

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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

## PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

ON

WAIKIKI BANYAN  
201 Ohua Avenue  
Honolulu, Hawaii

REGISTRATION NO. 944

### **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 but may only take reservations therefore after

- (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: November 2, 1977  
Expires: December 2, 1978

#### 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 OCTOBER 24, 1977 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF OCTOBER 31, 1977. 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. WAIKIKI BANYAN is a proposed leasehold condominium project consisting of one (1) multi-family structure with twin towers of thirty-seven (37) stories comprised of eight hundred seventy-four (874) units. The Developer intends to sell the apartments together with an undivided interest in the common

elements of the project. There will be a total of one thousand one hundred and eleven (1111) unassigned parking stalls (855 standard and 256 compact), located in parking decks designated one through five within the building. Each apartment will have appurtenant to it one (1) or two (2) parking stalls.

2. The basic documents (Declaration of Horizontal Property Regime, ByLaws of Association of Apartment Owners and a copy of the approved floor plans) have not been filed in the office of the recording officer.

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

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

6. 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 Property Regimes.

7. This Preliminary Public Report automatically expires thirteen months after date of issuance, November 2, 1977, unless a Supplementary Public 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 BANYAN

LOCATION: The approximately 105,576 square feet committed to the regime is more particularly described in Exhibit "A" attached hereto and made a part hereof.

TAX MAP KEY: 26255, 3, 4, 6, 7, 44, 46, 49, 50, 53, 54, 55, 66.

ZONING: H2 (Hotel District)

DEVELOPER: WAIKIKI BANYAN, INC., whose principal place of business is 2513 Kuhio Avenue, Honolulu, Hawaii, and whose telephone number is 9234936.

The officers of the Developer, WAIKIKI BANYAN, INC., are:

Herbert K. Horita, President  
Andre Tatibouet, Vice President  
Thomas Sumida, Secretary-Treasurer

ATTORNEY REPRESENTING DEVELOPER: Hamilton, Gibson, Nickelsen, Rush & Moore, 20th Floor, Hawaii Building, 745 Fort Street, Honolulu, Hawaii. (Attention: Ken Harimoto) Phone: 521-2611.

DESCRIPTION: The proposed project consists of 105,576 square feet parcels of land situated at Hamohamo, Waikiki, Honolulu, Hawaii, with improvements to be constructed thereon consisting of one (1) multi-family structure having two 37 story towers, designated as the "Makai Tower" and "Mauka Tower", both without basements. Said structure is constructed principally of reinforced concrete columns, floor slabs, shear walls and roof, with non-load bearing partition walls of steel stud and gypsum board and aluminum frame glass windows.

NOTE: The Condominium Map reflects that both "Makai" and "Mauka" Towers partly include and partly rise above a 6-story multi-purpose structure, together with parking facilities.

APARTMENT TYPES: There will be seven (7) types of apartment units which have been designated, for classification purposes only as Model "A", "AR", "B", "C", "D", "E" and "F". The descriptions of said types of apartment units are more fully described as set forth in Exhibit "B", attached hereto and incorporated herein by reference.

All units will be furnished with wall to wall carpeting in the living room-dining room area, dressing room area and bedrooms. The kitchen and bathroom floors will be covered with vinyl asbestos. The appliances included with each unit are a continuous clean range-oven with hood and fan, a frost-free refrigerator-freezer with automatic ice maker, a garbage disposal and trash compactor, A/C units. Counter tops will be constructed with post form Formica.

The numbers of the apartment units, their location and type are shown on Exhibit " ", attached hereto and incorporated herein by reference.

COMMON ELEMENTS: One freehold estate is hereby designated in all of the remaining portions and appurtenances of the project herein called the "common elements" including specifically, but not limited to:

- (a) Said land in fee simple;
- (b) All foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter, party and load-bearing walls, roofs, entries, stairways, elevators, walkways, entrances and exits of said building;

(c) All yard, grounds and landscaping;

(d) All parking areas;

(e) All pipes, cables, conduits, ducts, fan rooms, electrical equipment, wiring and other central and appurtenant transmission facilities and installations over, under and across the project which serve more than one apartment for services such as power, light, gas, water, sewer, telephone and television signal distribution, if any;

(f) Two (2) utility rooms on each of the fourth and fifth floors of the Mauka Tower and fourth and fifth floors of the Makai Tower;

(g) A patio, swimming pool, two lounge areas, patio, men's and women's restrooms and wet bar located on the sixth floor of the Mauka Tower and a utility room, men's and women's restrooms, two lounge areas, a laundry room, housekeeping room and mechanical room on the sixth floor of the Mauka Tower, with a recreation deck on the roof of the garage connecting the Mauka and Makai Towers.

(h) Housekeeping and mechanical rooms located on each of the seventh through twelfth and fourteenth through thirty-seventh floors of the Makai Tower and the seventh through twelfth and fourteenth through thirty-eight floors of the Mauka Tower;

(i) Jogging Track on the roof of each of the Mauka and Makai Towers.

