

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS

STATE OF HAWAII

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

FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT on

MAKIKI HILLSIDE
1821 KEEAUMOKU STREET
HONOLULU, OAHU, HAWAII

Registration No. 1701 (Conversion)

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: November 8, 1985
EXPIRES: December 8, 1986

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 September 3, 1985, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF October 31, 1985. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. MAKIKI HILLSIDE is a fee simple residential condominium project consisting of one (1) building of five (5) stories. The building contains twenty-two (22) residential condominium apartments. There are twenty-five (25) parking stalls, seven (7) being covered by a carport, and eighteen (18) being uncovered, and six (6) of the

- uncovered parking stalls being tandem stalls. Each Unit shall initially have one or more parking stalls appurtenant thereto, as set forth in the Declaration for the Project. There are no guest parking stalls.
2. The Developer has filed all documents and exhibits deemed necessary by the Commission for the registration of the condominium project and the issuance of this Final Public Report.
 3. No promotional or advertising materials have been submitted pursuant to the Rules and Regulations promulgated by the Commission.
 4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Owners) have been recorded at the Bureau of Conveyances of the State of Hawaii at Liber 18903, Page 8, and the floor plans of the Project has been filed thereat and has been assigned Condominium Map No. 968.
 5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A of the Hawaii Revised Statutes, as amended, 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, November 8, 1985, unless a Supplementary Public Report issues 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 MAKIKI HILLSIDE condominium project. The Developer is responsible for placing the Final Public Report (white paper stock) and Disclosure Abstract in the hands of all purchasers and prospective purchasers and securing a signed receipt therefor.

NAME OF PROJECT: MAKIKI HILLSIDE

LOCATION: The land submitted to the Horizontal Property Regime, approximately 18,025 square feet, is situated at 1821 Keeaumoku Street, Honolulu, Oahu, State of Hawaii.

TAX MAP KEY: 2-4-24: 11 (Oahu).

ZONING: A-1 (Apartment)

DEVELOPER: WCW CORPORATION, a Hawaii corporation, with its office at 1821 Keeaumoku Street, #501, Honolulu, Hawaii 96822, Telephone (808) 536-6046. The officers of the corporation are: Wellington C. Wong, President, and Director Choi Yuk Wong, Secretary/Treasurer and Director.

ATTORNEY REPRESENTING DEVELOPER: Foley, Maehara, Judge, Choi, Nip & Okamura, (George T. Okamura), Suite 2700, 737 Bishop Street, Honolulu, Hawaii 96813, telephone number 526-3011.

DESCRIPTION OF THE PROJECT: The Declaration of the Horizontal Property regime reflects a 22 Unit fee simple condominium project consisting of 1 five-story building (without basement) principally constructed of concrete, hollow tile, steel and allied building materials.

1. Description of Building. The building and improvements are shown on the floor plans thereof prepared by Jo Paul Rognstad and Associates, Inc., and recorded with the Bureau of Conveyances of the State of Hawaii as Condominium Map No. 968. There are twenty-two (22) residential condominium units, herein "Residential Units", and twenty-five (25) parking stalls, herein "Parking Stalls".

On the ground (first floor) level are four (4) Residential Units, entry/foyer, laundry room, electrical, mechanical and elevator equipment rooms, trash enclosure, twenty-five (25) parking stalls, carport (covering seven (7) stalls), driveways, stairs, walkways, ramps, recreation area, walls and sidewalks. The second through fourth floors each has five (5) Residential Units, elevator and stairs. The fifth floor has three (3) Residential Units, elevator and stairs.

Utilities, including water, electricity and/or gas, and sewage are on a common meter for the Project, and are not separately metered for each Residential Unit.

