

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

MANOA EAST
East Manoa Road and Kanoawai Place
Honolulu, Hawaii

Registration No. 1061

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: January 18, 1979
Expires: February 18, 1980

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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED NOVEMBER 28, 1978 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF JANUARY 15, 1979. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. MANOA EAST is a proposed mixed-use fee simple condominium project with a total of five (5) buildings, numbered 1 to 5, inclusive, on five (5) lots bearing the corresponding number. There will be a total of twenty-five (25) units, consisting of twenty (20) town-house type residential units and five (5) commercial units. There will be a total of forty (40) parking stalls.
2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and issuance of this Preliminary Public Report.
3. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners and a copy of the approved Floor Plans) have not been recorded in the Bureau of Conveyances as of this date.
4. No advertising or promotional matter has been submitted pursuant to Chapter 514A, of the Hawaii Revised Statutes, and the rules and regulations promulgated by the Commission.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A, Hawaii Revised Statutes, and the Condominium Rules and Regulations which relate to Horizontal Property Regime.
6. This Preliminary Public Report is made a part of the registration of MANOA EAST, a condominium project. The Developer is responsible for placing a true copy of this Preliminary Public Report (yellow paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed copy of the receipt for this Preliminary Public Report is also the responsibility of the Developer.
7. This Preliminary Public Report automatically expires thirteen (13) months after date of issuance, January 18, 1979, unless a Final or Supplementary Public Report issues or the Commission upon review of registration issues an order extending the effective period of this Preliminary Public Report.

NAME OF PROJECT: MANOA EAST

LOCATION: The approximate 27,194 square feet of real property to be committed to the regime is located on East Manoa Road and Kanoawai Place, Honolulu, Hawaii.

TAX KEY: FIRST DIVISION 2-9-21: 46

ZONING: B-1

DEVELOPER: MANOA EAST LIMITED PARTNERSHIP, a Hawaii registered limited partnership, whose place of business and mailing address is Suite 1007, 1164 Bishop Street, Honolulu, Hawaii 96813. The General Partners are: Land Planning Corporation and Projects, Inc., both Hawaii corporations, of the same address. Telephone No. 524-0666.

ATTORNEYS REPRESENTING DEVELOPER: MERVYN W. LEE and VERNON T. TASHIMA, Suite 400, Amfac Building, 700 Bishop Street, Honolulu, Hawaii 96813. Telephone No. 521-2951.

DESCRIPTION: The proposed Declaration of Horizontal Property Regime reflects that the project is to consist of the fee simple land located at Kanoawai Place, Honolulu, Hawaii, and five (5) three-story buildings containing a total of twenty (20) town-house type residential apartments, five (5) commercial units and forty (40) parking garages, seven (7) of which are for compact cars. All of the buildings are basically the same: each having three (3) stories containing a commercial (loft) space and four (4) town-house type apartments, each unit having two (2) levels, to wit: the second and third floors. Each building will have an eight (8) car covered parking garage, except for Building 1 which will have seven (7) covered and one (1) exposed stall. Each residential unit will be assigned at least one (1) stall as a limited common element.

There will be no elevators but two (2) staircases lead from the ground floor of the buildings to the living areas, and each staircase serves two (2) apartments.

There will be twenty-five (25) units for sale, which are described as follows:

(a) Building 1 may be divided into three (3) parts.

(i) Commercial (loft) space designated as C-1 located on the ground level, containing approximately 640 square feet, having concrete slab floors, no finish on floors, walls and ceilings except to provide one (1) hour separation between commercial and residential use as required by the Uniform Building Code, 1976 Edition.

(ii) Parking garage designated as P-1, containing approximately 2,510 square feet, opened on two sides, having asphaltic concrete paving, finished ceiling providing one (1) hour separation parking and residential usage. There will be six (6) stalls for regular size cars and two (2) for compacts.

