

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

PAKALANA
1571 Piikoi Street
Honolulu, Hawaii
REGISTRATION NO. 793

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: August 14, 1975
Expires: September 14, 1976

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 JULY 16, 1975 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF JULY 29, 1975. 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. PAKALANA is a leasehold condominium project consisting of one building, having a basement and nineteen (19) stories. There are a total of one hundred eight (108) apartment units and one hundred thirty (130) parking stalls (regular sized stalls, tandem 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 PAKALANA 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, signifying that he has had an opportunity to read the report.

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 July 23, 1975, was recorded at the Bureau of Conveyances of the State of Hawaii in Liber 10804 at page 182. Condominium Map No. 424 has been designated to the project.

4. No promotional or advertising matter has been submitted 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 Final Public Report automatically expires thirteen (13) months after date of issuance, August 14, 1975, 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: PAKALANA

LOCATION: The site, containing approximately 31,200 square feet, is located at 1571 Piikoi Street in the Makiki district of Honolulu, Island of Oahu, State of Hawaii.

TAX KEY: FIRST DIVISION 2-4-20: 40, 69, 70, 71

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	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
R. P. Rathbone	Assistant Treasurer
C. R. Westbrook	Assistant Treasurer
J. V. Pollock	Assistant Controller

ATTORNEY REPRESENTING DEVELOPER: Walter E. Bliss, Attorney, Goodsill Anderson & Quinn, Financial Plaza of the Pacific, Honolulu, Hawaii. Telephone: 531-5066.

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 nineteen (19) floors, a full basement and other improvements, as follows:

1. The Building:

a. The basement contains an elevator lobby, a mechanical equipment room, trash rooms and a pump room and sixty-four (64) automobile parking stalls of which fourteen (14) are for compact cars and nine (9) are tandem stalls.

b. The first floor contains a heater room, an electrical equipment room, a lobby, mail boxes, two loading zones and parking for sixty-six (66) vehicles, fourteen (14) of which are compact stalls and ten (10) of which are tandem.

c. The second through nineteenth floors contain four (4) two-bedroom, one and one-half bath apartments, two (2) one bedroom, one bath apartments, an elevator lobby, a trash chute and access to smoke tower stairs.

d. There is an open sundeck on the roof above the top floor of apartments.

2. The Apartments:

One freehold estate is designated in the spaces within the perimeter walls, floors and ceilings of each of the one hundred and eight (108) apartments of the Project. There are thirty-six (36) one-bedroom, one-bath apartments and seventy-two (72) two-bedroom, one and one-half bath apartments.

There are two floor plan types offered in the building, one typical one-bedroom, one-bath layout and one typical two-bedroom, one and one-half bath layout. The floor plans are designated Type "A", two bedrooms, and Type "B", one bedroom. Each one-bedroom, one-bath apartment contains a living-dining room, a kitchen, one (1) bedroom, a closet and one (1) bathroom having a combined floor area (net floor area), as listed below, and a lanai. Each two-bedroom, one and one-half bath apartment contains a living-dining room, two bedrooms with closets, one full bathroom and one half 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>	<u>Percentage Undivided Interest</u>
1	101	A	752.63	811.54	.9959
	102	A	752.63	811.54	.9959
	103	B	564.13	658.88	*
	104	B	564.13	658.88	.8062
	105	A	752.63	811.54	.9959
	106	A	752.63	811.54	.9959
2	201	A	752.63	811.54	.9959
	202	A	752.63	811.54	.9959
	203	B	564.13	658.88	.8085
	204	B	564.13	658.88	.8085
	205	A	752.63	811.54	.9959
	206	A	752.63	811.54	.9959
3	301	A	752.63	811.54	.9959
	302	A	752.63	811.54	.9959
	303	B	564.13	658.88	.8085
	304	B	564.13	658.88	.8085
	305	A	752.63	811.54	.9959
	306	A	752.63	811.54	.9959
4	401	A	752.63	811.54	.9959
	402	A	752.63	811.54	.9959
	403	B	564.13	658.88	.8085

