

**PRELIMINARY REPORT**  
(No Liability Hereunder)

This report (and any revisions thereto) is issued solely for the convenience of the titleholder, the titleholder's agent, counsel, purchaser or mortgagee, or the person ordering it for the purpose of facilitating the issuance of a policy of title insurance by Title Guaranty of Hawaii and no liability will arise under this report.

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**SCHEDULE A**

Title Guaranty of Hawaii, Incorporated, hereby reports that, subject to those matters set forth in Schedule "B" hereof, the title to the estate or interest to the land described in Schedule "C" hereof is vested in:

EIGHT ZERO THREE WAIMANU, LLC,  
a Washington limited liability company,  
as Fee Owner

This report is dated as of April 4, 2017 at 8:00 a.m.

Inquiries concerning this report  
should be directed to  
KATY MURATA.  
Email kmurata@tghawaii.com  
Fax (808) 533-5854  
Telephone (808) 533-5853.  
Refer to Order No. 201623720.

**SCHEDULE B  
EXCEPTIONS**

1. Real Property Taxes, if any, that may be due and owing.

ITEM I is(are) covered by Tax Key: [\(1\) 2-1-049-050](#).

ITEM II is(are) covered by Tax Key: [\(1\) 2-1-049-070](#).

ITEM III is(are) covered by Tax Key: [\(1\) 2-1-049-072](#).

2. Mineral and water rights of any nature.

3. -AS TO ITEMS I AND III:-

(A) The terms and provisions contained in the following:

INSTRUMENT : AGREEMENT CONCERNING ENCROACHMENT

DATED : May 11, 1995

RECORDED : Document No. [95-064775](#)

PARTIES : WALTON KENN TSUNG SHIM, husband of Sandra Jane Yee Shim, "Shim", and PERCY B. Q. CHING, ANDREW B. S. CHING, PEGGY C. LAI and GLADYS Y. H. ALOIAU, as Trustees under that certain unrecorded Irrevocable Trust Agreement dated October 4, 1985, "Ching Trust"

(B) AGREEMENT contained in DEED dated October 15, 1999, recorded as Document 99-171619, regarding the right to hook up and connect with the sewer line along a right-of-way across and along a 3-foot strip of land along through Lot 13, Block 16, Kewalo Tract, running to Kawaiahao Street for sewage purposes.

4. -AS TO ITEM II:-

SCHEDULE B CONTINUED

The terms and provisions contained in the following:

INSTRUMENT : DEED

DATED : October 15, 1999

RECORDED : Document No. [99-171619](#)

RE : a 3-foot strip of land for the purpose of sewerage in favor of TMK (1)2-1-049-050 and the agreement and right for other hook ups and connection to the sewer line along said right of way

5. Encroachments or any other matters as shown on survey map prepared by Wayne M. Teruya, Land Surveyor, with ParEn, Inc. dba Park Engineering, dated January 8, 2015.

-AS TO ITEM II ONLY:-

-Note:- A current survey, with metes and bounds description, should be made of said premises.

6. Encroachments or any other matters which a survey prepared after January 8, 2015 would disclose.

7. MORTGAGE, SECURITY AGREEMENT AND FIXTURE FILING

MORTGAGOR : EIGHT ZERO THREE WAIMANU, LLC, a Washington limited liability company

MORTGAGEE : BANK OF HAWAII, a Hawaii corporation

DATED : February 12, 2015

RECORDED : Document No. A-[55260417](#)

AMOUNT : \$2,400,000.00

8. ASSIGNMENT OF LESSOR'S INTEREST IN LEASES AND RENTS

ASSIGNOR : EIGHT ZERO THREE WAIMANU, LLC, a Washington limited liability company

SCHEDULE B CONTINUED

ASSIGNEE : BANK OF HAWAII, a Hawaii corporation  
DATED : as of February 12, 2015  
RECORDED : Document No. A-[55260418](#)  
AMOUNT : \$2,400,000.00

9. The terms and provisions contained in the following:

INSTRUMENT : DEVELOPMENT AGREEMENT  
DATED : September 19, 2014  
RECORDED : Document No. A-[56520673](#)  
PARTIES : HAWAII COMMUNITY DEVELOPMENT AUTHORITY ("HCDA"), a  
body corporate and a public instrumentality of the  
State of Hawaii, and MJF DEVELOPMENT CORPORATION, a  
California corporation

-Note:- HAWAII COMMUNITY DEVELOPMENT AUTHORITY and MJF  
DEVELOPMENT CORPORATION has no recorded interest in  
land under search.

