

**REAL ESTATE COMMISSION**  
PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

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

**SUPPLEMENTARY  
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)  
PUBLIC REPORT**

on  
ROYAL KUHIO

2240 Kuhio Avenue  
Waikiki, Oahu, Hawaii

REGISTRATION NO. 731

**This Report Is Not an Approval or Disapproval of This Condominium Project**

It was prepared as a supplement to an earlier Report dated May 27, 1975, issued by the Real Estate Commission on the above 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 22, 1975  
Expires: June 27, 1976

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 SUBMITTED OCTOBER 16, 1974, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF OCTOBER 21, 1975. THE DEVELOPER, BY SUBMITTING ADDITIONAL INFORMATION TO THE COMMISSION, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIME ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report dated October 21, 1974, and the Final Public Report, dated May 27, 1975, the Developer has submitted additional information and has requested the issuance of a Supplementary Public Report.

2. This Supplementary Public Report is made a part of the registration of ROYAL KUHIO. The Developer is responsible for placing a true copy of this Supplementary Public Report (pink paper stock) in the hands of all purchasers and prospective purchasers, along with a true copy of the Preliminary Public Report (yellow paper stock) and Final Public Report (white paper stock). Securing a signed copy of the Receipt of this Supplementary Public Report as well as receipts for public reports previously issued, is the responsibility of the Developer.
3. The basic documents (Declaration of Horizontal Property Regime with Bylaws attached) have been filed in the Office of the Assistant Registrar of the Land Court, State of Hawaii. However, the Declaration of Horizontal Property Regime executed April 30, 1975 and Bylaws were amended by instrument dated September 11, 1975 and filed as aforesaid as Land Court Document No. 736902.
4. No advertising or promotional matter has been filed pursuant to the rules and regulations promulgated by 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 Supplementary Public Report automatically expires June 27, 1976 unless another Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information in the topical headings of the Preliminary Public Report of October 21, 1974 with the exception of PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE has not been disturbed.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration now states that the purpose for which the building and other improvements and each of the condominium units are intended and shall be restricted as to use are as follows:

"(a) The use and operation of the Project is subject to (i) each condition and restriction set forth in The Act, (ii) the provisions of this Declaration, and (iii) the provisions of the Bylaws, as any of the same may hereinafter be amended.

"(b) Each of the Apartments hereinabove described shall be used as a residence by the owner, his family, tenants and social guests and may be leased or rented for any period or periods.

"(c) The owner of an Apartment shall not use the same for any purpose which will injure the reputation of the Project or reduce the value thereof. Such owner shall not suffer anything to be done or kept in his Apartment or elsewhere in or on the Project which will jeopardize the soundness of the Project, impair any easement or hereditament of the Project or interfere with or unreasonably disturb the rights of other Apartment owners, or increase the rate of fire insurance on the buildings or the contents thereof."

The Commission also notes that Article V, Section 1(a) of the Bylaws, "Use of Apartments", has been amended to state:

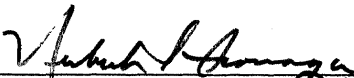
"(a) Each Apartment shall be used as a residence by the Owner, his family, tenants and social guests and may be leased or rented for any period or periods; provided, however, that Asahi may use any Apartment for sales or display purposes prior to the sale thereof by Asahi."

NOTE: The Developer has informed the Commission that the changes were made to permit an apartment owner to lease his apartment for any period of time. The Developer notes that despite such changes the Declaration and Bylaws require that the apartments be used only as residences.

Except for the above, no other provision of the Preliminary Public Report or the Final Public Report has been altered.

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The purchaser or prospective purchaser should be cognizant of the fact that this Public Report represents information disclosed by the Developer in the required Notice of Intention submitted on October 16, 1974, and additional information subsequently filed as of October 21, 1975.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 731 filed with the Commission on October 16, 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 pink in color.