(iii) Residential units, four (4) residential units designated as 1-A, 1-B, 1-C and 1-D, located from left to right in Building 1 as viewed from Kanoawai Place and further described as follows:

<u>Apartment Number</u>	<u>Approximate Area In Square Feet</u>	<u>Number of Rooms</u>
1-A	1,279	8
1-B	1,264	8
1-C	1,243	8
1-D	1,004 Lanai 36	7

Subject to variations in their respective locations as shown on the drawings, each typical apartment has two (2) levels on the second and third floor of the building. Two (2) staircases lead from the ground floor of the building to the living areas, each staircase serving two (2) apartment units. An entry balcony terminates the staircase and leads into the living units. The typical apartment, except for apartment 1-D, consists of a kitchen, one-half (1/2) bathroom, living-dining area, laundry and storage closets, on the first level and an interior stairway leading to the second level of the living area which contains three (3) bedrooms and two (2) full bathrooms. Apartment 1-D is the same as the foregoing described apartments except it will have two (2) bedrooms instead of three (3).

Each apartment has built-in cabinets, drawers, storage space, triple compartment kitchen sinks, range and oven combination with hood, garbage disposal, and dishwasher in the kitchen, a water heater, carpeting and sheet vinyl flooring, and waterproof decking at the entry balconies.

(b) Building 2 may be divided into three (3) parts.

(i) Commercial (loft) space designated as C-2 located on the ground level containing approximately 795 square feet, having concrete slab floors, no finish on floors, walls and ceilings except to provide one (1) hour separation between commercial and residential usage as required by the Uniform Building Code, 1976 Edition.

(ii) Parking garage designated as P-2, located on the ground level containing approximately 2,597 square feet, opened on one side, having asphaltic concrete paving, finished ceiling providing one (1) hour separation between parking and residential usage. There will be seven (7) stalls for regular size cars and one (1) for compact.

(iii) Residential units, four (4) residential units designated as 2-A, 2-B, 2-C and 2-D, located from left to right in Building 2 as viewed from Kokohead side of the building, and further described as follows:

<u>Apartment Number</u>	<u>Approximate Area In Square Feet</u>	<u>Number of Rooms</u>
2-A	1,266 Lanai 32	8
2-B	1,249 Lanai None	8
2-C	1,249 Lanai None	8
2-D	1,222 Lanai 20	8

Subject to variations in their respective locations as shown on the drawings, each typical apartment has two (2) levels located on the second and third floor of the building. One (1) staircase leads from the garage, and one (1) staircase from the commercial frontage to the entry/exit balcony of the building. Each typical apartment consists of an entry hall, a kitchen, one-half (1/2) bathroom, living-dining area, laundry and storage closets on the first level, and an interior stairway leading to the second level of the living area which contains three (3) bedrooms, one (1) full and one (1) three-quarter (3/4) bathrooms.

Each apartment has built-in cabinets, drawers, storage space, double compartment kitchen sinks, range and oven combination with hood, garbage disposal and dishwasher in the kitchen, a water heater, carpeting and sheet vinyl flooring, and waterproof decking at the entry balconies and lanais.

(c) Building 3 may be divided into three (3) parts.

(i) Commercial office space designated as C-3, located on the ground level and containing approximately 239 square feet with carpet flooring, finished walls and ceiling. A separate staircase serves the office space from the ground floor.

(ii) Parking garages designated as P-3, located on the ground level containing approximately 2,743 square feet, opened on one side, having asphaltic concrete paving, finished ceiling providing one (1) hour separation between parking and residential usage. All eight (8) stalls will be for regular size cars.

(iii) Residential units, four (4) residential units designated as 3-A, 3-B, 3-C and 3-D, located from left to right in Building 3 as viewed from Kokohead side of the building, and further described as follows:

<u>Apartment Number</u>	<u>Approximate Area In Square Feet</u>	<u>Number of Rooms</u>
3-A	955 Lanai None	6
3-B	1,249 Lanai None	8
3-C	1,249 Lanai None	8
3-D	1,222 Lanai None	8

Subject to variations in their respective locations as shown on the drawings, each apartment has two (2) levels located on the second and third floor of the building. One (1) staircase leads from the garage, and one (1) staircase from the adjacent ground to the entry/exit balcony of the building. Apartment 3-A has one (1) bedroom, one (1) full bathroom, and a laundry closet on its first living level with an interior stairway leading to the second level of the living area which contains one (1) bedroom, one (1) three-quarter (3/4) bathroom, a kitchenette and a living-dining area.

