

REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
STATE OF HAWAII
1010 RICHARDS STREET
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HONOLULU, HAWAII 96801

FINAL
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT

CROSSPOINTE, INCREMENT D
Mananai Place
Halawa, Ewa District, Hawaii

Registration No. 1636

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: June 26, 1985
Expires: July 26, 1986

SPECIAL ATTENTION

A comprehensive reading of this report by the prospective purchaser is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED SEPTEMBER 21, 1984, AND INFORMATION SUBSEQUENTLY FILED AS OF JUNE 19, 1985. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND SUBMITTING INFORMATION ON THE PROJECT IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIME LAW, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report No. 1636 on CROSSPOINTE, INCREMENT D, dated November 8, 1984, the Developer has submitted additional information deemed material.

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 Final Public Report.
3. The Developer reports that the Declaration of Horizontal Property Regime and By-Laws of Association of Apartment Owners for the Project have been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1304281 and Document No. 1304282, respectively. The Condominium Map has also been filed as Condominium Map No. 548.
4. Advertising or promotional matter have 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 Chapter 514A, Hawaii Revised Statutes, as amended, and the Condominium Rules and Regulations which relate to the Horizontal Property Regime.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, June 26, 1985, 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.
7. This Final Public Report is made a part of the registration of the CROSSPOINTE, INCREMENT D condominium project. The Developer has the responsibility of placing a true copy of the Preliminary Public Report (yellow paper stock), this Final Public Report (white paper stock) and revised Disclosure Abstract dated June 1, 1985, in the hands of all purchasers and prospective purchasers and securing a signed receipt therefor.

Except for the information under the topical headings below, there have been no other changes to information provided in the Preliminary Public Report.

LOCATION: The location of the Project is unchanged, but the formal description of the land is now Lot 413, area 2.217 acres, as shown on Map 186, filed in the Office of the Assistant Registrar of the Land Court, State of Hawaii, with Land Court Application No. 966.

TAX MAP KEY: The new tax key for the Project is 9-9-76-20.

RESTRICTIONS ON USE: The rules and regulations of the Association of Apartment Owners dated June 1, 1985, indicate certain restrictions with respect to the use of units. These include, but are not limited to, restrictions on the number of occupants per unit, the keeping of pets and barbecuing on the premises. Prospective purchasers are urged to examine these rules with care before buying.

OWNERSHIP OF TITLE: A Preliminary Title Report issued June 13, 1985, by Security Title Corporation reports that leasehold title to the land is vested in GENTRY-HALAWA PARK, a Hawaii limited partnership, pursuant to that certain unrecorded Lease dated July 1, 1984, made by and between The Queen Emma Foundation, a Hawaii eleemosynary corporation as Lessor and Gentry-Halawa Park, as Lessee.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Title Report issued by Security Title Corporation reflects that the land is subject to the following encumbrances:

A. Real Property Taxes as may be due and owing; reference is made to the Office of the Finance Director, City and County of Honolulu.

B. Restrictions of access rights per Map 139, Land Court Order No. 49042 filed December 20, 1977.

C. Abutter's rights of vehicle access in favor of the State of Hawaii, as set forth by Final Order of Condemnation dated June 4, 1974, filed in said Office of the Assistant Registrar as Document No. 688927, under Civil No. 31504; as amended by instrument dated December 26, 1974, filed in said Office of the Assistant Registrar as Document No. 711816.

D. Unilateral Agreement and Declaration of Conditional Zoning dated October 19, 1982, recorded in the Bureau of Conveyances of the State of Hawaii in Book 16649 Page 107. (Not noted on Transfer Certificate of Title No. 220,615)

E. Conditions and agreements contained in that certain "Agreement for Issuance of Special Use Permit Under Section 21-2.71, Revised Ordinances of Honolulu, 1978, as Amended," dated August 22, 1984, filed in said Office of the Assistant Registrar as Document No. 1254140.

