

TERRITORIAL PLANNING COMMISSION
DEPARTMENT OF LAND MANAGEMENT
GOVERNMENT OF GUAM
AGANA, GUAM 96910

HORIZONTAL PROPERTY REGIME (CONDOMINIUM)
QUESTIONNAIRE

In accordance with §1299, Civil Code of Guam (Horizontal Property Act, Chapter I, Title VI, Part IV, Division II, Civil Code):

INSTRUCTIONS

- . Filing of a questionnaire is required where a condominium plan or project under which two or more apartments, rooms, office spaces, or other units in existing or proposed building(s) or structure(s) are offered or proposed to be offered for sale or lease in Guam.
- . No unit in a condominium project shall be offered for sale or lease until the Commission shall have issued a Final or Supplementary Public Report thereon, nor shall reservations to purchase be taken until the Commission has issued a Preliminary, Final or Supplementary Public Report.
- . Any change in the project or amendment in document(s) made after registering the plan or project must be immediately reported to the Commission.
- . A \$70 filing fee must accompany this questionnaire. This fee is not refundable.
- . At the time of filing, an amount estimated by the Commission to be necessary to cover inspection expense of the project, including travel expenses, shall be deposited with the Commission.
- . Questionnaire must be either *typed* or *printed* legibly. Copies, reproductions or facsimiles of the Questionnaire and Notice of Intention are unacceptable.
- . Warning: An incomplete, illegible or otherwise insufficient questionnaire, notice of intention, document, exhibit or printed matter will be cause for rejection of the submission as well as delays in processing.

REQUIRED DOCUMENTS

The following documents must accompany this questionnaire and constitute a part of the Notice of Intention. For any document not submitted a letter of explanation must accompany the submission giving reasons of non-availability and a statement as to the approximate date they will be made available to the Commission. Check square to illustrate if submitted. *Italicize* the particular document forwarded with the questionnaire.

- Copy of *Master Deed* or Master Lease and *Recording Data*.
- Copy of Declaration in compliance with §1280.
- Copy of Bylaws of Association of Apartment Owners.
- Set of the floor plans of the building or buildings, showing the layout, location, apartment numbers and dimensions of the apartments.
- Copy of corporate papers (*Articles of Incorporation* and *Bylaws* and *Affidavit of Officers*) or Partnership Agreement or joint venture agreement of the Developer.
- Photostatic, and certified or acknowledged copies of all options, *contracts of purchase*, mortgages and trust agreements, or lease agreements on the property submitted to the regime.
- A current copy of a Policy of Title Insurance, *Abstract of Title*, *Certificate of Title* or Lien Letter.
- Copy of executed Escrow Agreement.
- Copies of *Reservation Agreement*, *Contract of Sale* or Agreement of Sale and the *Apartment Deed* or Apartment Lease to be used to convey property to purchaser. These forms to be completely filled in and identified by the word "SPECIMEN".
- Statement of program of financing project, including any general or specific letter of loan commitment.
- Building Plans*, Drawings and Specifications.
- Copy of Building Contract.
- Copy of *Performance Bond* and Mechanics or Materialmen's Lien.
- Copy of Property Management Contract.
- Copy of House Rules.

Note: Answer all questions - if not applicable, please so indicate. Failure to completely answer all questions and submit required documents will cause delay in the issuance of the Public Report by the Commission.

1. DEVELOPER:

(a) If corporation, name, title and address of officers:

Name: Office:

Mikio Toyoshima, chairman,
The Second Shinjuku
Mitsui Bldg., 3-2-11,
Nishi-Shinjuku,
Shinjuku-ku, Tokyo
160, Japan

Tadao Katagiri, president,
The Second Shinjuku
Mitsui Bldg., 3-2-11,
Nishi-Shinjuku,
Shinjuku-ku, Tokyo
160, Japan

Lawrence J. Teker, secretary,
P.O. Box 3367,
Agana, Guam 96910

Nobuo Kano, treasurer,
The Second Shinjuku
Mitsui Bldg., 3-2-11,
Nishi-Shinjuku,
Shinjuku-ku, Tokyo
160, Japan

(b) If partnership or joint venture, name, title, address and telephone of members:

N/A.

(c) If individual, name, address and telephone:

N/A.

(d) Others:

N/A.

2. NAME OF PROJECT:

"HATSUHO OKA TOWERS"

3. STATUS OF PROJECT:

- (a) Has construction of project begun? Yes.
- (b) If not, when will it start? N/A.
- (c) If work commenced,
 - (1) Give date work begun on project October 1, 1986.
 - (2) What percentage has been completed to date? 100%.
 - (3) What is the estimated date of completion? _____.
- (d) If project completed,
 - (1) Give date of completion .. N/A.
 - (2) What number of percentage of units sold to date, if any? N/A.
 - (3) When did sale commence? .. N/A.