Each typical apartment, 3-B, 3-C and 3-D consists of an entry hall, a kitchen, one-half (1/2) bathroom, living-dining area, laundry and storage closets on the first level, and an interior stairway leading to the second level of the living area which contains three (3) bedrooms. Each apartment has built-in cabinets, drawers, storage space, triple compartment kitchen sinks, range and oven combination with hood, garbage disposal, dishwasher, and with the exception of apartment 3-A a compactor in the kitchen, a water heater, carpeting and sheet vinyl flooring, and waterproof decking at the entry balconies.

(d) Building 4 may be divided into three (3) parts.

(i) Commercial (loft) space designated as C-4 located on the ground level, containing approximately 798 square feet, with sheet vinyl flooring, finished walls and ceilings. Fully equipped toilet rooms.

(ii) Parking garage designated as P-4, located on the ground level, containing approximately 2,291 square feet, opened on two sides, having asphaltic concrete paving, finished ceiling providing one (1) hour separation between parking and residential usage. There will be six (6) stalls for regular size cars and two (2) for compacts.

(iii) Residential units, four (4) residential units designated as 4-A, 4-B, 4-C and 4-D, located from right to left as viewed from Kanoawai Place and further described as follows:

<u>Apartment Number</u>	<u>Approximate Area In Square Feet</u>	<u>Number of Rooms</u>
4-A	1,279 Lanai 97	8
4-B	1,250 Lanai 48	8
4-C	1,250 Lanai 48	8
4-D	1,275 Lanai 48	8

Subject to variations in their respective locations as shown on the drawings, each typical apartment has two (2) levels located on the second and third floor of the building.

Two (2) staircases lead from the ground floor to the second floor of the building, each staircase serving two (2) apartment units. An entry balcony terminates the staircase and leads into the living units. The typical apartment consists of an entry hall, a kitchen, one-half (1/2) bathroom, living-dining area, laundry and storage closets on the first level, an interior stairway leading to the second level of living area which contains three (3) bedrooms, one (1) full and one (1) three-quarter (3/4) bathrooms.

Each apartment has built-in cabinets, drawers, storage space, double compartment kitchen sinks, range and oven combination with hood, garbage disposal, dishwasher in the kitchen, a water heater, carpeting and sheet vinyl flooring, and waterproof decking at entry balconies and lanais.

(e) Building 5 may be divided into three (3) parts.

(i) Commercial (loft) space designated as C-5, located on the ground level containing approximately 765 square feet, having concrete slab floor, no finish on floors, walls and ceilings except to provide one (1) hour separation between commercial and residential usage as required by the Uniform Building Code, 1976 Edition.

(ii) Parking garage designated as P-5 located on the ground level, containing approximately 2,116 square feet, opened on three sides, having asphaltic paving, finished ceiling providing one (1) hour separation between parking and residential usage. There will be six (6) stalls for regular size cars and two (2) for compacts.

(iii) Residential units, four (4) residential units designated as 5-A, 5-B, 5-C and 5-D located in Building 5, which is "L" shaped as follows: 5-A and 5-B running Kokohead (south) to Ewa (north) direction along Kanoawai Place and unit 5-A being on the right and 5-B on the left as viewed from Kanoawai Place, Unit 5-C and 5-D runs more or less makai (west) to mauka (east) direction with 5-C being on the makai (west) side and 5-D on the mauka (east) side and next to Manoa Stream. The units are further described as follows:

<u>Apartment Number</u>	<u>Approximate Area In Square Feet</u>	<u>Number of Rooms</u>
5-A	1,219 Lanai None	7
5-B	1,180 Lanai None	7
5-C	1,060 Lanai 45	7
5-D	1,271 Lanai 170	8

Subject to variations in their respective locations as shown on the drawings, each apartment has two (2) levels located on the second and third floor of the building. Two (2) staircases lead from the ground floor to the second floor of the building. A roofed exterior balcony

connects the two (2) staircases and leads into the living units. The typical apartments consist of an entry hall, a kitchen, one-half (1/2) bathroom, living-dining area, laundry and storage closets on the first level, and an interior stairway leading to the second level of living area which contains two (2) full bathrooms and two (2) bedrooms. In apartment 5-D there is a third bedroom or den on the lower level of the living unit.

Each apartment has built-in cabinets, drawers, storage space, double compartment kitchen sinks, range and oven combination with hood, garbage disposal, and dishwasher in the kitchen, a water heater, carpeting and sheet vinyl flooring, and waterproof decking on the entry balcony.