F. Unrecorded and unregistered Construction Lease dated July 1, 1984, and effective as of July 1, 1984, as disclosed by that certain Memorandum of Lease filed in said Office of the Assistant Registrar as Document No. 1263551. (Also affects other property)

G. The terms and provisions of that certain unrecorded Halawa Low Density Apartment Sub-Development Agreement, dated and effective December 30, 1983, made by and between 745 Fort Street Corp., a Hawaii corporation, and Gentry-Halawa Park, a Hawaii limited partnership, consented thereto by unrecorded Consent and Agreement dated December 30, 1983, and a Memorandum of Agreement which is dated June 25, 1984, and filed in said Office of the Assistant Registrar as Document No. 1267819. (Also affects other property)

H. Real Property Mortgage and Financing Statement dated November 15, 1984, filed in said Office of the Assistant Registrar as Document No. 1267820, made by Gentry-Halawa Park, as Mortgagor, to First Hawaiian Bank, a Hawaii corporation, as Mortgagee, to secure the repayment of the sum of \$5,600,000 (the "Development Loan") and \$6,000,000 (the "Construction Loan"), all interest thereon, any additional advances made thereunder and all other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor therein referred to. (Also affects other property)

Lessor's Consent to Mortgage, Estoppel Certificate and Agreements dated November 14, 1984, filed in said Office of the Assistant Registrar as Document No. 1267821.

745's Consent to Mortgage and Estoppel Certificate dated January 7, 1985, filed in said Office of the Assistant Registrar as Document No. 1277149.

I. Financing Statement dated November 15, 1984, covering certain fixtures located on the real property, given as security by Gentry-Halawa Park in favor of First Hawaiian Bank, recorded on November 16, 1984, in the Bureau of Conveyances of the State of Hawaii in Book 18272 at Page 781. (Also affects other property)

J. Master Declaration of Covenants, Conditions and Restrictions for Crosspointe dated May 9, 1985, filed in said Office of the Assistant Registrar as Document No. 1299083.

K. The covenants, agreements, obligations, conditions and other provisions set forth in that certain Declaration of Horizontal Property Regime of CROSSPOINTE, INCREMENT D, dated June 3, 1985, filed in the Office of the Assistant Registrar as Document No. 1304281 and By-Laws dated June 3, 1985, filed as Document No. 1304282.

L. Condominium Map No. 548 filed in said Office on June 13, 1985.

PROGRAM OF FINANCING: The Developer reports that an interim loan for the construction of the Project has been arranged with First Hawaiian Bank. A blanket performance bond covering this and an adjoining increment has been posted with the Commission.

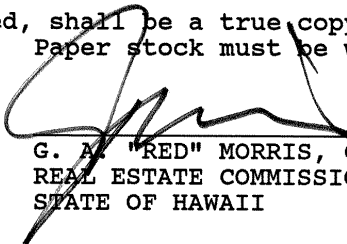
MANAGEMENT AND OPERATION: The Developer reports that the initial Managing Agent for the Project is Chaney, Brooks & Company, 606 Coral Street, Honolulu, Hawaii 96813, Telephone No. 544-1600.

STATUS OF THE PROJECT. Construction of the Project commenced in March, 1985, and will be completed in July, 1985.

The purchaser or prospective purchaser should be cognizant of the fact that this published Final Public Report represents information disclosed by the Developer in the Notice of Intention submitted on September 21, 1984, and information subsequently filed as of June 19, 1985.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 1615 filed with the Commission on September 21, 1984.

This Report, when reproduced, shall be a true copy of the Commission's Public Report. Paper stock must be white in color.


G. B. "RED" MORRIS, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

DISTRIBUTION:

Department of Finance, City and County of Honolulu
Office of the Assistant Registrar of
the Land Court
Planning Department, City and County of Honolulu
Federal Housing Administration
Escrow Agent

Registration No. 1615
June 26, 1985

EXHIBIT "A"

<u>Bldg. and Apt.</u>	<u>Apt. Type</u>	<u>Net Interior Living Area</u>	<u>Lanai/ Courtyard Area</u>	<u>Initial Parking Stall Assignment</u>
29-A	717	717	290	7
29-B	716	716	250	6
29-C	717	717	290	4
29-D	716	716	250	9
29-R	717	717	72	8
29-S	716	716	52	5
29-T	717	717	72	3
29-U	716	716	52	10
30-A	810	810	245	2
30-B	547	547	250	1
30-C	717	717	290	24
30-D	716	716	250	23
31-A	414	414	135	67
31-B	485	485	225	68
31-C	484	484	225	70
31-D	414	414	135	72
31-E	485	485	225	60
31-F	484	484	225	62
31-R	414	414	50	66
31-S	485	485	55	69
31-T	484	484	50	71
31-U	414	414	50	58
31-V	485	485	55	59
31-W	484	484	50	61
32-A	717	717	290	57
32-B	716	716	250	95
32-C	717	717	290	92
32-D	716	716	250	63
32-R	717	717	72	94
32-S	716	716	52	96
32-T	717	717	72	91
32-U	716	716	52	93
33-A	717	717	290	82
33-B	716	716	250	89
33-C	717	717	290	88
33-D	716	716	250	81
33-R	717	717	72	84
33-S	716	716	52	90
33-T	717	717	72	87
33-U	716	716	52	83
34-A	810	810	245	19
34-B	547	547	250	20
34-C	547	547	250	16
34-D	810	810	245	15
34-R	810	810	80	22
34-S	547	547	90	21
34-T	547	547	90	18
34-U	810	810	80	17

