive
Floor 2	C-5 through C-15, C-19 through C-27, C-33 through C-37, and C-40 and C-41.
Floor 3	D-1 through D-13, D-17 through D-25, D-29 through D-31, and D-34 through D-43.
Floor 4	E-1 through E-13, E-17 through E-25, and E-29 through E-45.

The compact parking stalls are located as follows:

Floor 2	C-1 through C-4, C-16 through C-18, C-28 through C-32, and C-38 and C-39.
Floor 3	D-14 through D-16, D-26 through D-28, D-32 and D-33, and D-44 and D-45.
Floor 4	E-14 through E-16, E-26 through E-28 and E-46.

The parking stalls designated D-1 to and including D-38 located on the third floor shall be part of the common elements.

BOUNDARY LINES. The respective living units, Office #1, Office #2, and parking stalls shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls. The living units and commercial units shall not be deemed to include the floors and ceilings surrounding each of them, or any pipes, wires, conduits, or other utility lines running through them which are utilized for or serve more than one unit, the same being deemed common elements as hereinafter provided. Each living unit and commercial unit shall be deemed to include all the walls and partitions, floors and ceilings, which are not load-bearing within its perimeter walls, including plaster, paint, wallpaper, or the like, carpeting, floor covering, and built-in fixtures.

Additionally, the boundary lines of each living unit and commercial unit are the exterior of doors, windows, and glass walls and the frames thereof, except that for those living units which include a lanai or outdoor living area, that boundary is the interior of the screen block wall enclosure, and except further, as to Commercial #1, the boundary is the exterior of the perimeter walls.

Commercial #1, shall not be deemed to include the load-bearing concrete columns located within the boundaries of the aforesaid commercial units.

COMMON ELEMENTS: The common elements include:

- (a) The land submitted to the horizontal property regime hereinbefore described;
- (b) The foundations, columns, girders, beams, supports, main walls, except as otherwise noted, roofs, and floors;
- (c) The hallways, corridors and walkways (excepting certain walkways on the fourth floor) and stairs and stairways (excepting certain stairways on the fourth floor) and driveways (excepting the driveways on the fourth floor) on the basement and first through twenty-fifth floors;
- (d) Main lobby, Elevator lobby, open lobby and desk counter with area adjacent thereto, on the first floor;
- (e) Entrance and exits to the building and yard surrounding the building;
- (f) Laundry and storage room, men's and women's restrooms and lockers, laundromat and janitor's room, trash room, pump room, switch room, transformer room and chiller room, all located on the basement floor;
- (g) Central and appurtenant installations for services such as power, light, electricity, hot and cold water, gas, and like utilities;
- (h) The two elevators, elevator shafts and well, and appurtenant installations and apparatus;
- (i) Mechanical room, electric closet, and storage room with trash chute, all located on the second floor;
- (j) Electric closet, trash chute and storage room, pool equipment room and thirty-eight parking stalls marked D-1 through D-38, all located on the third floor;
- (k) Electric closet, trash chute, swimming pool, shower and surrounding recreational area on the fourth floor;
- (l) Electric closet and trash chute on the basement through the twenty-fifth floor;
- (m) Planters located throughout the building;
- (n) The roof recreational area located on the twenty-third floor;
- (o) The heating room, pump room, and cooling tower all located on the twenty-fourth floor;
- (p) The machine room and the open cooling tower located on the twenty-fifth floor;
- (q) All other parts of the property existing for the common use or necessary to the existence, maintenance, and safety of the building.

LIMITED COMMON ELEMENTS: None.

PERCENTAGE OF UNDIVIDED INTEREST IN THE COMMON ELEMENTS: The percentage of undivided interest in the common elements appertaining to each living unit, parking stall, and commercial unit is as follows:

<u>Type of Unit</u>	<u>No. of Units</u>	<u>Percentage of Ownership in the Common Elements Per Unit</u>
Commercial		
Commercial #1	1	0.0500477
Office #1	1	0.0015033
Office #2	1	0.0006765
Parking Stalls (113)	1	0.2342070
Design Type		
A	8	0.0087034
B	12	0.0082384
C	11	0.0044890
D	44	0.0041196
E	15	0.0044840
F	60	0.0041196

USE AND PURPOSE: The living units shall be occupied and used as private dwellings by the respective owners thereof, their tenants, families, domestic servants and personal guests. Certain commercial and business uses (such as hotel operation) shall also be permitted subject to such limitations as may be contained herein and in the By-Laws of the Association of Owners (hereinafter called "By-Laws") and House Rules which may be adopted from time to time governing the use of the apartments.