*Manager's Unit

<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>	<u>Percentage Undivided Interest</u>
	404	B	564.13	658.88	.8085
	405	A	752.63	811.54	.9959
	406	A	752.63	811.54	.9959
5	501	A	752.63	811.54	.9959
	502	A	752.63	811.54	.9959
	503	B	564.13	658.88	.8085
	504	B	564.13	658.88	.8085
	505	A	752.63	811.54	.9959
	506	A	752.63	811.54	.9959
6	601	A	752.63	811.54	.9959
	602	A	752.63	811.54	.9959
	603	B	564.13	658.88	.8085
	604	B	564.13	658.88	.8085
	605	A	752.63	811.54	.9959
	606	A	752.63	811.54	.9959
7	701	A	752.63	811.54	.9959
	702	A	752.63	811.54	.9959
	703	B	564.13	658.88	.8085
	704	B	564.13	658.88	.8085
	705	A	752.63	811.54	.9959
	706	A	752.63	811.54	.9959
8	801	A	752.63	811.54	.9959
	802	A	752.63	811.54	.9959
	803	B	564.13	658.88	.8085
	804	B	564.13	658.88	.8085
	805	A	752.63	811.54	.9959
	806	A	752.63	811.54	.9959
9	901	A	752.63	811.54	.9959
	902	A	752.63	811.54	.9959
	903	B	564.13	658.88	.8085
	904	B	564.13	658.88	.8085
	905	A	752.63	811.54	.9959
	906	A	752.63	811.54	.9959
10	1001	A	752.63	811.54	.9959
	1002	A	752.63	811.54	.9959
	1003	B	564.13	658.88	.8085
	1004	B	564.13	658.88	.8085
	1005	A	752.63	811.54	.9959
	1006	A	752.63	811.54	.9959
11	1101	A	752.63	811.54	.9959
	1102	A	752.63	811.54	.9959
	1103	B	564.13	658.88	.8085
	1104	B	564.13	658.88	.8085
	1105	A	752.63	811.54	.9959
	1106	A	752.63	811.54	.9959

<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>	<u>Percentage Undivided Interest</u>
12	1201	A	752.63	811.54	.9959
	1202	A	752.63	811.54	.9959
	1203	B	564.13	658.88	.8085
	1204	B	564.13	658.88	.8085
	1205	A	752.63	811.54	.9959
	1206	A	752.63	811.54	.9959
14*	1401	A	752.63	811.54	.9959
	1402	A	752.63	811.54	.9959
	1403	B	564.13	658.88	.8085
	1404	B	564.13	658.88	.8085
	1405	A	752.63	811.54	.9959
	1406	A	752.63	811.54	.9959
15	1501	A	752.63	811.54	.9959
	1502	A	752.63	811.54	.9959
	1503	B	564.13	658.88	.8085
	1504	B	564.13	658.88	.8085
	1505	A	752.63	811.54	.9959
	1506	A	752.63	811.54	.9959
16	1601	A	752.63	811.54	.9959
	1602	A	752.63	811.54	.9959
	1603	B	564.13	658.88	.8085
	1604	B	564.13	658.88	.8085
	1605	A	752.63	811.54	.9959
	1606	A	752.63	811.54	.9959
17	1701	A	752.63	811.54	.9959
	1702	A	752.63	811.54	.9959
	1703	B	564.13	658.88	.8085
	1704	B	564.13	658.88	.8085
	1705	A	752.63	811.54	.9959
	1706	A	752.63	811.54	.9959
18	1801	A	752.63	811.54	.9959
	1802	A	752.63	811.54	.9959
	1803	B	564.13	658.88	.8085
	1804	B	564.13	658.88	.8085
	1805	A	752.63	811.54	.9959
	1806	A	752.63	811.54	.9959
19	1901	A	752.63	811.54	.9959
	1902	A	752.63	811.54	.9959
	1903	B	564.13	658.88	.8085
	1904	B	564.13	658.88	.8085
	1905	A	752.63	811.54	.9959
	1906	A	752.63	811.54	.9959

* There is no thirteenth (13th) floor.

