

# 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  
PULELEHUA  
1624 Dole Street  
Honolulu, Hawaii

REGISTRATION NO. 721

### 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: October 11, 1974  
Expires: November 11, 1975

#### SPECIAL ATTENTION

A comprehensive reading of this 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 SEPTEMBER 13, 1974 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF OCTOBER 10, 1974. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514, HAWAII REVISED STATUTES.

1. PULELEHUA is a leasehold condominium project consisting of one building, having a basement and fifteen (15) stories. There are a total of fifty-three (53) apartment units and fifty-four (54) parking stalls (regular sized stalls and compact sized stalls). There shall be at least one parking stall appurtenant to each apartment.

This Final Public Report is made a part of the registration on PULELEHUA condominium project. The Developer is responsible for placing a true copy of this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers. It is also the responsibility of the Developer to secure a signed copy of a receipt for the Final Public Report from each purchaser or prospective purchaser.

2. The Developer has 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. The basic documents (Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners and a copy of approved Floor Plans) have been recorded as follows:

The Declaration of Horizontal Property Regime, with By-Laws of the Association of Apartment Owners attached, dated August 30, 1974, was recorded at the Bureau of Conveyances of the State of Hawaii in Liber 10118 at Page 1. Condominium Map No. 379 has been designated to the project.

4. A draft of a brochure to be used in the Developers sales program was the only promotional and advertising matter filed pursuant to the rules and regulations promulgated the Commission.
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 date of issuance, October 11, 1974, 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: PULELEHUA

LOCATION: The site, containing approximately 12,411 square feet, is at the corner of Dole and Spreckels Streets in the Punahou district of Honolulu, Island of Oahu, State of Hawaii.

TAX KEY: FIRST DIVISION 2-8-12-58

ZONING: A-4

DEVELOPER: Dillingham Land Corporation, a Hawaii corporation, having its principal place of business at 1441 Kapiolani Boulevard and its post office address at Box 3468, both in Honolulu, Hawaii was incorporated on October 30, 1970.

The officers of Dillingham Land Corporation are:

J. R. Jensen	Chairman of the Board
A. P. Sereno	President and Chief Executive Officer
E. K. Nishimoto	Executive Vice President
E. L. Carter, Jr.	Vice President
C. E. Chafin	Vice President - Finance
F. K. Kwock	Vice President
S. H. Tabata	Vice President
R. W. S. Tom	Vice President
H. L. Robinson	Secretary
G. W. Robertson	Treasurer
C. W. L. Yim	Controller
J. J. Hogan	Assistant Secretary
E. S. Windrath	Assistant Secretary
J. R. Moore	Assistant Treasurer
C. R. Westbrook	Assistant Treasurer
J. V. Pollock	Assistant Controller

ATTORNEY REPRESENTING DEVELOPER: H. K. Bruss Keppeler, Attorney, Dillingham Land Corporation, 1441 Kapiolani Boulevard, Honolulu, Hawaii. Telephone 946-0771.

IMPROVEMENTS: The executed and recorded Declaration of Horizontal Property Regime and plans submitted by the Developer indicate that the improvements consist of a reinforced concrete structure having fifteen (15) floors, a full basement and other improvements, as follows:

1. The Building:

a. The basement contains an elevator lobby, a telephone switchroom, a pump room and thirty-six (36) automobile parking stalls of which nine (9) are for compact cars.

b. The first floor contains a transformer vault, an electrical equipment room, a lobby, a mail box, a trash storage room and eighteen (18) automobile parking stalls of which four (4) are for compact cars.

c. The second floor contains four (4) two-bedroom, one-bath apartments, a corridor, an elevator lobby, an open recreation area and a trash chute.

d. The third through fourteenth floors each contain four (4) two-bedroom, one-bath apartments, a corridor, a trash chute and an elevator lobby.

e. The fifteenth floor contains one (1) penthouse apartment, a corridor, a trash chute, an elevator lobby and an open recreation area.

f. There is an open sun deck on the roof above the penthouse.

2. The Apartments:

Fifty-three (53) freehold estates are hereby designated in the spaces within the perimeter walls, floors and ceilings of each of the fifty-three (53) apartments of the Project. There are fifty-two (52) two-bedroom, one-bath apartments and one (1) penthouse apartment which has two bedrooms and two baths.

There are four floor plans offered in the two-bedroom, one-bath apartments. The floor plans are designated "A", "AR", "B", and "BR". Each two-bedroom, one-bath apartment contains a living-dining room, a kitchen, two (2) bedrooms, a closet and one (1) bathroom having a combined floor area (net floor area), as listed below, and a lanai. The floor area of each apartment, including its lanai (gross floor area), is also listed below.