2. Description of Units.

Each Unit consists of that portion of the building containing the Unit which lies within the boundaries of the Unit as shown on said Condominium Map, exclusive of any interior loadbearing walls and pillars, and any existing and future pipes, wires, conduits, ducts, vents and other service and utility lines, spaces or equipment which are utilized for or serve more than one Unit or the common areas. The Unit shall be considered to include any door, window, or other closure therein, and the boundary shall be the unfinished surface of the walls on the side of the Unit, to the effect that the Unit shall include the paint, wallpaper, enamel, stain or other finishings on such surface. The respective Units shall not be deemed to include the undecorated or unfinished surfaces of the perimeter or party walls or interior load-bearing walls, the floors and ceiling surrounding each Unit or any pipes, wires, conduits or other utility or service lines, spaces or equipment running through such Unit which are utilized for or serve more than one Unit, the same being deemed common elements as hereinafter provided. Each Unit shall be deemed to include all the walls and partitions which are not load-bearing within its perimeter or party walls, all fixtures originally installed therein and all lanais and railings. The horizontal boundaries of each Unit shall be the unfinished surface of the top of the concrete floor and the unfinished surface of the bottom of the concrete ceiling or roof. Where a Unit consists in whole or in part of unenclosed space, the boundary defining such space is the boundary as shown on said Condominium Map.

There are four (4) types of Residential Units: three (3) Residential Units of Design Type A; ten (10) Residential Units of Design Type B; eight (8) Residential Units of Design Type C; and one (1) Residential Unit of Design Type D.

The design types for the Residential Units are shown on the Condominium Map and consist of the following.

Design Type A. Design Type A is approximately 635 square feet of floor area (inclusive of a lanai of 99 square feet) and consists of one (1) bedroom, one (1) bath, living room, lanai, kitchen and closets.

Design Type B. Design Type B is approximately 702 square feet of floor area (inclusive of a lanai of 98 square feet) and consists of one (1) bedroom, one (1) bath, living room, lanai, kitchen, and closets.

Design Type C. Design Type C is approximately 872 square feet of floor area (inclusive of a lanai of 98 square feet) and consists of two (2) bedrooms, one (1) bath, living room, lanai, kitchen and closets.

Design Type D. Design Type D is approximately 2,209 square feet of floor area (inclusive of three (3) lanais aggregating 295 square feet) and consists of two (2) bedrooms, two baths, living/dining room, kitchen, three (3) lanais, utility room and closets.

The floor area of the respective apartments are computed as a net area, measured from the interior surfaces of the walls of the respective apartments.

The Residential Units in the Project are located as shown on the Condominium Map, are numbered as shown on the Condominium Map as follows, and are of the type and on the floor designated as follows:

<u>Number</u>	<u>Floor</u>	<u>Type</u>
101	Ground (First)	Design Plan B
103	Ground (First)	Design Plan B
104	Ground (First)	Design Plan B
105	Ground (First)	Design Plan C
201	Second	Design Plan B
202	Second	Design Plan A
203	Second	Design Plan B
204	Second	Design Plan C
205	Second	Design Plan C
301	Third	Design Plan B
302	Third	Design Plan A
303	Third	Design Plan B
304	Third	Design Plan C
305	Third	Design Plan C
401	Fourth	Design Plan B

402	Fourth	Design Plan A
403	Fourth	Design Plan B
404	Fourth	Design Plan C
405	Fourth	Design Plan C
501	Fifth	Design Plan D
503	Fifth	Design Plan B
504	Fifth	Design Plan C

Each of the Residential Units has access to a foyer/corridor and stairs, which are parts of the common elements serving all of the Residential Units.

COMMON ELEMENTS: The common elements (including the limited common elements) consist of all parts of the project other than the Units, including, without limitation, the following:

- A. The land submitted to the horizontal property regime;
 - B. The foundations, pillars, columns, girders, beams, supports, load bearing walls, roofs, and floors;
 - C. The hallways, walkways, stairs and stairways, ramps, driveways, roadways, parking areas, parking stalls and carport;
 - D. The laundry room, laundry equipment, electrical equipment, electrical room, elevator equipment and elevator equipment room on the Ground Floor;
 - E. Entrances and exits to the building, foyers, and sidewalks adjacent to the building;
 - F. Central and appurtenant installations for services such as power, light, gas, hot and cold water, sewage, and like utilities;
- NOTE: Utilities used in each unit will not be separately metered and will be on a common meter basis, the cost of which will be a common expense.
- G. The roof, solar system and appurtenant installations;
 - H. Yards, landscaping, exterior rockwalls, recreation area, trash enclosure, planters; and
 - I. All other parts of the Project existing for the common use or necessary to the existence maintenance, or safety of the Project.