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

Each apartment will have carpeting in all living areas. Vinyl tile will be provided for all bath and kitchen areas. Drapes will be installed in the living-dining room and bedrooms of each apartment.

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

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 exists 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 elevators 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.

f. The resident manager's unit located on the first floor of apartments and designated as Apartment 103, together with one parking stall for the use of said manager.

LIMITED COMMON ELEMENTS: Three of the parking spaces are for guest parking and one hundred and twenty-seven (127) of the one hundred thirty (130) parking spaces shall be appurtenant to apartments. The parking spaces are shown on the Condominium Map and the apartments to which they are appurtenant are as follows:

<u>APT. NO.</u>	<u>PARKING STALL NO.</u>	<u>DESCRIPTION</u>
1901	LL13, 13T	Lower level, standard and tandem, covered.
1902	LL10, 10T	Lower level, standard and tandem, covered.
1903	L-101	Lobby level, standard, uncovered.
1904	L-102	Lobby level, standard, uncovered.
1905	LL-5	Lower level, standard, covered.
1906	LL-14, 14T	Lower level, standard and tandem, covered.
1801	LL12, 12T	Lower level, standard and tandem, covered.
1802	LL17, 17T	Lower level, standard and tandem, covered.
1803	L-103	Lobby level, standard, uncovered.
1804	L-104	Lobby level, standard, uncovered.
1805	LL11, 11T	Lower level, standard and tandem, covered.
1806	LL15, 15T	Lower level, standard and tandem, covered.
1701	L62, 62T	Lobby level, standard and tandem, partially covered.
1702	LL16, 16T	Lobby level, standard and tandem, partially covered.
1703	L105	Lobby level, standard, uncovered.
1704	L106	Lobby level, standard, uncovered.
1705	LL9, 9T	Lower level, standard and tandem, covered.

<u>APT. NO.</u>	<u>PARKING STALL NO.</u>	<u>DESCRIPTION</u>
1706	L63, 63T	Lobby level, standard and tandem, partially covered.
1601	L65, 65T	Lobby level, standard and tandem, partially covered.
1602	L61, 61T	Lobby level, standard and tandem, partially covered.
1603	L107	Lobby level, standard, uncovered.
1604	L108	Lobby level, standard, uncovered.
1605	L64, 64T	Lobby level, standard and tandem, partially covered.
1606	L60, 60T	Lobby level, standard and tandem, partially covered.
1501	L74	Lobby level, standard, covered.
1502	L56, 56T	Lobby level, standard and tandem, uncovered.
1503	L109	Lobby level, standard, uncovered.
1504	L110	Lobby level, standard, uncovered.
1505	L57, 57T	Lobby level, standard and tandem, partially covered.
1506	L72	Lobby level, standard, covered.
1401	L75	Lobby level, standard, covered.
1402	L73	Lobby level, standard, covered.
1403	L111	Lobby level, standard, partially covered.
1404	LL42C	Lower level compact, uncovered.
1405	L71	Lobby level, standard, covered.
1406	L69	Lobby level, standard, covered.
1201	LL6	Lower level, standard, covered.
1202	L70	Lobby level, standard, covered.
1203	LL43C	Lower level, compact, covered.
1204	LL44C	Lower level, compact, covered.
1205	L76	Lobby level, standard, covered.

<u>APT. NO.</u>	<u>PARKING STALL NO.</u>	<u>DESCRIPTION</u>
1206	LL4	Lower level, standard, covered.
1101	LL7	Lower level, standard, covered.
1102	LL19	Lower level, standard, covered.
1103	LL45C	Lower level, compact, covered.
1104	LL46C	Lower level, compact, covered.
1105	LL18	Lower level, standard, covered.
1106	LL3	Lower level, standard, covered.
1001	LL20	Lower level, standard, covered.
1002	LL1	Lower level, standard, covered.
1003	LL47C	Lower level, compact, covered.
1004	LL48C	Lower level, compact, covered.
1005	LL2	Lower level, standard, covered.
1006	LL8	Lower level, standard, covered.
901	LL41	Lower level, standard, covered.
902	LL40	Lower level, standard, covered.
903	LL49C	Lower level, compact, covered.
904	LL50C	Lower level, compact, covered.
905	L58, 58T	Lobby level, standard and tandem, partially covered.
906	LL39	Lower level, standard, covered.
801	LL38	Lower level, standard, covered.
802	LL37	Lower level, standard, covered.
803	LL51C	Lower level, compact, covered.
804	LL52C	Lower level, compact, covered.
805	LL36	Lower level, standard, covered.
806	LL35	Lower level, standard, covered.
701	LL34	Lower level, standard, covered.
702	LL33	Lower level, standard, covered.
703	LL53C	Lower level, compact, covered.