LIMITED COMMON ELEMENTS: The Declaration states that there are no "limited common elements" thereby designated and set aside for the exclusive use of certain apartments.

COMMON INTEREST: Each apartment shall have appurtenant thereto an undivided 1/874 fractional interest in all common elements of the project (herein called the "common interest", and the same proportionate share in all common profits and expenses of the project and for all other purposes including voting.

USE: The apartments shall be occupied and used only for purposes permitted from time to time by applicable zoning ordinances rules and regulations, and for no other purpose. The owners of the respective apartments shall have the absolute right to lease such apartments subject to all provisions of the Declaration of Horizontal Property Regime and the By-Laws attached thereto.

OWNERSHIP: According to a Preliminary Report issued by Aloha Title Co., Inc. on October 21, 1977, title to the land committed to the project is vested in the Trustees of the Liliuokalani Trust, as Parcel First, and Kawaihāo Church, as Parcel Second.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Report also reflects that the following encumber the limited common elements, the apartments and common elements:

1. AS TO PARCEL FIRST ONLY: A Grant of Easement designated as Easement 3 on State Land Surveyor's Map filed with Land Court Application No. 1865 (pending), in favor of the City and County of Honolulu and the Board of Water Supply, for sewer line and water main purposes, dated December 11, 1925, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 1038, Page 23.

2. AS TO PARCELS FIRST AND SECOND: Real property taxes (Oahu) for the fiscal year 1977 - 1978 are a lien, payable as follows:

1st Installment - Paid  
2nd Installment - Open (Delinquent after  
February 20, 1978)

3. Title to all minerals and metallic mines reserved to the State of Hawaii.

EASEMENTS: In addition to the above, the apartments and common elements shall also have and be subject to the following easements:

1. Each apartment shall have appurtenant thereto non-exclusive easements in the common elements designed for such purposes for ingress to, egress from, utility services for and support of such apartment; in the other common elements for use according to their respective purposes, subject always to the exclusive use of the limited common elements as provided herein; and in all other apartments of the building for support.

2. If any part of the common elements now or hereafter encroaches upon any apartment or limited common element, a valid easement for such encroachment and the maintenance thereof, so long as it continues, shall exist. In the event the building shall be partially or totally destroyed and then rebuilt, minor encroachments of any part of the common elements due to construction shall be permitted, and valid easements for such encroachments and the maintenance thereof shall exist.

3. Each apartment shall be subject to an easement in favor of the owners of all other apartments for access to any common elements located in such apartment.

PURCHASE MONEY HANDLING: An Escrow Agreement dated October 25, 1977, has been executed and a copy of same has been filed with the Commission. The Escrow Agent is Aloha Title Company, Inc., a Hawaii corporation. Upon examination, the Specimen Sales Contract and the executed Escrow Agreement

are found to be consonant with Chapter 514, Hawaii Revised Statutes, and particularly Sections 514-15(6) and 514-36 through 514-40.

The Specimen Sales Contract provides among other provisions that Purchaser agrees that all rights of Purchaser are and at all times shall be subject and subordinate to the lien of any mortgage to a lending institution, and to all advances, modifications, extensions and renewals thereof, made to finance the cost of construction of the project. Further, the Specimen Sales Contract provides, in part, that in the event less than seven hundred (700) apartments are sold prior to December 31, 1978, Seller may at its option cancel this Agreement, in which event Seller will cause Escrow to refund all monies paid by Purchaser, without interest, and less Escrow's cancellation fee and Seller shall be relieved and released of all further liability thereunder.

It is incumbent upon the prospective purchaser that he reads with care the Sales Contract and the executed Escrow Agreement. The latter Agreement establishes how the proceeds from the sale of condominium units are placed in trust as well as the retention and disbursement of said funds.

MANAGEMENT AND OPERATIONS: The By-Laws of the Association of Owners vest the Board of Directors with the powers and duties necessary for the administration of the affairs of the project.

The initial Managing Agent shall be Dillingham Land Corporation, 1441 Kapiolani Boulevard, Honolulu, Hawaii 96814. A Specimen Management Contract with Dillingham Land Corporation has been submitted.

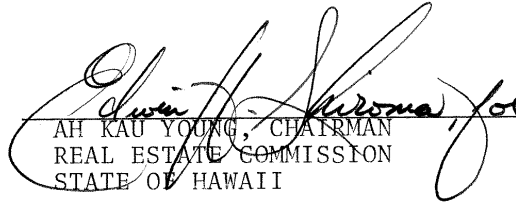
STATUS OF PROJECT: The Developer has advised the Commission that the project has not commenced construction and the estimated date of completion is June or July, 1979.