10. The terms and provisions contained in the following:

INSTRUMENT : DECLARATION OF CONDOMINIUM PROPERTY REGIME FOR "THE  
BLOCK 803 WAIMANU" CONDOMINIUM PROJECT  
DATED : April 3, 2017  
RECORDED : Document Nos. A-[63020745A](#) through A-63020745B  
MAP : 5637 and any amendments thereto

11. The terms and provisions contained in the following:

INSTRUMENT : BY-LAWS OF THE ASSOCIATION OF UNIT OWNERS  
DATED : April 3, 2017  
RECORDED : Document No. A-[63020746](#)

SCHEDULE B CONTINUED

12. Any unrecorded leases and matters arising from or affecting the same.
  
13. Any lien (or claim of lien) for services, labor or material arising from an improvement or work related to the land described in Schedule C herein.

**END OF SCHEDULE B**

**SCHEDULE C**

-ITEM I:-

-PARCEL FIRST:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 5716, Land Commission Award Number 10605, Apana 7 to Piikoi) situate, lying and being on the southwesterly side of Waimanu Street at Drier Street, Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, being a PORTION OF LOT NUMBER 1, in BLOCK NUMBER 19, of the tract of land known as the said "CYCLOMERE TRACT", being a portion of the "Kewalo Tract", as shown on the Map thereof, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 205, Page 117, and thus bounded and described:

Beginning at a pipe at the north corner of this piece of land and on the southwesterly side of Waimanu Street, the coordinates of said point of beginning referred to a City and County Survey Street Monument at Kawaiahao and Kamani Streets being 697.58 feet north and 280.59 feet west, and running by true azimuths measured clockwise from South:

- |    |              |       |   |
|----|--------------|-------|---|
| 1. | 321° 52'     | 52.40 | feet along the southwesterly side of Waimanu Street to a pipe;                                |
| 2. | 52° 41'      | 99.05 | feet to a pipe:   |
| 3. | 141° 52'     | 50.80 | feet along Lot 13, Block 16, to the Kewalo Tract to a pipe;                                   |
| 4. | 231° 45' 30" | 99.04 | feet to the the point of beginning and containing an area of 5,110 square feet, more or less. |

-PARCEL SECOND:-

SCHEDULE C CONTINUED

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 5716, Land Commission Award Number 10605, Apana 7 to Piikoi) situate, lying and being on the southwesterly side of Waimanu Street between Drier and Kamani Streets, Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, being PORTIONS OF LOT NUMBERS 1 and 2, in BLOCK NUMBER 19, of "CYCLOMERE TRACT" as shown on the Map thereof, recorded as aforesaid, and thus bounded and described:

Beginning at a pipe at the east corner of this piece of land and on the southwesterly side of Waimanu Street, the coordinates of said point of beginning referred to a City and County Survey Street Monument at Kawaiahao and Kamani Streets being 617.03 feet north and 217.36 feet west, and running by true azimuths measured clockwise from South:

1. 52° 41' 99.05 feet to a pipe;
2. 141° 52' 50.00 feet along Lots 14 and 13, Block 16 of the Kewalo Tract to a pipe;
3. 232° 41' 99.05 feet to a pipe;
4. 321° 52' 50.00 feet along the southwesterly side of Waimanu Street to the point of beginning and containing an area of 4,952 square feet, more or less.

Together with a right-of-way across and along a 3-foot strip of land along thru Lot 13, Block 16, Kewalo Tract, running to Kawaiahao Street for the purpose of sewerage by means of pipes and in connection therewith the right of ingress and egress along said strip of land at reasonable times for the purpose of laying and maintaining such sewer pipes, and it is agreed by and between the parties hereto that the owners of Lots 13 and 14, Block 16 of said Kewalo Tract as well as the owners of Lots 1 and 2 of Cyclomere Tract shall at all and any time have the right to hook up and connect with the sewer line along said right-of-way.

BEING THE PREMISES ACQUIRED BY LIMITED WARRANTY DEED

SCHEDULE C CONTINUED

GRANTOR : ACTION DEVELOPMENT, LLC, a Hawaii liability company  
GRANTEE : EIGHT ZERO THREE WAIMANU, LLC, a Washington limited liability company  
DATED : effective February 17, 2015  
RECORDED : Document No. A-[55260414](#)

-ITEM II:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 5716, Land Commission Award Number 10605, Apana 7 to Kamakee Piikoi) situate, lying and being on the northeast side of Kawaiahao Street, between Cooke and Kamani Streets, Honolulu, City and County of Honolulu, State of Hawaii, and known as LOT 13, in BLOCK 16 of the "KEWALO TRACT", and thus bounded and described:

Beginning at the west corner of this lot, the south corner of Lot 12 of Block 16 of the Kewalo Tract and on the northeasterly side of Kawaiahao Street, the azimuth and distance from the northeast intersection of Kawaiahao and Cooke Streets being 321° 52' 201.00 feet, and running by true azimuths measured clockwise from South:

1. 232° 06' 101.00 feet along Lot 12 of Block 16 of the Kewalo Tract;
2. 322° 07' 52.10 feet along Lot 1 of Block 19 of the Cyclomere Tract;
3. 52° 50' 100.80 feet along Lot 14 of Block 16 of the Kewalo Tract to the northeasterly side of Kawaiahao Street;
4. 141° 52' 50.80 feet along the northeasterly side of Kawaiahao Street to the point of beginning and containing an area of 5,191 square feet, more or less.