Each residential apartment in Buildings 1, 2, 4 and 5 will have assigned to it as a limited common element, a storage space located above or on the parking stall assigned to it. There will be four (4) extra storage spaces in Building 3 which will not be assigned.

The floor area of each apartment is measured to the center-line of any common wall, but to the exterior where there is an exterior wall.

The respective apartments shall not be deemed 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, ducts or other utility lines running through such apartment, the same being deemed common elements as hereinafter provided.

The common element to which each apartment in the buildings will have immediate access is the common entry balcony leading to the stairway down to the ground level.

COMMON ELEMENTS: The proposed Declaration reflects that the common elements consist of:

- (a) The land described in fee simple.
- (b) All foundations, floor slabs, columns, girders, beams, supports, load-bearing walls, interior walls separating adjacent apartments, fences and building roofs.
- (c) All yards, grounds, landscaping, sprinkler system, refuse facilities, all utility rooms, trash rooms, common laundry areas and storage rooms.
- (d) All building walkways, building sidewalks, stairways, pathways, parking areas, driveways, corridors or common balcony on each floor.

(e) All ducts, house meters, electrical equipment wiring and other central and appurtenant installations, including power, light, water, sewer, gas and telephone, machine, meter room and switch room, all pipes, wires, conduits or other utility or service lines, including TV cables, if any, which run through an apartment, but which are utilized by or serve more than one apartment.

(f) Any and all other apparatus and installation of common use and all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

LIMITED COMMON ELEMENTS: The parking stalls and storage spaces, although part of the common elements are hereby designated as "Limited Common Elements" and set aside for the exclusive use of the unit to which each space may be assigned.

Each residential apartment owner will have the exclusive use of one (1) parking stall bearing the same unit designation as shown on the proposed condominium map.

NOTE: The commercial units in Buildings 1, 2, 4 and 5 will have the use of the remaining parking stalls between 8:00 a.m. and 5:00 p.m. on weekdays. Such stalls shall be for use of the residential units after 5:00 p.m. during weekdays and for twenty-four (24) hours on weekends and Federal holidays only. The commercial office space in Building 3 is connected to residential apartment 3-A and will have one (1) stall assigned to it.

INTEREST TO BE CONVEYED TO PURCHASER: Each apartment shall have appurtenant thereto an undivided percentage interest in all common elements of the project and the same proportionate share in all expenses of the project and for all other purposes including voting as follows:

<u>UNIT NO.</u>	<u>UNDIVIDED PERCENTAGE INTEREST</u>
1-A	4.60
1-B	4.40
1-C	4.40
1-D	3.70
C-1 (Commercial)	2.50
2-A	4.60
2-B	4.40
2-C	4.40
2-D	4.40
C-2 (Commercial)	2.80
3-A	3.40
3-B	4.40
3-C	4.40
3-D	4.40
C-3 (Commercial)	.90

4-A	4.70
4-B	4.60
4-C	4.60
4-D	4.90
C-4 (Commercial)	2.80
5-A	4.70
5-B	4.30
5-C	4.00
5-D	5.00
C-5 (Commercial)	2.70

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration states that each residential apartment shall be used primarily as a single-family residence dwelling by the respective owners, their tenants, families and domestic servants and for no other purpose and the commercial units for business purpose, respectively. Each owner shall comply with the terms of the Declaration, By-Laws and House Rules of the Association of Apartment Owners.

The House Rules provide in part: (1) No more than six (6) persons shall be allowed to occupy any residential apartment in the project or be employed by the owner or occupant or lessee of the commercial apartment; (2) Certain pets and/or animals are permitted provided the Board of Directors of the Association have been notified and all conditions are strictly observed.

OWNERSHIP TO TITLE: A copy of a Commitment for Title Insurance issued by National Title Corporation as of December 4, 1978 reports that the title to the land is vested in MANOA EAST LIMITED PARTNERSHIP, a Hawaii registered limited partnership, by Deed dated June 27, 1978, and recorded in the Bureau of Conveyances of the State of Hawaii in Liber 12989 at Page 710.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report dated December 4, 1978 identifies the following encumbrances on the land committed to the project:

1. For any taxes that are due and owing, reference is made to the Office of the Tax Assessor, First Division.
2. Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patents Numbered 2595, 2597 and 3051.
3. First Mortgage dated June 29, 1978, in favor of Manoa Finance Co., Inc., recorded in said Bureau in Liber 12989 at Page 716.
4. Grant dated December 29, 1941, recorded on February 26, 1942 in Liber 1689 at Page 412, in favor of Trustees under the Will and of the Estate of Bernice P. Bishop, Deceased, granting a perpetual easement five (5) feet in width for the construction, operation and maintenance of a drainage culvert through, over and across the land herein described, the centerline thereof more particularly described therein.

