

CONDOMINIUM PUBLIC REPORT

Prepared &

Issued by: Developer Beretania Partners
Address 820 Millilani Street, Suite 820, Honolulu, Hawaii 96813

Project Name(\*): The Courtyards at Punahou
Address: 1740 South Beretania Street, Honolulu, Hawaii 96826

Registration No. 2823 Effective date: June 5, 1995
Expiration date: July 5, 1996

Preparation of this Report:

This report has been prepared by the Developer pursuant to the Condominium Property Act, Chapter 514A, Hawaii Revised Statutes, as amended. This report is not valid unless the Hawaii Real Estate Commission has issued a registration number and effective date for the report.

This report has not been prepared or issued by the Real Estate Commission or any other government agency. Neither the Commission nor any other government agency has judged or approved the merits or value, if any, of the project or of purchasing an apartment in the project.

Buyers are encouraged to read this report carefully, and to seek professional advice before signing a sales contract for the purchase of an apartment in the project.

Expiration Date of Reports. Preliminary Public Reports and Final Public Reports automatically expire thirteen (13) months from the effective date unless a Supplementary Public Report is issued or unless the Commission issues an order, a copy of which is attached to this report, extending the effective date for the report.

Exception: The Real Estate Commission may issue an order, a copy of which shall be attached to this report, that the final public report for a two apartment condominium project shall have no expiration date.

Type of Report:

PRELIMINARY: (yellow) The developer may not as yet have created the condominium but has filed with the Real Estate Commission minimal information sufficient for a Preliminary Public Report. A Final Public Report will be issued by the developer when complete information is filed.

FINAL: (white) The developer has legally created a condominium and has filed complete information with the Commission. [ ] No prior reports have been issued. [ ] This report supersedes all prior public reports. [ ] This report must be read together with

XX SUPPLEMENTARY: (pink) This report updates information contained in the: [ ] Preliminary Public Report dated: [XX] Final Public Report dated: April 5, 1993 [ ] Supplementary Public Report dated:

And [ ] Supersedes all prior public reports [XX] Must be read together with Final Public Report dated April 5, 1993 [XX] This report reactivates the Final Public Report public report(s) which expires on June 5, 1995

(\* ) Exactly as named in the Declaration

**Disclosure Abstract:** Separate Disclosure Abstract on this condominium project:

Required and attached to this report                       Not Required - disclosures covered in this report.

**Summary of Changes from Earlier Public Reports:**

This summary contains a general description of the changes, if any, made by the developer since the last public report was issued. It is not necessarily all inclusive. Prospective buyers should compare this public report with the earlier reports if they wish to know the specific changes that have been made.

No prior reports have been issued by the developer.

Changes made are as follows:

1. The Project's Declaration of Condominium Property Regime (the "Declaration") and Condominium Map No. 1820 were amended by instrument dated August 9, 1994, recorded in the Bureau of Conveyances of the State of Hawaii (the "Bureau") as Document No. 94-138093 (the "First Amendment"). Copies of the First Amendment and Condominium Map No. 1820 (Amended) are on file with the Real Estate Commission. The reasons for and results of the First Amendment are as follows:
  - a. A common element mechanical room was inadvertently identified on Sheet 2 of the original Condominium Map as limited common element Storage Room 19. Sheet 2 of the Condominium Map was amended to delete the designation of Storage Room 19 and to designate the mechanical room as a mechanical room.
  - b. Exhibit "C" to the Declaration incorrectly showed Storage Room 19 (which does not exist) as a limited common element assigned to Suite 30 in the Project. Exhibit "C" was amended to delete reference to Storage Room 19 and to assign Storage Room 17 from Suite 35 (the resident manager's apartment, which is not being offered for sale and which has three additional storage rooms assigned to it) to Suite 30.
  - c. The remaining sheets of the Condominium Map were amended to make various minor changes to details of the drawings, without changing the layout, location, apartment numbers or dimensions of the apartments.
  - d. The First Amendment also incorporated the architect's certificate required by Section 514A-12, Hawaii Revised Statutes, as amended.
  
2. The Declaration was further amended by instrument dated May 11, 1995, recorded in the Bureau as Document No. 95-064051 (the "Second Amendment"). A copy of the Second Amendment is on file with the Real Estate Commission. The Second Amendment amended paragraphs 5.3 and 9 of the Declaration to reserve to the apartment owners the right to transfer limited common element storage rooms from apartment to apartment, and to specify the procedure for doing so. In particular, paragraph 9(c) of the Declaration, as amended, provides that transfers of storage rooms may be accomplished by amendment of the Declaration and affected apartment deeds (if appropriate) to show the new numbers of storage rooms appurtenant to the apartments affected and to delete the numbers of the old storage rooms; provided, however, that each apartment shall at all times have at least one storage room as an appurtenant limited common element. Paragraph 9(d) of the Declaration, as amended, provides that the amendment(s) required to transfer storage rooms need only be signed and approved by the owners of the apartments affected (and their mortgagees, if any) and recorded in the Bureau.