NOTE: The Developer advises that pursuant to Paragraph 29 of the Specimen Condominium Reservation Agreement the purchaser shall agree that until Developer has closed out the sale of all apartments in Project or until December 31, 1982, whichever shall first occur, the purchaser will not enter into a "rental pool" or similar agreement with any purchaser, lessee or owner of another apartment in the Project and/or any third party.

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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 October 24, 1977 and information subsequently filed on October 31, 1977.

THIS PRELIMINARY HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 944 filed with the Commission on October 24, 1977.

The report, when reproduced, shall be a true copy of the Commission's Public Report. The paper stock used in making facsimiles must be yellow.

  
AH KAU YOUNG, CHAIRMAN  
REAL ESTATE COMMISSION  
STATE OF HAWAII

DISTRIBUTION:

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

REGISTRATION NO. 944

NOVEMBER 2, 1977

EXHIBIT "A"

FIRST: All of that certain parcel of land situated on the northeasterly side of Kuhio Avenue between Ohua and Paoakalani Avenues, at Hamohamo, Waikiki, Honolulu, City and County of Honolulu, State of Hawaii, being portions of R. P. 6098, L. D. Aw. 1456, Apana 2 to Iwinui, R. P. 2822, L. C. Aw. 2839, Apana 1 to Kahaka and R. P. 5588, L. D. Aw 8452, Apana 3, Section 1 to A. Keohokalole, being the same land designated as BLOCK F, as shown on Map 1 filed April 2, 1968 with Land Court Application No. 1865 (pending), thus bounded and more particularly described as per survey of John Cline Mann, Land Surveyor, as follows:

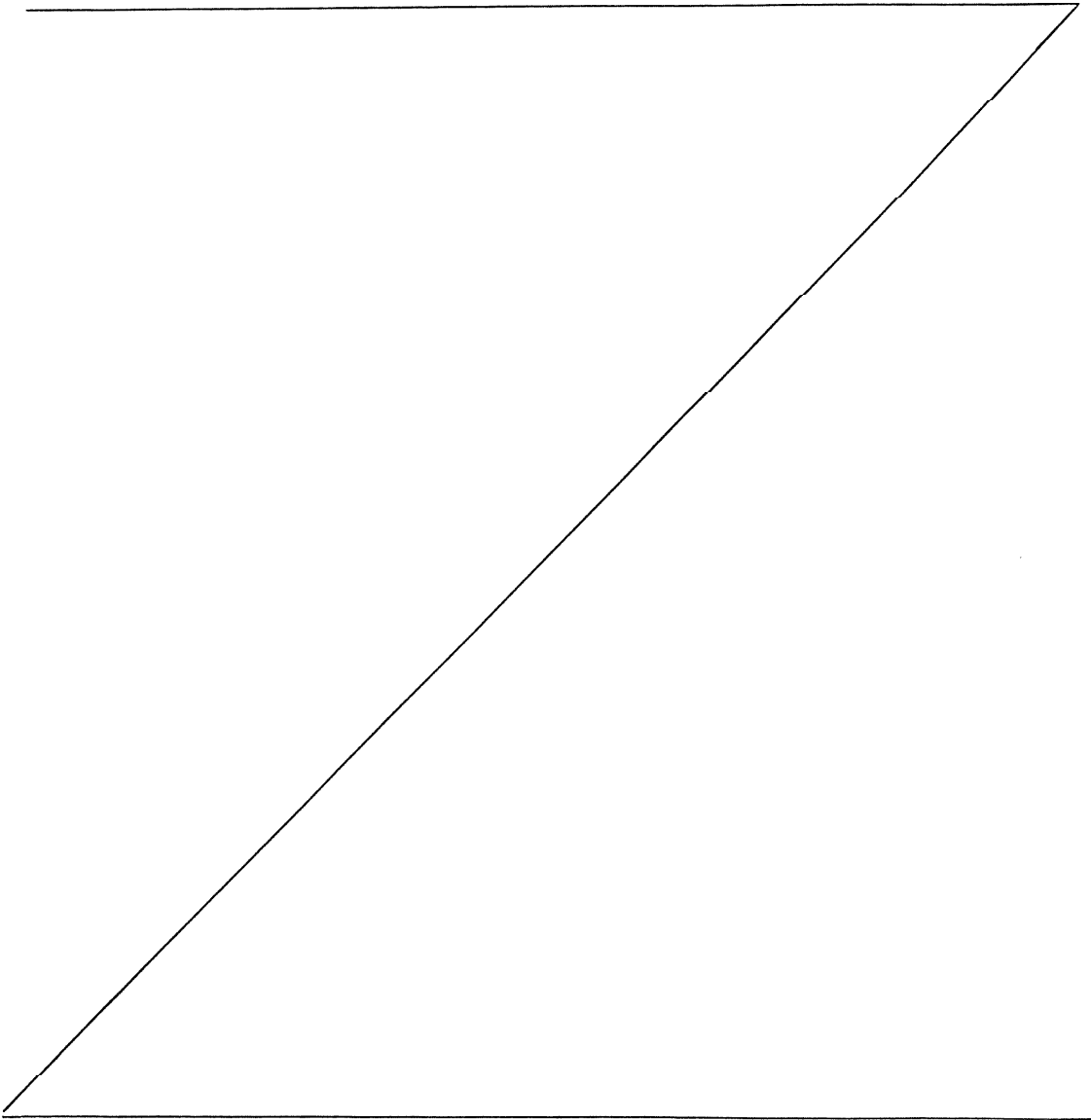
BEGINNING at a pipe at the north corner of this piece of land, being also the west corner of Lot 30-B of Land Court Application 615 and on the southeasterly side of Ohua Avenue, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Waikiki" being 3,246.39 feet south and 2,786.85 feet east, and running by true azimuths measured clockwise from south:

1. 312° 45' 230.00 feet along Lots 30-B, D-1 and 36-B of Land Court Application 615 to a pipe;
2. 42° 45' 420.02 feet along the northwesterly side of Paoakalani Avenue to an iron pin;
3. 44° 52' 48.18 feet along the northwesterly side of Paoakalani Avenue to an iron pin;  
Thence on a curve to the right with a radius of 10.00 feet, the azimuth and distance of the chord being:
4. 93° 56' 15.11 feet to an iron pin;
5. 143° 00' 211.61 feet along the northeasterly side of Kuhio Avenue to an iron pin;  
Thence on a curve to the right with a radius of 10.00 feet, the azimuth and distance of the chord being:
6. 182° 52' 30" 12.82 feet to an iron pin;
7. 222° 45' 110.52 feet along the southeasterly side of Ohua Avenue to a pipe;
8. 315° 12' 107.74 feet to a pipe;
9. 225° 00' 59.95 feet to an iron pin;
10. 222° 45' 14.76 feet to a pipe;
11. 135° 20' 110.11 feet to a pipe;
12. 222° 45' 244.60 feet along the southeasterly side of Ohua Avenue to the point of beginning,  
containing an area of 97,359 square feet.



BEING the same land acquired by Trustees of the Liliuokalani Trust by the following:

1. Deed dated November 15, 1912, recorded in the Bureau of Conveyances in Book 375, Page 301, from John Aimoku Dominis.
2. Trust Deed dated December 2, 1909, recorded in said Bureau of Conveyances in Book 319, Page 447, from Liliuokalani, widow of John O. Dominis.



SECOND: All of those certain parcels of land being a portion of Royal Patent 5588, Land Commission Award 8452, Apana 3 to M. Kaohokalole, situate at Hamohamo, Waikiki, Honolulu, City and County of Honolulu, State of Hawaii, bounded and described:

PART A: Beginning at a point of the Southeast side of Ohua Land by true azimuth 240° 18' 113.6 feet, from an iron pipe at the north corner of Kuhio Avenue and Ohua Lane, and running by true azimuths:

1. 225° 00' 75.0 feet, along Ohua Lane;
2. 315° 00' 100.0 feet; along a road
3. 45° 00' 75.0 feet;
4. 135° 00' 100.0 feet, to the point of beginning.

Containing an area of 7500 square feet, save and except 1460 square feet conveyed to Trustees of Liliuokalani Trust by Exchange Deed dated August 4, 1924, recorded in Book 740, Page 209, more fully described as follows:

All of that certain parcel of land being a portion of Land Commission Award 8452 Apana 3 on Ohua Land at Hamohamo, Waikiki, Honolulu, City and County of Honolulu, State of Hawaii, bounded and described as follows:

Beginning at the West corner of this piece of land, on fence line, and on the New Southeast side of Ohua Lane, the true azimuth and distance to a pipe marking the New East corner of Ohua and Kuhio Avenues being 45° 00' 116.60 feet, and running by true azimuths:

1. 135° 12' 19.80 feet along fence;
2. 225° 21' 75.00 feet along fence, along present Southeast side of Ohua Avenue;
3. 315° 20' 18.65 feet along fence;
4. 42° 45' 17.55 feet along the New Southeast side of Ohua Avenue;
5. 45° 00' 57.42 feet along same to the point of beginning and containing an area of 1460 square feet.

Being the same land save and except as aforesaid conveyed to Kawaihāo Church, an Hawaiian corporation by Deed from Trustees under that certain Deed of Trust executed by Liliuokalani, dated December 2, 1909, recorded in Book 319, Page 447 dated June 1, 1916, recorded in the Bureau of Conveyances of the State of Hawaii in Book 438, Page 393.

PART B: Beginning at the South corner of this piece of land, on the Northwest side of Proposed 10 foot Alley, the true azimuth and distance to the New Proposed North corner of Kuhio Avenue and 10 foot Alley being 45° 00' 131.64 feet, and running by true azimuths:

1. 135° 12' 29.50 feet;
2. 225° 26' 74.71 feet along fence, along Church Lot;
3. 315° 20' 28.36 feet;
4. 42° 45' 14.73 feet along the Northwest side of Proposed 10 foot Alley;
5. 45° 00' 59.94 feet along same to the point of beginning and containing an area of 2177 square feet.