5. As to Parcel First: License dated November 5, 1962, recorded on January 14, 1963 in Liber 4443 at Page 198, in favor of the City and County of Honolulu, a municipal corporation, granting forever, an easement to construct, etc., a drainage structure, as part of a drainage system, through, across or under the "easement area".

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated November 8, 1978, identifies First American Title Company of Hawaii, Inc. as "Escrow". On examination, the specimen Sales Contract and Receipt and executed Escrow Agreement are found to be in compliance with Chapter 514A, Hawaii Revised Statutes.

Among other provisions the executed Escrow Agreement reflects that a purchaser shall be entitled to a refund of his funds, without interest, if any one of the following shall have occurred: (1) Escrow receives a written request from Seller to return to purchaser the funds of such purchaser then held hereunder by Escrow; or (2) if purchaser's funds were obtained prior to the issuance of a Final Public Report and if there is any change in the building plans, subsequent to the extension of purchaser's contract, requiring approval of a county officer having jurisdiction over the issuance of permits for construction, unless the purchaser has given written approval or acceptance of the change or ninety (90) days have elapsed since the purchaser has accepted in writing, the apartment or he has first occupied the apartment; or (3) if the purchaser's funds were obtained prior to the issuance of a Final Public Report and the Final Public Report differs in any material respect from the Preliminary Public Report, unless the purchaser has given written approval or acceptance of the difference; or (4) if the Final Public Report is not issued within one (1) year from the date of issuance of the Preliminary Public Report and purchaser's rights are not waived under Section 514A-66, Hawaii Revised Statutes.

Among other provisions, the Specimen Sales Contract and Receipt provides: (1) that the purchaser's rights are and shall be subject and surordinate to the lien of any mortgage made to finance the cost of construction and other costs during construction; (2) that upon notification of completion by Owner, purchaser agrees to inspect and accept unit(s) (together with list of defects, if any) so long as the unit(s) are not deemed uninhabitable; (3) if purchaser, within five (5) days from the mailing or delivery by Seller of a copy of the Final Public Report, shall fail to acknowledge receipt, or shall fail to give his written approval or acceptance to any change to any building plans if such written approval or acceptance is required under provisions of Paragraph 14(a) of the Sales Contract, or shall fail to give his written approval or acceptance of the Final Public Report if the same differs from the Preliminary Report in any material respect (including an approval or acceptance, if the same be required, of material amendments of the documents on which basis either Report was issued), all of which purchaser may choose to do without penalty, Seller may at its option terminate this Contract and cause the revocation of the

individual Apartment Deed and upon such revocation, Seller shall cause Escrow to refund to purchaser all payments previously made by Purchaser, without interest; (4) this project is a mixed-use project in that there will be five (5) commercial units among the residential units and Developer assumes no liability for any noise, nuisance or inconvenience caused to any other apartment owner(s) by reason of such use; and (5) the Seller reserves the right to increase the purchase price pursuant to Paragraph 19 of the Sales Contract.

It is incumbent upon the purchaser and prospective purchaser that he reads with care the Sales Contract and Receipt and the Escrow Agreement. The Escrow Agreement establishes how the proceeds from the apartment units and all sums received from any source are placed in trust, as well as the retention and disbursement of said trust funds.


MANAGEMENT AND OPERATIONS: The By-Laws of this project states that the Board of Directors may employ for the Association of Apartment Owners, a management agent to perform such duties as the Board shall authorize, including the collection of all assessments from the owners. The Developer has entered into a contract with Tropic Shores Realty, Ltd., as the initial managing agent.

STATUS OF PROJECT: The Developer advises the Real Estate Commission that commencement of construction of the building is expected to take place after issuance of this public report.

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 November 28, 1978 and information subsequently submitted as of January 15, 1979.

THIS PRELIMINARY HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1061 filed with the Commission on November 28, 1978.

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 (for)
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. 1061

January 18, 1979