SCHEDULE C CONTINUED

BEING THE PREMISES ACQUIRED BY LIMITED WARRANTY DEED

GRANTOR : ACTION DEVELOPMENT, LLC, a Hawaii liability company  
GRANTEE : EIGHT ZERO THREE WAIMANU, LLC, a Washington limited liability company  
DATED : effective February 17, 2015  
RECORDED : Document No. A-[55260415](#)

-ITEM III:-

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 5716, Land Commission Award Number 10605, Apana 7 to Kamakee Piikoi) situate, lying and being on the northeast side of Kawaiahao Street, between Cooke and Kamani Streets, Kewalo, Honolulu, City and County of Honolulu, State of Hawaii, being PARCEL "A", COMPRISING ALL OF LOT NUMBER 14 and a PORTION OF LOT NUMBER 15, in BLOCK 16, of the tract of land known as the "KEWALO TRACT", as shown on the Map thereof, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 162, Page 227, and thus bounded and described as per survey dated June 4, 1949, to-wit:

Beginning at a pipe at the westerly corner of this parcel of land on the northerly side of Kawaiahao Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUNCHBOWL" being 4,271.68 feet south, and 2,242.71 feet west and running by true azimuths measured clockwise from South:

1. 231° 52' 100.50 feet along Lot 13 of Block 16 of Kewalo Tract;
2. 321° 52' 59.10 feet along Lots 2 and 3 of Block 19 of Kewalo Tract;
3. 51° 52' 100.50 feet to a pipe;

SCHEDULE C CONTINUED

4. 141° 52' 59.10 feet along the northeasterly side of Kawaiahao Street to the point of beginning and containing an area of 5,939 square feet, more or less.

BEING THE PREMISES ACQUIRED BY LIMITED WARRANTY DEED

GRANTOR : ACTION DEVELOPMENT, LLC, a Hawaii liability company

GRANTEE : EIGHT ZERO THREE WAIMANU, LLC, a Washington limited liability company

DATED : effective February 17, 2015

RECORDED : Document No. A-[55260416](#)

-Note:- The aforementioned premises has been divided into 153 units more particularly described in the Declaration of Condominium Property Regime dated April 3, 2017, recorded as Document Nos. A-[63020745A](#) through A-63020745B, as shown on Condominium Map No. 5637, and recorded in the Bureau of Conveyances of the State of Hawaii.

**END OF SCHEDULE C**

## GENERAL NOTES

1. There is hereby omitted from any covenants, conditions and reservations contained herein any covenant or restriction based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. Lawful restrictions under state or federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

## GUIDELINES FOR THE ISSUANCE OF INSURANCE

- A. Taxes shown in Schedule B are as of the date such information is available from the taxing authority. Evidence of payment of all taxes and assessments subsequent to such date must be provided prior to recordation.
- B. Evidence of authority regarding the execution of all documents pertaining to the transaction is required prior to recordation. This includes corporate resolutions, copies of partnership agreements, powers of attorney and trust instruments.
- C. If an entity (corporation, partnership, limited liability company, etc.) is not registered in Hawaii, evidence of its formation and existence under the laws where such entity is formed must be presented prior to recordation.
- D. If the transaction involves a construction loan, the following is required:
  - (1) a letter confirming that there is no construction prior to recordation; or
  - (2) if there is such construction, appropriate indemnity agreements, financial statements and other relevant information from the owner, developer, general contractor and major sub-contractors must be submitted to the Title Company for approval at least one week prior to the anticipated date of recordation.

Forms are available upon request from Title Guaranty of Hawaii.

- E. Chapter 669, Hawaii Revised Statutes, sets forth acceptable tolerances for discrepancies in structures or improvements relative to private property boundaries for various classes of real property. If your survey map shows a position discrepancy that falls within the tolerances of Chapter 669, call your title officer as affirmative coverage may be available to insured lenders.
- F. The right is reserved to make additional exceptions and/or requirements upon examination of all documents submitted in connection with this transaction.
- G. If a policy of title insurance is issued, it will exclude from coverage all matters set forth in Schedule B of this report and in the printed Exclusions from Coverage contained in an ALTA policy or in the Hawaii Standard Owner's Policy, as applicable. Different forms may have different exclusions and should be reviewed. Copies of the policy forms are available upon request from Title Guaranty of Hawaii or on our website at [www.tghawaii.com](http://www.tghawaii.com).