Being the same land save and except as aforesaid conveyed to Kawaiahao Church, an Hawaiian corporation by Exchange Deed from Trustees of Liliuokalani Trust dated August 4, 1924, recorded in the Bureau of Conveyances of the State of Hawaii in Book 740, Page 209.

1. SUBJECT, HOWEVER, to reservation in favor of the State of Hawaii of all mineral and metallic mines.
2. AS TO FIRST GRANT in favor of City and County of Honolulu, Board of Water Supply, for sewer line and water main and appurtenances, dated December 11, 1925, designated as Easement 3 on State Land Surveyor's Map filed with Land Court Application Number 1865 (pending), recorded in the Bureau of Conveyances of the State of Hawaii in Book 1038, Page 23.

EXHIBIT "B"

1. Apartments. Eight hundred seventy-four (874) apartments are hereby designated in the spaces within the perimeter walls, floors and ceilings of each of the 874 apartments of the project, which spaces together with appurtenant lanais, if any, referred to herein as "apartments", are designated on said plans and described as follows:

(a) Apartments 604, 606, 607, 608, 609, 610, 611, 612, 613 and 614 are located on the sixth floor of the Makai Tower;

Apartments 603, 605, 607, 608, 609, 610, 611, 612, 613 and 614 are located on the sixth floor of the Mauka Tower;

Apartments 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713 and 714 are located on the seventh floor of the Makai Tower;

Apartments 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713 and 714 are located on the seventh floor of the Mauka Tower;

Apartments 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813 and 814 are located on the eighth floor of the Makai Tower;

Apartments 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813 and 814 are located on the eighth floor of the Mauka Tower;

Apartment 901, 902, 903, 904, 905  
906, 907, 908, 909, 910, 911, 912, 913 and 914 are  
located on the ninth floor of the Makai Tower;

Apartments 901, 902, 903, 904, 905,  
906, 907, 908, 909, 910, 911, 912, 913 and 914 are  
located on the ninth floor of the Mauka Tower;

Apartments 1001, 1002, 1003, 1004, 1005,  
1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013 and  
1014 are located on the tenth floor of the Makai Tower;

Apartments 1001, 1002, 1003, 1004, 1005,  
1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013 and  
1014 are located on the tenth floor of the Mauka Tower;

Apartments 1101, 1102, 1103, 1104, 1105,  
1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113 and  
1114 are located on the eleventh floor of the Makai  
Tower;

Apartments 1101, 1102, 1103, 1104, 1105,  
1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113 and  
1114 are located on the eleventh floor of the Mauka  
Tower;

Apartments 1201, 1202, 1203, 1204, 1205,  
1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213 and  
1214 are located on the twelfth floor of the Makai  
Tower;

Apartments 1201, 1202, 1203, 1204, 1205,  
1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213 and 1214  
are located on the twelfth floor of the Mauka Tower

Apartments 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413 and 1414 are located on the fourteenth floor of the Makai Tower;

Apartments 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413 and 1414 are located on the fourteenth floor of the Mauka Tower;

Apartments 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513 and 1514 are located on the fifteenth floor of the Makai Tower;

Apartments 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513 and 1514 are located on the fifteenth floor of the Mauka Tower;

Apartments 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613 and 1614 are located on the sixteenth floor of the Makai Tower;

Apartments 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613 and 1614 are located on the sixteenth floor of the Mauka Tower;

Apartments 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713 and 1714 are located on the seventeenth floor of the Makai Tower;

Apartments 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713 and 1714 are located on the seventeenth floor of the Mauka Tower;

Apartments 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813 and 1814 are located on the eighteenth floor of the Makai Tower;

Apartments 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813 and 1814 are located on the eighteenth floor of the Mauka Tower;

Apartments 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913 and 1914 are located on the nineteenth floor of the Makai Tower;

Apartments 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913 and 1914 are located on the nineteenth floor of the Mauka Tower;

Apartments 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013 and 2014 are located on the twentieth floor of the Makai Tower;

Apartments 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013 and 2014 are located on the twentieth floor of the Mauka Tower;

Apartments 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113 and 2114 are located on the twenty-first floor of the Makai Tower;

Apartments 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113 and 2114 are located on the twenty-first floor of the Mauka Tower;

Apartments 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213 and 2214 are located on the twenty-second floor of the Makai Tower;

Apartments 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213 and 2214 are located on the twenty-second floor of the Mauka Tower;

Apartments 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313 and 2314 are located on the twenty-third floor of the Makai Tower;

Apartments 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313 and 2314 are located on the twenty-third floor of the Mauka Tower;

Apartments 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413 and 2414 are located on the twenty-fourth floor of the Makai Tower

Apartments 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413 and 2414 are located on the twenty-fourth floor of the Mauka Tower