The commercial units may be used for commercial purposes, or such other uses as may be permitted by law subject to such limitations as may be contained herein or in the By-Laws and House Rules which may be adopted from time to time governing the use of the project.

EASEMENTS: The living units, commercial units and parking stalls shall have and be subject to and have appurtenant thereto the following: Non-exclusive easements in the common elements designed for such purposes as ingress to, egress from, utility services for, and support, maintenance, and repair of such units; in the other common elements for use according to their respective purposes.



If any part of the common elements encroaches upon any living unit, commercial unit, or parking stall, a valid easement for such encroachment and the maintenance thereof, so long as it continues, shall and docs exist. In the event any portion of the building shall be partially or totally destroyed and then rebuilt, minor encroachments of any parts of the common elements due to construction shall be permitted, and valid easements for such encroachments and the maintenance thereof shall exist.

The Association of Owners (hereinafter called the Association) shall have the right, to be exercised by its Board of Directors or the managing agent, to enter each living unit and commercial unit from time to time during reasonable hours as may be necessary for the operation of the project or for making emergency repairs therein necessary to prevent damage to any living unit, commercial unit or common elements.

MANAGEMENT AGENT: The initial management agent shall be TOKAI LAND CORPORATION, a foreign corporation licensed to do business in the State of Hawaii, whose business and post office address in the State of Hawaii is Suite 100, 225 Queen Street, Honolulu, Hawaii.

SALES PROGRAM: Developer plans to sell all living units and available parking stalls in Japan through its own sales staff. Developer will not be using purchasers' funds or conveying the units prior to completion. Therefore, no listing agreement is required, nor is an escrow necessary.

OWNERSHIP OF TITLE: The evidence of Title prepared June 2, 1972, by the abstractor, Title Guaranty of Hawaii, Inc., and updated on September 19, 1973, shows the title is vested in TOKAI FUDOSAN KABUSHIKI KAISHA as evidenced by Transfer Certificate of Title No. 149,455 and the Deed from Income Guaranty, Inc., to Tokai Fudosan Kabushiki Kaisha dated May 19, 1972, and recorded in the Bureau of Conveyances of the State of Hawaii in Liber 8343 at Page 424.

ENCUMBRANCE AGAINST TITLE: The Title Guaranty of Hawaii, Inc., search of title reflects: As to all Lots: Real Property Taxes for the fiscal year 1973 - 1974, rates are pending; (A) Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent No. 4493; (B) Building setback line, 15 feet from property line, as shown on File Plan No. 149; (C) The restrictive condition relative to the use of said land as the same is contained in the deed of Percy M. Pond to Leza Irwin Walker, dated July 6, 1917 and recorded in the Office of the Registrar of Conveyances at Honolulu, in Liber 475, pages 107-110, to-wit:

"That no malt, vinous, spirituous or intoxicating liquors of any kind shall ever be sold or exposed for sale or manufactured on the granted premises or any part thereof.

But it is mutually agreed by the parties hereto that any breach or any failure in the observance or performance of the covenants or any of them herein contained to be observed and performed by the Grantee shall not subject her to a forfeiture of the estate

hereby conveyed, but for any breach or failure the Grantor or any owners of any Lots in Royal Grove Tract shall have a remedy by action for damages, suit for injunction, mandatory or restraining or any other appropriate remedy; and the adoption or pursuit of any one remedy for or waiver of or acquiescence in any such breach or failure shall not preclude or prevent the adoption or pursuit of any other remedy thereafter for the same breach or failure or any remedy for any subsequent breach or failure."

FINANCING OF PROJECT: Developer has filed an estimated total project cost of \$5,747,877.50. Developer has advised the Commission that it intends to finance all of the total project cost through an existing building construction loan of \$3,878,000.00 from the Nippon Fudosan Bank Co., Ltd., the funds to be transmitted to the First Hawaiian Bank by letter of credit to pay the project cost.


STATUS OF PROJECT: A Building Contract has been executed on August 12, 1972, between the Developer, as Owner, and M. Horita Construction Company, Ltd. Developer has advised the Commission that the project is on this date approximately 50% complete and that the estimated completion date is March 31, 1974. The specimen sales contract states that other than a nominal down payment, payment for the condominium units will be made upon the completion of the building.

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The purchaser or prospective purchaser should be cognizant of the fact that this report represents information disclosed by the Developer in the required Notice of Intention submitted May 31, 1973, and information subsequently filed as of November 30, 1973.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 566 filed with the Commission on May 31, 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.

(for)   
DOUGLAS R. SODETANI, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

Distribution:

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

REGISTRATION NO. 566  
December 5, 1973