DESCRIPTION OF APARTMENT TYPES:

Type 414 (Studio) (414 sq. ft.)

Studio apartment containing a separate kitchen and bathroom and a living room/dining room combined with a sleeping area. All Type 414 apartments contain 414 square feet of NET LIVING AREA. In addition, first story apartments have a limited common element courtyard of 135 square feet enclosed with a privacy fence and second story apartments have a limited common element lanai of 50 square feet.

Type 484 (1 Bedroom/1 Bath) (484 sq. ft.)

One bedroom, one bath apartment containing a living room/dining room, kitchen, bathroom and one bedroom. All Type 484 apartments contain 484 square feet of NET LIVING AREA. In addition, first story apartments have a limited common element courtyard of 225 square feet enclosed with a privacy fence and second story apartments have a limited common element lanai of 50 square feet.

Type 485 (1 Bedroom/1 Bath) (485 sq. ft.)

One Bedroom, one bath apartment containing a living room/dining room, kitchen, bathroom and one bedroom. All Type 485 apartments contain 485 square feet of NET LIVING AREA. In addition, first story apartments have a limited common element courtyard of 225 square feet enclosed with a privacy fence and second story apartments have a limited common element lanai of 55 square feet.

Type 547 (1 Bedroom/1 Bath) (547 sq. ft.)

One bedroom, one bath apartment containing a living room/dining room, kitchen, bathroom and one bedroom. All Type 547 apartments contain 547 square feet of NET LIVING AREA. In addition, first story apartments have a limited common element courtyard of 250 square feet enclosed with a privacy fence and second story apartments have a limited common element lanai of 90 square feet.

Type 716 (2 Bedroom/1 Bath) (716 sq. ft.)

Two bedroom, one bath apartment containing a living room/dining room, kitchen, bathroom and two bedrooms. All Type 716 apartments contain 716 square feet of NET LIVING AREA. In addition, first story apartments have a limited common element courtyard of 250 square feet enclosed with a privacy fence and second story apartments have a limited common element lanai of 52 square feet.

Type 717 (2 Bedroom/1 Bath) (717 sq. ft.)

Two bedroom, one bath apartment containing a living room/dining room, kitchen, bathroom and two bedrooms. All Type 717 apartments contain 717 square feet of NET LIVING AREA. In addition, first story apartments have a limited common element courtyard of 290 square feet enclosed with a privacy fence and second story apartments have a limited common element lanai of 72 square feet.

Type 810 (2 Bedroom/2 Bath) (810 sq. ft.)

Two bedroom, two bath apartment containing a living room/dining room, kitchen, two bathrooms and two bedrooms. All Type 810 apartments contain 810 square feet of NET LIVING AREA. In addition, first story apartments have a limited common element courtyard of 245 square feet enclosed with a privacy fence and second story apartments have a limited common element lanai of 80 square feet.

SCHEDULE OF COMMON INTERESTS

<u>Model</u>	<u>Percentage Common Interest</u>	x	<u>Number in Project</u>	<u>Total Percentage of Common Interest</u>
414	1.33	x	4	5.32
484	1.55	x	4	6.20
485	1.56	x	4	6.24
547	1.76	x	5	8.80
716	2.32	x	13	30.16
717	2.32	x	13	30.16
810	2.62	x	5	13.10
Pkg. Apt. 1	.01	x	1	.01
Pkg. Apt. 2	.01	x	1	.01
				<u>.01</u>
				100.00%

As nearly as practicable, the percentage of common interest for each residential apartment is determined by calculating what percentage of the total interior net floor area of all of the residential apartments is represented by the net floor area of the particular apartment and multiplying the percentage thus obtained by one hundred percent (100%). A nominal percentage common interest has been assigned to each parking apartment to meet the requirements of the Horizontal Property Act, Chapter 514A-13, Hawaii Revised Statutes, as amended, that each apartment have appurtenant thereto a common interest.