<u>APT. NO.</u>	<u>PARKING STALL NO.</u>	<u>DESCRIPTION</u>
704	LL54C	Lower level, compact, covered.
705	L59, 59T	Lobby level, standard and tandem, partially covered.
706	LL32	Lower level, standard, covered.
601	LL31	Lower level, standard, covered.
602	LL30	Lower level, standard, covered.
603	LL55C	Lower level, compact, covered.
604	L77C	Lobby level, compact, uncovered.
605	LL29	Lower level, standard, covered.
606	LL28	Lower level, standard, covered.
501	LL27	Lower level, standard, covered.
502	LL26	Lower level, standard, covered.
503	L78C	Lobby level, compact, uncovered.
504	L79C	Lobby level, compact, uncovered.
505	LL25	Lower level, standard, covered.
506	LL24	Lower level, standard, covered.
401	LL23	Lower level, standard, covered.
402	LL22	Lower level, standard, covered.
403	L80C	Lobby level, compact, uncovered.
404	L81C	Lobby level, compact, uncovered.
405	LL21	Lower level, standard, covered.
406	L66	Lobby level, standard, uncovered.
301	L91	Lobby level, standard, uncovered.
302	L67	Lobby level, standard, partially covered.
303	L82C	Lobby level, compact, uncovered.
304	L83C	Lobby level, compact, uncovered.
305	L68	Lobby level, standard, uncovered.
306	L92	Lobby level, standard, uncovered.

<u>APT. NO.</u>	<u>PARKING STALL NO.</u>	<u>DESCRIPTION</u>
201	L93	Lobby level, standard, uncovered.
202	L94	Lobby level, standard, uncovered.
203	L84C	Lobby level, compact, uncovered.
204	L85C	Lobby level, compact, uncovered.
205	L95	Lobby level, standard, uncovered.
206	L96	Lobby level, standard, uncovered.
101	L97	Lobby level, standard, uncovered.
102	L98	Lobby level, standard, uncovered.
103**	L86C	Lobby level, compact, uncovered.
104	L87C	Lobby level, compact, uncovered.
105	L99	Lobby level, standard, uncovered.
106	L100	Lobby level, standard, uncovered.
Guest	L88C	Lobby level, compact, uncovered.
Guest	L89C	Lobby level, compact, uncovered.
Guest	L90C	Lobby level, compact, uncovered.

** Manager

In the event the owner of an apartment to which a parking stall is appurtenant desires to relinquish the same in order that 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 the 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, set forth on the schedule in the

paragraph hereof entitled "Apartments".

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.

OWNERSHIP OF TITLE: The Developer advises that the owner of the fee title to the land committed to the project is Hawaiian Trust Company, Limited, as Trustee under a Trust Agreement of Tadafumi Kuwata, et al., dated July 23, 1975, recorded in the Bureau of Conveyances of Hawaii in Liber 10804 at page 151 on July 24, 1975. A Policy of Title Insurance dated June 27, 1975 issued by Title Insurance and Trust Company indicates that the land as of that date (prior to execution and recording of the Trust Agreement) was owned by said Tadafumi Kuwata, et al.

ENCUMBRANCES AGAINST TITLE: The Commission has received a copy of said Title Insurance Policy dated June 27, 1975. Said Title Insurance Policy and other information received show that 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. The restrictive covenant set forth in those certain deeds dated October 1, 1914, recorded in Liber 418 at page 262 and November 16, 1914, recorded in Liber 420 at page 45, 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."