DATE PRINTED: 4/04/2017

STATEMENT OF ASSESSED VALUES AND REAL PROPERTY TAXES DUE

TAX MAP KEY

DIVISION ZONE SECTION PLAT PARCEL HPR NO.  
(1) 2 1 049 050 0000

CLASS: INDUSTRIAL AREA ASSESSED: 10,062 SF

ASSESSED VALUES FOR CURRENT YEAR TAXES: 2016

The records of this division show the assessed values and taxes on the property designated by Tax Key shown above are as follows:

BUILDING \$ 130,800  
EXEMPTION \$ 0  
NET VALUE \$ 130,800  
LAND \$ 2,314,300  
EXEMPTION \$ 0  
NET VALUE \$ 2,314,300  
TOTAL NET VALUE \$ 2,445,100

Installment (1 - due 8/20; 2 - due 2/20) Tax Info As Of - 8/20/2016

Tax Year	Installment	Tax Amount	Penalty Amount	Interest Amount	Other Amount	Total Amount	
2016	2	15,159.62				15,159.62	PENDING
2016	1	15,159.62				15,159.62	PAID
2015	2	12,654.82				12,654.82	PAID
2015	1	12,654.82				12,654.82	PAID
						Total Amount Due:	15,159.62

Penalty and Interest Computed to: 8/20/2016

The real property tax information provided is based on information furnished by the respective counties, is deemed reliable but not guaranteed, and no warranties are given express or implied. Billing and tax collection details may have changed. Please refer to the appropriate

county real property tax offices for any further information or updates for the subject property.

DATE PRINTED: 4/04/2017

STATEMENT OF ASSESSED VALUES AND REAL PROPERTY TAXES DUE

TAX MAP KEY

DIVISION ZONE SECTION PLAT PARCEL HPR NO.  
(1) 2 1 049 070 0000

CLASS: INDUSTRIAL AREA ASSESSED: 5,191 SF

ASSESSED VALUES FOR CURRENT YEAR TAXES: 2016

The records of this division show the assessed values and taxes on the property designated by Tax Key shown above are as follows:

BUILDING	\$	93,400
EXEMPTION	\$	0
NET VALUE	\$	93,400
LAND	\$	1,193,900
EXEMPTION	\$	0
NET VALUE	\$	1,193,900
TOTAL NET VALUE	\$	1,287,300

Installment (1 - due 8/20; 2 - due 2/20) Tax Info As Of - 8/20/2016

Tax Year	Installment	Tax Amount	Penalty Amount	Interest Amount	Other Amount	Total Amount	
2016	2	7,981.26				7,981.26	PENDING
2016	1	7,981.26				7,981.26	PAID
2015	2	6,666.24				6,666.24	PAID
2015	1	6,666.24				6,666.24	PAID
						Total Amount Due:	7,981.26

Penalty and Interest Computed to: 8/20/2016

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county real property tax offices for any further information or updates for the subject property.



DATE PRINTED: 4/04/2017

STATEMENT OF ASSESSED VALUES AND REAL PROPERTY TAXES DUE

TAX MAP KEY

DIVISION ZONE SECTION PLAT PARCEL HPR NO.  
(1) 2 1 049 072 0000

CLASS: INDUSTRIAL AREA ASSESSED: 5,939 SF

ASSESSED VALUES FOR CURRENT YEAR TAXES: 2016

The records of this division show the assessed values and taxes on the property designated by Tax Key shown above are as follows:

BUILDING	\$	132,000
EXEMPTION	\$	0
NET VALUE	\$	132,000
LAND	\$	1,366,000
EXEMPTION	\$	0
NET VALUE	\$	1,366,000
TOTAL NET VALUE	\$	1,498,000

Installment (1 - due 8/20; 2 - due 2/20) Tax Info As Of - 8/20/2016

Tax Year	Installment	Tax Amount	Penalty Amount	Interest Amount	Other Amount	Total Amount	
2016	2	9,287.60				9,287.60	PENDING
2016	1	9,287.60				9,287.60	PAID
2015	2	7,775.42				7,775.42	PAID
2015	1	7,775.42				7,775.42	PAID
						Total Amount Due:	9,287.60

Penalty and Interest Computed to: 8/20/2016

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county real property tax offices for any further information or updates for the subject property.