LIMITED COMMON ELEMENTS: Certain parts of the common elements designated "limited common elements", are set aside and reserved for the exclusive use of certain Units and such Units shall have appurtenant thereto exclusive easements for the use of such limited common elements. The limited common elements so set aside and reserved are as follows:

A. Each Unit shall have appurtenant thereto one or more Parking Stalls as shown on the said Condominium Map. The Parking Stalls which are limited common elements and the respective Units to which they are appurtenant are as follows:

<u>Parking Stall No.</u>	<u>Apt. No.</u>
1	401
2	403
3	501
4	105
5	504
6	404
7	405
8	305
9	304
10	202
11	302
12	402
13	103
14	101
15	104
16	203
17	201
18	303
19	301
20 & 21	503
22 & 23	204
24 & 25	205

B. The carport located on the ground floor is a limited common element, exclusive easements for the use thereof being reserved for the Residential Units to which are appurtenant parking stall nos. 3 to 9, inclusive.

INTEREST TO BE CONVEYED TO PURCHASER: The percentage of undivided interest in the common elements appurtenant to each Unit for all purposes, including voting and allocation of common expenses, shall be as set forth in Exhibit "A" attached hereto.

PURPOSE OF BUILDING AND RESTRICTION AS TO USE: The Declaration and By-Laws state that the Units shall be occupied and used only for residential purposes, subject to such limitations as may be contained in the Declaration and in the Bylaws of the Association of Owners, House Rules which may be adopted from time to time governing the use of the Units, and all laws, rules, regulations and statutes. On-Bedroom Units may not be occupied by more than two people, and Two-Bedroom Units may not be occupied by more than four people. No owner, occupant or user shall do, or suffer or permit to be done, anything which would impair the soundness or safety of the Project, or which would increase the rate or result in the cancellation of insurance applicable to the Project or any part thereof, or which would be noxious or offensive or an interference with the peaceful possession and proper use of other Units, or which would be contrary to law.

OWNERSHIP OF TITLE: The Developer has filed with the Commission a Preliminary Title Report issued by Long and Melone, Ltd., dated September 3, 1985, which reveals that ownership of fee simple title is vested in WCW CORPORATION, a Hawaii corporation.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Title Report reveals that the fee simple title is subject to the following encumbrances:

1. Real Property taxes (TMK 2-4-24:11) for further information, check with the Department of Finance, City and County of Honolulu.
2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
3. Draft No. 2, Unilateral Agreement for Conditional zoning dated June 18, 1976, recorded at Liber 11480, Page 320.
4. MORTGAGE
Mortgagor(s) : Wellington C. Wong and Choi Yuk
Wong, husband and wife.
Mortgagee(s) : Honolulu, Mortgage Co., Ltd.
Dated : October 20, 1976
Recorded in the Bureau of Conveyances in Book 11795,
Page 104.
To secure : \$450,000.00
Which said Mortgage was, by mesne Assignments,
assigned.
To : Bishop Trust Company, Limited
By Assignment of Mortgage dated: September 17, 1984
Recorded in the Bureau of Conveyances in Book 18165,
Page 585.
5. ASSIGNMENT OF RENTS AND MANAGEMENT
By and Between: Wellington C. Wong and Choi Yuk
Wong, husband and wife and Honolulu
Mortgage Co., Ltd. (now Miles
Crossing, Ltd.)
Dated: : October 20, 1976
Recorded in the Bureau of Conveyances in Book 11795,
Page 113. Assigns any and all leases, together with
all rents and income arising thereunder as security
to foregoing Mortgage.
6. MORTGAGE
Mortgagor(s) : Wellington C. Wong and Choi Yuk
Wong, husband and wife.
Mortgagee(s) : First Interstate Bank of Hawaii
Dated: : October 28, 1983

Recorded in the Bureau of Conveyances in Book 17432,
Page 540.
To Secure : \$75,000.00

7. Covenants, conditions, restrictions, reservations, easements, liens for assessments, options, powers of attorney, limitations on title, and all other provisions contained in or incorporated by reference in in the Declaration of Horizontal Property Regime dated August 2, 1985, recorded in the Bureau of Conveyances in Book 18903, Page 8 and By-Laws thereto dated August 2, 1985, recorded in the Bureau of Conveyances in Book 18903, Page 45, Condominium Map No. 968; any instrument creating the estate or interest herein set forth; and in any other allied instrument referred to in any of the instruments aforesaid.