3. A Master Lease from Tadafumi Kuwata and Samiko Kuwata, husband and wife, Gertrude M. Zerbe, Theresa Phyllis Zerbe, Henry T. Zerbe, Jr., and Eloise A. Z. McIntosh, to the Developer, dated June 25, 1974 and recorded at the Bureau of Conveyances of the State of Hawaii in Liber 10021 at page 286.
4. A Consolidation Agreement dated June 25, 1974, recorded at said Bureau of Conveyances in Liber 10021 at page 276 by and between said Kuwatas, Zerbes and McIntosh.
5. A Leasehold Mortgage by the Developer to Bank of Hawaii, dated May 30, 1975 and recorded at said Bureau of Conveyances in Liber 10734 at page 530.
6. A Declaration of Horizontal Property Regime, dated July 23, 1975 with the By-Laws of Association of Apartment Owners attached, recorded at said Bureau of Conveyances in Liber 10804 at page 182.

The Commission has been assured that no Real Property Taxes on the subject land are due or owing as of June 30, 1975.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated July 15, 1975 between Title Guaranty Escrow Services, Inc., as "Escrow", and Dillingham Land Corporation, as "Seller", and a specimen Sales Contract for apartments in the project 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 504-15, Hawaii Revised Statutes.

Among other provisions, the Sales Contract provides that in the event that on April 15, 1976, less than fifty per cent (50%) of the apartments in the project are subject to sales contract 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.

The Sales Contract also provides that all of the Buyer's right, title and interest thereunder shall be subject and subordinate to the lien of any mortgage made by the Seller, as mortgagor, to Bank of Hawaii, as mortgagee, for the purpose of securing the repayment of a construction loan made or to be made by Bank of Hawaii to the Seller pursuant to a Construction Loan Agreement dated May 30, 1975 by and between the Seller, as borrower, and Bank of Hawaii, as lender, and to all advances made thereunder and all payments or expenses made or incurred pursuant to the terms thereof or incidental thereto or to protect the security thereof, without the execution of any further instrument by the Buyer in order to effectuate this subordination; and this subordination shall apply to all such advances and payments, whether voluntary or involuntary and whether made in accordance with the terms and provisions of said Construction Loan Agreement or accelerated thereunder by virtue of the Lender's right to make advances before they become due, or by virtue of the Lender's right to make advances thereunder notwithstanding the default of the Borrower thereunder. The subordination shall be and remain fully effective notwithstanding that the buyer's funds may be placed in escrow and later expended for the construction of improvements or for other purposes relating to the Horizontal Property Regime of which the apartment purchased is a part.

It is incumbent upon the purchaser and prospective purchaser that they read with care the Sales Contract and the executed Escrow Agreement. The Escrow Agreement establishes how the proceeds from the sale of apartments and any sums received from any source are placed in trust and how the funds shall be retained and disbursed.

CONDOMINIUM CONVEYANCE DOCUMENTS: Each purchaser will receive a

Condominium Conveyance Document which will convey to such purchaser the apartment purchased (exclusive of any interest in the land) and lease to such purchaser an undivided interest in the land for approximately fifty-five (55) years. Said Condominium Conveyance Document will provide for a rent of a specified dollar figure, plus gross income tax thereon and a proportionate share of the fee of Hawaiian Trust Company, Limited as trustee.


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. Examination of the Management Agreement, accepted by the Developer on behalf of the Association on January 13, 1975, reveals that it is for a term of one year and year to year thereafter, subject to termination by mutual agreement at least sixty (60) days prior to the expiration of the original term or any extension thereof.

STATUS OF PROJECT: The Developer estimates that construction on the project shall be completed by May, 1976. Construction was financed by an interim loan from Bank of Hawaii. This financing will be supplanted with purchaser's money from escrow at such time as conditions set forth in the aforesaid Escrow Agreement have been fulfilled.

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 on July 16, 1975, and information subsequently filed as of July 29, 1975.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 793 filed with the Commission on July 16, 1975.

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(for) DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
State of Hawaii

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PLANNING COMMISSION,
CITY AND COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT
Registration No. 793
August 14, 1975