**II. CREATION OF THE CONDOMINIUM;  
CONDOMINIUM DOCUMENTS**

A condominium is created by recording in the Bureau of Conveyances and/or filing with the Land Court a Declaration of Condominium Property Regime, a Condominium Map (File Plan), and the Bylaws of the Association of Apartment Owners. The Condominium Property Act (Chapter 514A, HRS), the Declaration, Bylaws, and House Rules control the rights and obligations of the apartment owners with respect to the project and the common elements, to each other, and to their respective apartments. The provisions of these documents are intended to be, and in most cases are, enforceable in a court of law.

- A. Declaration of Condominium Property Regime contains a description of the land, buildings, apartments, common elements, limited common elements, common interests, and other information relating to the condominium project.

The Declaration for this condominium is:

Proposed  
 Recorded - Bureau of Conveyances: Document No. 93-030284  
Book \_\_\_\_\_ Page \_\_\_\_\_  
 Filed - Land Court: Document No. \_\_\_\_\_

The Declaration referred to above has been amended by the following instruments [state name of document, date and recording/filing information]:

1. First Amendment of Declaration of Condominium Property Regime of the Courtyards at Punahou and Amendment of Condominium Map No. 1820, dated August 9, 1994, recorded in the Bureau of Conveyances as Document No. 94-138093;
2. Amendment of Declaration of Condominium Property Regime of the Courtyards at Punahou, dated May 11, 1995, recorded in the Bureau of Conveyances as Document No. 95-064051.

- B. Condominium Map (File Plan) shows the floor plan, elevation and layout of the condominium project. It also shows the floor plan, location, apartment number, and dimensions of each apartment.

The Condominium Map for this condominium project is:

Proposed  
 Recorded - Bureau of Conveyances Condo Map No. 1820  
 Filed - Land Court Condo Map No. \_\_\_\_\_

The Condominium Map has been amended by the following instruments [state name of document, date and recording/filing information]:

First Amendment of Declaration of Condominium Property Regime of the Courtyards at Punahou and Amendment of Condominium Map No. 1820, dated August 9, 1994, recorded in the Bureau of Conveyances as Document No. 94-138093.

- C. Bylaws of the Association of Apartment Owners govern the operation of the condominium project. They provide for the manner in which the Board of Directors of the Association of Apartment Owners is elected, the powers and duties of the Board, the manner in which meetings will be conducted, whether pets are prohibited or allowed and other matters which affect how the condominium project will be governed.

The Bylaws for this condominium are:

Proposed  
 Recorded - Bureau of Conveyances: Document No. 93-030285  
Book \_\_\_\_\_ Page \_\_\_\_\_  
 Filed - Land Court: Document No. \_\_\_\_\_

The Bylaws referred to above have been amended by the following instruments [state name of document, date and recording/filing information]:

2. Rights Under the Sales Contract: Before signing the sales contract, prospective buyers should ask to see and carefully review all documents relating to the project. If these documents are not in final form, the buyer should ask to see the most recent draft. These include but are not limited to the:

- A) Condominium Public Reports issued by the developer which have been given an effective date by the Hawaii Real Estate Commission.
- B) Declaration of Condominium Property Regime.
- C) Bylaws of the Association of Apartment Owners.
- D) House Rules.
- E) Condominium Map.
- F) Escrow Agreement.
- G) Hawaii's Condominium Property Act (Chapter 514A, HRS, as amended) and Hawaii Administrative Rules, (Chapter 16-107, adopted by the Real Estate Commission, as amended).
- H) Other Declaration of Restrictive Covenants (Private Park)

Copies of the condominium and sales documents and amendments made by the developer are available for review through the developer and are on file at the Department of Commerce and Consumer Affairs. Reprints of Hawaii's Condominium Property Act (Chapter 514A, HRS) and Hawaii Administrative Rules, Chapter 16-107, are available at the Cashier's Office, Department of Commerce and Consumer Affairs, 1010 Richards Street, 3rd Floor, Honolulu, Hawaii, mailing address: P. O. Box 541, Honolulu, HI 96809, at a nominal cost.

This Public Report is a part of Registration No. 2823 filed with the Real Estate Commission on Feb. 26, 1993

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D. The developer hereby certifies that all the information contained in this Report and the Exhibits attached to this Report and all documents to be furnished by the developer to buyers concerning the project have been reviewed by the developer and are, to the best of the developer's knowledge, information and belief, true, correct and complete.

Beretania Partners  
Name of Developer

By Haseko Beretania, Inc.,  
Its Partner

By: 

Duly Authorized Signatory

6/5/95  
Date

Katsuo Shimizu, Its President

print name & title of person signing above

Distribution:

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