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

Distribution:  
Department of Taxation  
Bureau of Conveyances  
Planning Department, City  
and County of Honolulu  
Federal Housing Administration  
First Hawaiian Bank

Registration No. 731  
October 22, 1975

CADES SCHUTTE FLEMING & WRIGHT

ATTORNEYS AT LAW

FIRST HAWAIIAN BANK BUILDING  
P. O. Box 939  
HONOLULU, HAWAII 96808  
TELEPHONE (808) 531-7232  
TELEX 7238589

October 21, 1975

ARTHUR G. SMITH (1882-1966)  
URBAN E. WILD (1891-1952)  
EUGENE H. BEEBE (1889-1966)  
CHARLES A. GREGORY (1902-1972)  
OF COUNSEL  
MILTON CADES

J. RUSSELL CADES  
WILLIAM L. FLEMING  
HAROLD S. WRIGHT  
C. FREDERICK SCHUTTE  
JAMES S. CAMPBELL  
A. SINGLETON CAGLE  
RICHARD L. GRIFFITH  
ROBERT B. BUNN  
WILLIAM M. SWOPE  
DONALD A. BECK  
D. J. J. G. PRIOR  
E. GUNNER SCHULL  
THOMAS P. HUBER  
PETER C. P. CHAR  
MICHAEL P. PORTER

ANDREW O. EGSETH, JR.  
HARVEY E. HENDERSON, JR.  
DONALD E. SCARCE  
EDWARD A. JAFFE  
RICHARD A. HICKS  
BERNICE LITTMAN  
ROLAND O. F. THOM  
MICHAEL S. NABI  
JEFFREY S. PORTNOY  
NICHOLAS C. DREHER  
ROGER H. EPSTEIN  
C. MICHAEL HARE  
MARK A. HAZLETT  
ROBERT A. ROWAN  
EDWARD G. L. BOYLE  
PHILIP J. LEAS  
MICHAEL A. SHEA  
DAVID C. LARSEN  
STEPHEN B. MACDONALD

Real Estate Commission  
Department of Regulatory  
Agencies  
State of Hawaii  
1010 Richards Street  
Honolulu, Hawaii 96813

Attention: Mr. Alvin Yamamoto

Re: Royal Kuhio Condominium Project  
Registration No. 731  
Request for Supplementary Public Report

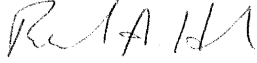
Gentlemen:

In response to your request, the Developer hereby informs you that the changes to the Declaration and the Bylaws referred to in the proposed Supplementary Public Report prepared by the Developer were made to permit an apartment owner to lease his apartment for any period of time. The Developer notes that, despite such changes, the Declaration and the Bylaws require that the apartments be used only as residences.

If you have any further questions concerning this project, please do not hesitate to contact the undersigned directly.

Very truly yours,

CADES SCHUTTE FLEMING & WRIGHT

By   
Richard A. Hicks

cc: Keizo Ogawa  
Harry H. Otsuji  
Ralph T. Yamaguchi, Esq.

CADES SCHUTTE FLEMING & WRIGHT

ATTORNEYS AT LAW

FIRST HAWAIIAN BANK BUILDING  
P. O. Box 939  
HONOLULU, HAWAII 96808  
TELEPHONE (808) 531-7232  
TELEX 7238589

October 3, 1975

ARTHUR G. SMITH (1882-1966)  
URBAN E. WILD (1891-1952)  
EUGENE H. BEEBE (1889-1966)  
CHARLES A. GREGORY (1902-1972)  
OF COUNSEL  
MILTON CADES

J. RUSSELL CADES  
WILLIAM L. FLEMING  
HAROLD S. WRIGHT  
C. FREDERICK SCHUTTE  
JAMES E. CAMPBELL  
A. SINGLETON CAGLE  
RICHARD L. GRIFFITH  
ROBERT B. BURN  
WILLIAM M. SWOPE  
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ROGER H. EPSTEIN  
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PHILIP J. LEAS  
MICHAEL A. SHEA  
DAVID C. LARSEN  
STEPHEN B. MACDONALD

Real Estate Commission  
Department of Regulatory  
Agencies  
State of Hawaii  
1010 Richards Street  
Honolulu, Hawaii 96813

Attention: Mr. Yukio Higuchi

Re: Royal Kuhio Condominium Project  
Registration No. 731  
Request for Supplementary Public Report

Gentlemen:

We enclose the following and request that you issue a Supplementary Public Report for this project as soon as possible:

1. First Amendment to Declaration of Horizontal Property Regime for Royal Kuhio, certified by Title Guaranty of Hawaii, Incorporated, as having been filed with the Assistant Registrar of the Land Court, State of Hawaii, as Land Court Document No. 736902 on October 2, 1975;
2. Proposed Supplementary Public Report prepared by the Developer; and
3. Our check in the amount of \$75.00.

Real Estate Commission  
Attn: Mr. Yukio Higuchi  
Page Two  
October 3, 1975

No conveyances of any interest in the Horizontal Property Regime have occurred prior to the recording of the Amendment. The Developer has amended the Declaration in order to delete restrictions in the Declaration and in the Bylaws on rentals for less than three months. As amended, the Declaration and the Bylaws now permit rentals for any period. This changes the information set forth in the Commission's Preliminary Public Report under the heading "PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE".