Apartments 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513 and 2514 are located on the twenty-fifth floor of the Makai Tower;

Apartments 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513 and 2514 are located on the twenty-fifth floor of the Mauka Tower;

Apartments 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613 and 2614 are located on the twenty-sixth floor of the Makai Tower

Apartments 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613 and 2614 are located on the twenty-sixth floor of the Mauka Tower;

Apartments 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708- 2709, 2710, 2711, 2712, 2713 and 2714 are located on the twenty-seventh floor of the Makai Tower



Apartments 2701, 2702, 2703, 2704, 2705,  
2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713 and 2714  
are located on the twenty-seventh floor of the Mauka Tower

Apartments 2801, 2802, 2803, 2804, 2805,  
2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813 and 2814  
are located on the twenty-eighth floor of the Makai Tower;

Apartments 2801, 2802, 2803, 2804, 2805,  
2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813 and 2814  
are located on the twenty-eighth floor of the Mauka Tower;

Apartments 2901, 2902, 2903, 2904, 2905,  
2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913 and 2914  
are located on the twenty-ninth floor of the Makai Tower;

Apartments 2901, 2902, 2903, 2904, 2905,  
2906, 2907, 2908,,2909, 2910, 2911, 2912, 2913 and 2914  
are located on the twenty-ninth floor of the Mauka Tower;

Apartments 3001, 3002, 3003, 3004, 3005,  
3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013 and 3014  
are located on the thirtieth floor of the Makai Tower;

Apartments 3001, 3002, 3003, 3004, 3005,  
3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013 and 3014  
are located on the thirtieth floor of the Mauka Tower;

Apartments 3101, 3102, 3103, 3104, 3105  
3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113 and 3114  
are located on the thirty-first floor of the Makai Tower

Apartments 3101, 3102, 3103, 3104, 3105,  
3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113 and 3114  
are located on the thirty-first floor of the Mauka Tower

Apartments 3201, 3203, 3203, 3204, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212, 3213 and 3214 are located on the thirty-second floor of the Makai Tower;

Apartments 3201, 3202, 3203, 3204, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212, 3213 and 3214 are located on the thirty-second floor of the Mauka Tower;

Apartments 3301, 3302, 3303, 3304, 3305, 3306, 3307, 3308, 3309, 3310, 3311, 3312, 3313, 3314 are located on the thirty-third floor of the Makai Tower;

Apartments 3301, 3302, 3303, 3304, 3305 3306, 3307, 3308, 3309, 3310, 3311, 3312, 3313 and 3314 are located on the thirty-third-floor of the Mauka Tower;

Apartments 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410, 3411, 3412, 3413 and 3414 are located on the thirty-fourth floor of the Makai Tower;

Apartments 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410, 3411, 3412, 3413 and 3414 are located on the thirty-fourth floor of the Mauka Tower;

Apartments 3501, 3502, 3503, 3504, 3505, 3506, 3507, 3508, 3509, 3510, 3511, 3512, 3513 and 3514 are located on the thirty-fifth floor of the Makai Tower

Apartments 3501, 3502, 3503, 3504, 3505, 3506 3507, 3508, 3509, 3510, 3511, 3512, 3513 and 3514 are located on the thirty-fifth floor of the Mauka Tower

Apartments 2601, 3602, 3603, 3604, 3605, 3606, 3607, 3608, 3609, 3610, 3611, 3612, 3613 and 3614 are located on the thirty-sixth floor of the Makai Tower

Apartments 3601, 3602, 3603, 3604, 3605, 3606, 3607, 3608, 3609, 3610, 3611, 3612, 3613 and 3614 are located on the thirty-sixth floor of the Mauka Tower;

Apartments 3701, 3702, 3703, 3704, 3705, 3706, 3707, 3708, 3709, 3710, 3711, 3712, 3713 and 3714 are located on the thirty-seventh floor of the Makai Tower;

Apartments 3701, 3702, 3703, 3704, 3705, 3706, 3707, 3708, 3709, 3710, 3711, 3712, 3713 and 3714 are located on the thirty-seventh floor of the Mauka Tower;

Apartments 3801, 3802, 3803, 3804, 3805, 3806, 3807, 3808, 3809, 3810, 3811, 3812, 3813 and 3814 are located on the thirty-eight floor of the Makai Tower;

Apartments 3801, 3802, 3803, 3804, 3805, 3806, 3807, 3808, 3809, 3810, 3811, 3812, 3813 and 3814 are located on the thirty-eight floor of the Makau Tower;

(b) A description of each of the apartments, designating the layout, number of rooms and approximate floor are thereof, is as follows:

Each apartment designated Type "A" and Type "AR1" on Exhibit B-1 attached hereto and incorporated herein by reference contains one bedroom, one bathroom, a dressing room, kitchen, living room and a lanai and

each contains a total area of approximately 634.41 square feet, including the lanai. The layout of the apartments designated Type "A" is the reverse of that of the apartments designated Type "AR".