<u>Floor</u>	<u>Apartment No.</u>	<u>Floor Plan Type</u>	<u>Net Floor Area (Sq. Ft.)</u>	<u>Gross Floor Area (Sq. Ft.)</u>
2	201	A	599.42	648.88
	202	B	593.31	650.75
	203	BR	593.31	650.75
	204	AR	599.42	648.88
3	301	A	599.42	648.88
	302	B	593.31	650.75
	303	BR	593.31	650.75
	304	AR	599.42	648.88
4	401	A	599.42	648.88
	402	B	593.31	650.75
	403	BR	593.31	650.75
	404	AR	599.42	648.88
5	501	A	599.42	648.88
	502	B	593.31	650.75
	503	BR	593.31	650.75
	504	AR	599.42	648.88
6	601	A	599.42	648.88
	602	B	593.31	650.75
	603	BR	593.31	650.75
	604	AR	599.42	648.88
7	701	A	599.42	648.88
	702	B	593.31	650.75
	703	BR	593.31	650.75
	704	AR	599.42	648.88
8	801	A	599.42	648.88
	802	B	593.31	650.75
	803	BR	593.31	650.75
	804	AR	599.42	648.88
9	901	A	599.42	648.88
	902	A	593.31	650.75
	903	BR	593.31	650.75
	904	AR	599.42	648.88
10	1001	A	599.42	648.88
	1002	B	593.31	650.75
	1003	BR	593.31	650.75
	1004	AR	599.42	648.88
11	1101	A	599.42	648.88
	1102	B	593.31	650.75
	1103	BR	593.31	650.75
	1104	AR	599.42	648.75

<u>Floor</u>	<u>Apartment No.</u>	<u>Floor Plan Type</u>	<u>Net Floor Area (Sq. Ft.)</u>	<u>Gross Floor Area (Sq. Ft.)</u>
12	1201	A	599.42	648.88
	1202	B	593.31	650.75
	1203	BR	593.31	650.75
	1204	AR	599.42	648.75
13	1401	A	599.42	648.88
	1402	B	593.31	650.75
	1403	BR	593.31	650.75
	1404	AR	599.42	648.88
14	1501	A	599.42	648.88
	1502	B	593.31	650.75
	1503	BR	593.31	650.75
	1504	AR	599.42	648.88

The penthouse apartment (floor plan "C") contains a living-dining room, a kitchen, two (2) bedrooms, a closet and two (2) bathrooms, having a combined floor area (net floor area) of 822.45 square feet and a lanai. The gross floor area of the penthouse apartment is 1139.50 square feet.

In each apartment shall be installed a range with oven, a refrigerator-freezer combination, a vented range hood, a garbage disposal and a stacked clothes washer/clothes dryer.

Each apartment will have carpeting in the living-dining room, hall and bedrooms. Kitchens and bathrooms will contain vinyl tile floor covering. Drapes will be installed in the living-dining room and the bedrooms of each apartment.

Each apartment has immediate access to the corridor leading to two stairways and one elevator.

The respective apartments shall be deemed not 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 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:** One estate is designated in all remaining portions of the project, herein called the "common elements". The common elements will include the limited common elements described below and all other portions of the land and improvements other than the apartments, including the apartment building, the land on which they are located, and all elements mentioned in the Horizontal Property Act which are actually constructed on the land described herein, and specifically shall include, but shall not be limited to:

a. Said land in fee simple.

b. All foundations, columns, girders, beams, supports, main walls, roofs, corridors, lobbies, balconies, stairs, stairways, entrances and exits of said building.

c. All driveways, parking spaces, yards, gardens and recreational areas.

d. All central and appurtenant installations providing common services, including electric power, hot and cold water, gas, telephone, intercommunication and trash disposal.

e. The elevator and all tanks, pumps, valves, motors, fans, compressors, ducts, meters and, in general, all apparatus and installations existing for or rationally of common use to all the owners of the apartments within the project.

LIMITED COMMON ELEMENTS: The fifty-four (54) parking spaces shall be appurtenant to the respective apartments with which the same are conveyed upon the initial conveyance. The Developer reserves the right, without the consent or joinder of anyone else having an interest in the project to amend the Declaration or the Condominium Map one or more times in order to designate which parking stalls are appurtenant to apartments as provided in the preceding sentence.

In the event the owner of an apartment to which a parking stall is appurtenant desires to relinquish the same in order it may be assigned to another apartment in the building, such parking stall shall be deleted from his apartment and added to the other by instruments executed solely by the respective owners and their mortgagees, if any, of the affected apartments and such instruments shall be promptly recorded and a copy of each mailed to the Association of Apartment Owners; provided that so long as at all times (or, in the case of an exchange of parking stalls between apartments, immediately subsequent to such an exchange) there shall be at least one parking stall appurtenant to each apartment.

COMMON INTERESTS: The apartments all have appurtenant thereto the undivided percent interest in the common elements and the same proportionate share in the profits and common expenses of the project, including voting, as follows:

<u>Apartment No.</u>	<u>Percentage Undivided Interest</u>	<u>Apartment No.</u>	<u>Percentage Undivided Interest</u>
201	1.858	804	1.858
202	1.863		
203	1.863	901	1.858
204	1.858	902	1.863
		903	1.863
301	1.858	904	1.858
302	1.863		
303	1.863	1001	1.858
304	1.858	1002	1.863
		1003	1.863
401	1.858	1004	1.858
402	1.863		
403	1.863	1101	1.858
404	1.858	1102	1.863
		1103	1.863
501	1.858	1104	1.858
502	1.863		
503	1.863	1201	1.858
504	1.858	1202	1.863
		1203	1.863
601	1.858	1204	1.858
602	1.863		
603	1.863	1401	1.858
604	1.858	1402	1.863
		1403	1.863
701	1.858	1404	1.858
702	1.863		
703	1.863	1501	1.858
704	1.858	1502	1.863
		1503	1.863
801	1.858	1504	1.858
802	1.863		
803	1.863	PH-1	3.254

USE: The Declaration provides that the apartments shall be occupied and used only for a private dwelling for the owner, his family, tenants and social guests.