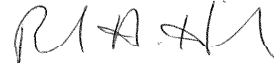
The Developer also requests that the date of the expiration of the Public Reports be extended until thirteen (13) months from the date of the issuance of the Supplementary Public Report.

The Developer has suspended all sales pending issuance of the Commission's Supplementary Public Report. Since the Developer is anxious to continue sales, we would appreciate your issuing the Supplementary Public Report at your earliest convenience.

Very truly yours,

CADES SCHUTTE FLEMING & WRIGHT

By



Richard A. Hicks

Enclosures

cc: Asahi Development Hawaii  
Corp. (Attn: Keizo Ogawa)  
Harry H. Otsuji  
Ralph T. Yamaguchi, Esq.

Whereby certify that this is a true copy of  
the original filed as Land Court Document

No. 736902  
on OCT 2, 1975 at 1:55 o'clock P.M.

TITLE GUARANTEE OF HAWAII, INCORPORATED

By A. Chen

FIRST AMENDMENT TO DECLARATION  
OF HORIZONTAL PROPERTY REGIME  
FOR ROYAL KUHIO

WHEREAS, ASAHI DEVELOPMENT HAWAII CORPORATION ("Asahi"), a Hawaii corporation, with its principal place of business at Suite 1535, 190 South King Street, Honolulu, Hawaii 96813, caused that certain Declaration of Horizontal Property Regime Under Chapter 514 Hawaii Revised Statutes for Royal Kuhio ("Declaration"), dated April 30, 1975, to be filed with the Assistant Registrar of the Land Court, State of Hawaii, as Document No. 718979, and noted on Transfer Certificate of Title No. 172, 996, and caused to be filed Condominium Map No. 248; and

WHEREAS, Asahi, which is the sole owner of all of the apartments created by and described in the Declaration and the Bylaws ("Bylaws") attached thereto as Exhibit "B", and depicted in the Condominium Map, desires to amend the Declaration and the Bylaws:

NOW, THEREFORE:

1. Paragraph 10(b) on page 9 of the Declaration stating as follows:

"(b) The Apartments hereinabove described shall at all times be used only for a private dwelling for the owner, his family, tenants and social guests."

is hereby deleted in its entirety and there is substituted therefor the following:

"(b) Each of the Apartments hereinabove described shall be used as a residence by the owner, his family, tenants and social guests and may be leased or rented for any period or periods."

2. Article V, Section 1 on page 11 of the Bylaws is amended by deleting therefrom the following sentences:

"(a) Each Apartment shall at all times be used as a private dwelling for the Owner, his family, tenants and social guests; provided, however, that Asahi may use any of such Apartments for sales or display purposes prior to the sale thereof by Asahi. The Apartments shall not be rented for transient or hotel purposes, which are defined as (i) rental for any period less than one (1) month, or (ii) 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, linen or bellboy service."


and substituting in lieu thereof the following:

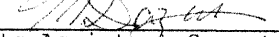
"(a) Each Apartment shall be used as a residence by the Owner, his family, tenants and social guests and may be leased or rented for any period or periods; provided, however, that Asahi may use any Apartment for sales or display purposes prior to the sale thereof by Asahi."

3. Except as hereinabove provided the Declaration and the Bylaws remain unamended and in full force and effect.

IN WITNESS WHEREOF, Asahi has executed this instrument this 11th day of September, 1975.

ASAHI DEVELOPMENT HAWAII  
CORPORATION

By   
Its Executive Vice President

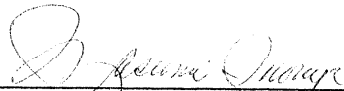
By   
Its Assistant Secretary

("Asahi")



STATE OF HAWAII )  
 ) SS:  
CITY AND COUNTY OF HONOLULU )

On this 11th day of September, 1975, before me appeared K. OGAWA and M. DAZAI to me personally known, who, being by me duly sworn, did say that they are Executive Vice President and Assistant Secretary, respectively, of ASAHI DEVELOPMENT HAWAII CORPORATION, a Hawaii corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation and said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and said K. OGAWA and M. DAZAI acknowledged that they executed said instrument as the free act and deed of said corporation.

  
\_\_\_\_\_  
Notary Public, First Judicial  
Circuit, State of Hawaii

My commission expires: 12/15/78