Each apartment designate Type "AR" on said Exhibit B-1 contains one bedroom, one bathroom, a dressing room, kitchen, living room and lanai and contains a total area of approximately 643.61 square feet.

Each apartment designated "Type B" on Exhibit B-1 attached hereto and incorporated herein by reference contains one bedroom, a bathroom, dressing room, dining area, living room, kitchen and lanai and a total area of approximately 703.01 square feet, including the lanai.

Each apartment designated on said Exhibit B-1 attached hereto as Type "C" contains one bedroom, one bathroom, a dressing room, kitchen, living room and a lanai and a total area of approximately 679.71 square feet, including the lanai.

Each apartment designated on said Exhibit as Type "D" contains one bedroom, one bathroom, a dressing room, living room, kitchen and lanai and a total area of approximately 663.81 square feet, including the lanai.

Each apartment designated on said Exhibit B-1 attached hereto as Type "E" contains one

bedroom, one bathroom, a dressing room, kitchen, living room and lanai and a total area of approximately 719.01 square feet, including the lanai.

Each apartment designated on said Exhibit B-1 as Type "F" contains one bathroom, one bedroom, a dressing room, kitchen, living room and lanai and each contains an area of approximately 664.91 square feet, including the lanai.

EXHIBIT "B-1"

I. Type "A":

A. Mauka Tower.

702, 802, 902, 1002, 1102, 1202, 1402, 1502, 1602,  
1702, 1802, 1902, 2002, 2102, 2202, 2302, 2402, 2502, 2602,  
2702, 2802, 2902, 3002, 3102, 3202, 3302, 3402, 3502, 3602,  
3702, 3802; 706, 1206 and 1406, 1506, 1606, 1706, 1806, 1906,  
2006, 2106, 2206, 2306, 2406, 2506, 2606, 2706, 2806, 2906,  
3006, 3106, 3206, 3306, 3406, 3506, 3606, 3706, 3806; 607,  
807, 907, 1007, 1107, 1207; 1407, 1507, 1607, 1707, 1807,  
1907, 2007, 2107, 2207, 2307, 2407, 2507, 2607, 2707, 2807,  
2907, 3007, 3107, 3207, 3307, 3407, 3507, 3607, 3707, 3807,  
610, 710, 810, 910, 1010, 1110, 1210, 1410, 1510, 1619, 1710,  
1810, 1910, 2010, 2110, 2210, 2310, 2410, 2510, 2610, 2710,  
2810, 2910, 3010, 3110, 3210, 3310, 3410, 3510, 3610, 3710,  
3810; 611, 711, 811, 911, 1011, 1111, 1211, 1411, 1511, 1611,  
1711, 1811, 1911, 2011, 2111, 2211, 2311, 2411, 2511, 2611,  
2711, 2811, 2911, 3011, 3111, 3211, 3311, 3411, 3511, 3611,  
3711, 3811.

B. Makai Tower.

702, 802, 902, 1002, 1102, 1202, 1402, 1502, 1602, 1702,  
1802, 1902, 2002, 2102, 2202, 2302, 2402, 2502, 2602, 2702,  
2802, 2902, 3002, 3102, 3203, 3302, 3402, 3502, 3602, 3702,  
703, 803, 903, 1003, 1103, 1203, 1403, 1503, 1603, 1703, 1803,  
1903, 2003, 2103, 2203, 2303, 2403, 2503, 2603, 2703, 2803,  
2903, 3003, 3103, 3203, 3303, 3403, 3503, 3603, 3703; 607,  
707, 807, 907, 1007, 1107, 1207, 1407, 1507, 1607, 1707, 1807,  
1907, 2007, 2107, 2207, 2307, 2407, 2507, 2607, 2707, 2807,  
2907, 3007, 3107, 3207, 3307, 3407, 3507, 3607, 3707;

610, 710, 810, 910, 1010, 1110, 1210, 1410, 1510, 1610,  
1710, 1810, 1910, 2010, 2110, 2210, 2310, 2410, 2510, 2610, 2710,  
2810, 2910, 3010, 3110, 3210, 3310, 3410, 3510, 3610, 3710;  
611, 711, 811, 911, 1011, 1111, 1211, 1411, 1511, 1611, 1711  
1811, 1911, 2011, 2111, 2211, 2311, 2411, 2511, 2611, 2711,  
2811, 2911, 3011, 3111, 3211, 3311, 3411, 3511, 3611, 3711.