The By-Laws provide in part that no animals whatsoever, including dogs, cats and other animals commonly accepted as household pets, shall be allowed or kept in any part of the project unless the Board of Directors of the Association of Apartments Owners of Pulelehua shall specifically approve such action and shall pass house rules providing for the same.

OWNERSHIP OF TITLE: The Developer advises that the owner of fee title to the land committed to the project is Hawaiian Trust Company, Limited, as Trustee under a Trust Agreement of Edwin Masao Kidani, dated October 10, 1974, and a Trust Agreement of Grace. M. Y. Kidani, dated October 10, 1974. A Preliminary Title Report from Title Guaranty of Hawaii, Inc., dated October 10, 1974, indicates that such representation is correct.

ENCUMBRANCES AGAINST TITLE: The Commission has received a Preliminary Title Report from Title Guaranty of Hawaii, Inc., dated October 10, 1974. The Report and other information received shows that the subject land is encumbered as follows:

1. The reservation, in favor of the State of Hawaii, of all rights to mineral and metallic mines;
2. A Master Lease from Edwin Masao Kidani and Grace M. Y. Kidani to the Developer, dated October 11, 1973, and recorded at said Bureau in Liber 9543 at page 462, as amended by the Amendment of Lease, dated July 19, 1974, and recorded at said Bureau in Liber 10047 at page 266;
3. A Leasehold Mortgage by the Developer to Bank of Hawaii dated August 2, 1974, and recorded at said Bureau in Liber 10095 at Page 92; and
4. A Declaration of Horizontal Property Regime dated August 30, 1974, with the By-Laws of Association of Apartment Owners attached, recorded at said Bureau in Liber 10118 at Page 1. (Project covered by Condominium Map No. 379)
5. The terms, conditions and provisions contained in that certain unrecorded, Revocable Living Trust Agreement dated October 10, 1974, by and between Edwin Masao Kidani, as Settlor, and Hawaiian Trust Company, Limited, as Trustee.
6. The terms, conditions and provisions contained in that certain unrecorded, Revocable Living Trust Agreement dated October 10, 1974, by and between Grace M. Y. Kidani, as Settlor, and Hawaiian Trust Company, Limited, as Trustee.
7. For any taxes due and owing reference is hereby made to the Office of the Tax Assessor, First Division.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement, dated August 30, 1974, between Title Guaranty Escrow Services, Inc., as "Escrow", and Dillingham Land Corporation, as "Seller", and the specimen Sales Contract have been filed with the Commission. On Examination, the executed Escrow Agreement and the specimen Sales Contract are found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly Section 514-15, and 514-35 through 514-40, Hawaii Revised Statutes.

Among other provisions, the Sales Contract form provides that in the event that on November 30, 1974, less than twenty (20) apartments in Pulelehua are subject to sales contracts binding on and enforceable against buyers who have delivered evidence satisfactory to Seller of their ability to pay or otherwise perform thereunder or that Seller is prevented by law from proceeding with the construction of the building in accordance with the Plans and Specifications, Seller may at its option, thereafter terminate the sales contracts upon notice to buyers, in which event Seller will cause the Escrow Agent to refund to buyers all payments made by buyers hereunder, without interest, and buyers and Seller shall be relieved and released of all further liability hereunder.

It is incumbent upon the purchaser and prospective purchaser that he read with care the Sales Contract and the executed Escrow Agreement. The latter document, the 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.




MANAGEMENT OF THE PROJECT: The By-Laws, which are incorporated in the Declaration, provide that the Board of Directors of the Association of Apartment Owners shall annually employ a responsible Hawaii corporation as Managing Agent to manage and control the project subject at all times to direction by the Board. The Declaration provides that the initial Managing Agent shall be Dillingham Land Corporation, whose principal place of business is 1441 Kapiolani Boulevard, Honolulu, Hawaii, and whose post office address is Box 3468, said Honolulu.

STATUS OF PROJECT: The Developer advises that construction on the project shall be completed by March 31, 1975. Construction was financed by an interim loan from Bank of Hawaii. This financing will be supplanted with purchasers' money from escrow at such time as conditions set forth in the aforesaid Escrow Agreement have been fulfilled.

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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 September 13, 1974, and information subsequently filed as of October 10, 1974.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 721 filed with the Commission on September 13, 1974.

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. SODETANI, Chairman  
REAL ESTATE COMMISSION  
State of Hawaii

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Registration No. 721

October 11, 1974