PURCHASE MONEY HANDLING: An executed copy of the Escrow Agreement dated April 17, 1984 by and between LONG & MELONE ESCROW, LTD., a Hawaii corporation, as Escrow, and the developer, as Seller, has been submitted to the Real Estate Commission as part of this registration, and has been found to be in compliance with Chapter 514A, Hawaii Revised Statutes, as amended, particularly with Section 514A-37, 514A-39, 514A-40, 514A-63 and 514A-65. A copy of the Sales Contract has also been submitted to the commission.

The executed Escrow Agreement states in part: that a purchaser shall be entitled to a refund of his or her funds, less a reasonable cancellation fee and costs associated with the purchase, not to exceed \$250.00, and Escrow shall pay the funds to the purchaser, without interest, if purchaser requests in writing refund of his or her funds, provided, one of the following has occurred:

(a) Seller has requested Escrow in writing to return to purchaser the funds of purchaser then being held hereunder by Escrow; or

(b) Purchaser's entitlement to a refund pursuant to Hawaii Revised Statutes Section 514A-62, 514A-63 or 514A-65 is established to the satisfaction of Escrow.

It is incumbent upon purchasers and prospective purchasers to read with care the Sales Contract and the executed Escrow Agreement. The latter establishes how the proceeds from the sale of Units are placed in trust, as well as the retention and disbursement of said trust fund.

MANAGEMENT OF PROJECT: The By-Laws provide that the operation of the project shall be conducted for the Association of Unit Owners under the direction of the Board of Directors, and the Board of Directors may appoint a responsible corporate managing agent. No managing agent has been selected at this time.

ALTERATION OF APARTMENT: The Declaration provides that the owners of residential units may construct and/or remove any non-load bearing wall(s) and partition(s) located entirely within the residential units. Owners of adjoining residential units may construct and/or remove any non-loadbearing party wall. No association consent required except that owner(s)

desiring to make change(s) shall provide plans and specifications to the association to ascertain that no common elements are endangered. Owners of unit(s) so changed must record with the Bureau of Conveyances of such modifications.

STATUS OF PROJECT: The Developer advises that this is a conversion of an existing building to a condominium, and that the building was completed on 1976.

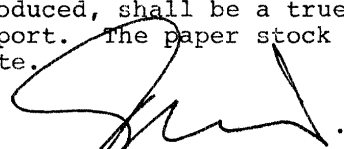
By letter dated August 13, 1985, the Director and Building Superintendent of the City and County of Honolulu states that the 22-dwelling unit with 22-off street parking spaces met all code requirements at the time of construction. There were no variance or special permits granted to allow deviations from any applicable codes.

There may be, among other requirements, zoning codes, building codes and land use laws precluding the purchaser or the prospective purchaser from rebuilding or making changes to the property submitted herein for registration as a condominium project. The purchaser or prospective purchaser should acquaint himself with such requirements at the appropriate government agencies.

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 by the Developer on September 3, 1985, and additional information submitted as of October 31, 1985.

THIS FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 1701, filed with the Commission on September 3, 1985.

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



G.A. "Red" MORRIS, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

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

Registration No. 1701

Dated: November 8, 1985

EXHIBIT "A"

The percentage of undivided interest in the common elements appertaining to each Residential Unit is as follows:

<u>UNIT NUMBER</u>	<u>APPROXIMATE NET FLOOR AREA</u>	<u>PERCENTAGE OF UNDIVIDED INTEREST IN COMMON ELEMENTS</u>
101	702 square feet	3.88
103	702 square feet	3.88
104	702 square feet	3.88
105	872 square feet	4.82
201	702 square feet	3.88
202	635 square feet	3.51
203	702 square feet	3.88
204	872 square feet	4.82
205	872 square feet	4.82
301	702 square feet	3.88
302	635 square feet	3.51
303	702 square feet	3.88
304	872 square feet	4.82
305	872 square feet	4.82
401	702 square feet	3.88
402	635 square feet	3.51
403	702 square feet	3.88
404	872 square feet	4.82
405	872 square feet	4.82
501	2,209 square feet	12.11
503	702 square feet	3.88
504	872 square feet	4.82
		<u>100.00%</u>

For purposes of voting on all matters requiring action by the owners and for purposes of allocation of common expenses, the above percentages shall govern. The method or formula used in computing the percentage of common interest was to derive a fraction, the numerator of which was the square footage for each Unit, the denominator of which was the aggregate square footage for all Units.

END OF EXHIBIT "A"