II. Type "AR":

A. Mauka Tower.

704, 804, 904, 1004, 1104, 1204, 1404, 1504, 1604, 1704,  
1804, 1904, 2004, 2104, 2204, 2304, 2404, 2504, 2604, 2704,  
2804, 2904, 3004, 3104, 3204, 3304, 3504, 3604, 3704, 3804;  
608, 708, 808, 908, 1008, 1108, 1208, 1408, 1508, 1608, 1708,  
1808, 1908, 2008, 2108, 2208, 2308, 2408, 2508, 2608, 2708,  
2808, 2908, 3008, 3108, 3208, 3308, 3408, 3508, 3608, 3708,  
3808; 609, 709, 809, 909, 1009, 1109, 1209, 1409, 1509, 1609,  
1709, 1809, 1909, 2009, 2109, 2209, 2309, 2509, 2609, 2709,  
2809, 2909, 3009, 3109, 3209, 3309, 3409, 3509, 3609, 3709,  
3809; 612, 712, 812, 912, 1012, 1112, 1212, 1412, 1512, 1612,  
1712, 1812, 1912, 2012, 2112, 2212, 2312, 2412, 2512, 2612, 2712,  
2812, 2912, 3012, 3112, 3212, 3312, 3412, 3512, 3612, 3712, 3812;

B. Makai Tower.

705, 805, 905, 1005, 1105, 1205, 1405, 1505, 1605, 1705,  
1805, 1905, 2005, 2105, 2205, 2305, 2405, 2505, 2605, 2705, 2805,  
2905, 3005, 3105, 3205, 3305, 3405, 3505, 3605, 3705; 608, 708,  
808, 908, 1008, 1108, 1208, 1408, 1508, 1608, 1708, 1808, 1908,  
2008, 2108, 2208, 2308, 2408, 2508 2608, 2708, 2808, 2908, 3008,  
3108, 3208, 3308, 3408, 3508, 3608, 3708; 609, 709, 809, 909,

1009, 1109, 1209, 1409, 1509, 1609, 1709, 1809, 1909,  
2009, 2109, 2209, 2309, 2409, 2509, 2609, 2709, 2809,  
2909, 3009, 3109, 3209, 3309, 3409, 3509, 3609, 3709;  
612, 712, 812, 912, 1012, 1112, 1212, 1412, 1512, 1612,  
1712, 1812, 1912, 2012, 2112, 2212, 2312, 2412, 2512,  
612, 2712, 2812, 2912, 3012, 3112, 3212, 3312, 3412,  
3512, 3612, 3712.

III. Type "B":

A. Mauka Tower.

613, 713, 813, 913, 1013, 1113, 1213, 1413, 1513,  
1613, 1713, 1813, 1913, 2013, 2113, 2213, 2313, 2413,  
2513, 2613, 2713, 2813, 2913, 3013, 3113, 3213, 3313,  
3413, 3513, 3613, 3713, 3813; 614, 714, 814, 914, 1014,  
1114, 1214, 1414, 1514, 1614, 1714, 1814, 1914, 2014,  
2114, 2214, 2314, 2414, 2514, 2614, 2714, 2814, 2914,  
3014, 3114, 3214, 3314, 3414, 3514, 3614, 3714, 3814.

B. Makai Tower.

613, 713, 813, 913, 1013, 1113, 1213, 1413, 1513,  
1613, 1713, 1813, 1913, 2013, 2113, 2213, 2313, 2413, 2513,  
2613, 2713, 2813, 2913, 3013, 3113, 3213, 3313, 3413, 3513,  
3613, 3713; 614, 714, 814, 914, 1014, 1114, 1214, 1414,  
1514, 1614, 1714, 1814, 1914, 2014, 2114, 2214, 2314, 2414,  
2514, 2614, 2714, 2814, 2914, 3014, 3114, 3214, 3314, 3414,  
3514, 3614, 3714.

IV. Type "C":

A. Makai Tower.

606, 706, 806, 906, 1006, 1106, 1206, 1406, 1506, 1606,  
1706, 1806, 1906, 2006, 2106, 2206, 2306, 2406, 2506, 2606,  
2706, 2806, 2906, 3006, 3106, 3206, 3306, 3406, 3506, 3606,  
3706.



V. Type "D":

A. Makai Tower.

604, 704, 804, 904, 1004, 1104, 1204, 1404, 1504,  
1504, 1604, 1704, 1804, 1904, 2004, 2104, 2204, 2304,  
2404, 2504, 2604, 2704, 2804, 2904, 3004, 3104, 3204,  
3304, 3404, 3504, 3604, 3704.

VI. Type "E":

A. Mauka Tower.

603, 703, 803, 903, 1003, 1103, 1203, 1403, 1503,  
1603, 1703, 1803, 1903, 2003, 2103, 2203, 2303, 2403, 2503,  
2603, 2703, 2803, 2903, 3003, 3103, 3203, 3303, 3403, 3503  
3603, 3703, 3803.

VII. Type "F":

A. Mauka Tower.

605, 705, 805, 905, 1005, 1105, 1205, 1405, 1505,  
1605, 1705, 1805, 1905, 2005, 2105, 2205, 2305, 2405, 2505,  
2605, 2705, 2805, 2905, 3005, 3105, 3205, 3305, 3405, 3605,  
3705, 3805.