4. LOCATION, LEGAL DESCRIPTION, BUILDING SETBACK, RECORDATION:

Address (Lot No.(s),
municipality Lot 2, Block No. 8, Tract
No. 108, Tamuning,
Dededo, Guam.

Land Area 19,860.5 square meters.

Zoning R-2.

Building's Setback *North side: 17'*
South side: 16'
West (ocean) side: 73'

Number of parking stalls
available Two Hundred Fifty-Four
(254).

Master Deed or Master Lease Warranty Deed.

Date of Recording May 30, 1986.

Recording Data Instrument No. 371812.

5. UNITS TO BE SOLD:

Total Number One Hundred Seventy (170).

Number of Floors Fourteen (14).

Type Nineteen (19) one bedroom units, Sixty-Two (62) two bedroom units, Seventy-Nine (79) three bedroom units, Ten (10) four bedroom units.

Floor Area of each Unit As described in Article II of the Declaration.

If furnished, name appliances, equipment, etc. (attach schedule):

All apartment units includes:

Range; range hood; refrigerator; garbage disposal; kitchen cabinets; carpeting; split type air-conditioning unit; cable TV connection; hot water heater; dishwasher; oven.

6. ARCHITECT/ENGINEER: Name, address and telephone:

Architect: Willy A. Watson, A.I.A. & Associates, Post Office Box 9580 Tamuning, Guam 96911, Phone: 646-8778/8625.

Guam Registration Number: Willy A. Watson, Registered #147.

7. ATTORNEY REPRESENTING DEVELOPER: Name, address and telephone number:

Lawrence J. Teker, Esq., Gayle & Teker, Agana Bay Bldg., 220 East Marine Drive, Agana, Guam 96910, Phone: 477-9891-5.

8. ESCROW DEPOSITORY OR CLIENTS' ACCOUNT:

Will the purchasers' funds be placed in a neutral escrow depository? Yes.

What is the name of the depository? First American Title & Escrow Company of Guam, Inc.

Will the purchasers' funds be placed in a clients' trust fund account? Yes.

Give the proposed name designation of the account..... N/A.

If neither of the above is applicable, where will the purchasers' deposits be kept? (Give details) N/A.

Will the purchasers' money prior to consummation of unit sale and occupancy be expended for any other project without their knowledge? No.

Will purchasers' money be refunded? Yes, if purchaser cancels within five (5) days of execution of contract, or if project not completed or if final public report not timely issued, or if final public report differs materially from preliminary public report.

How soon? Within reasonable period.

Will the purchasers receive interest on the money for the period it was held? No.

What rate of interest? N/A.

9. TITLE: *Title Insurance, Abstract, Certificate, Others:*

Type Certificate of Title 79071; Title Insurance No. 11928.

Date Issued C.T.: June 18, 1986.
T.I.: May 30, 1986.

Names of firm who issued Certificate	C.T.: Government of Guam:
Title report	T.I.: First American Title & Escrow Company of Guam, Inc.

10. OWNERSHIP OF TITLE TO LAND:

(a) Individual: Name, address, and telephone

N/A.

(b) If corporation, name, title, and address of officers

Developer is owner - see paragraph 1, *supra*.

(c) Others

N/A.

11. ENCUMBRANCES AGAINST LAND AND BUILDING:
(Mortgages, leases, liens, etc.)

Describe: 1. C. Itoh & Co., Ltd. - mortgage.
2. Shin-Ei Company Limited - mortgage.
3. Maeda Construction Co., Ltd. - mortgage.

12. FINANCE:

Do you have a program of financing the project, including any financing commitment?

Yes, Developer shall finance construction of the project from a long term loan of C.Itoh & Co., Ltd. and Shin-Ei Company Limited.

13. CONSTRUCTION:

(a) If construction has not been completed, name of contractor

Maeda Construction Co., Ltd.

(b) Completion date

December, 1988.

(c) Do you have a Building Contract? Yes.

If yes, give date of contract October, 1986.

(d) Is this contract for the full project as shown in your building plans and specifications? Yes.

(e) Building permit no. 0345

(f) Bonds: Type, amount, surety, obligee(s), coverage:

Subcontractors and contractors will be required to obtain performance bonds to guarantee performance of their contracts.

(g) What is contractor's obligation after building is completed? Is there a Building Warranty?

Contractor and subcontractors shall correct any defects due to faulty materials or workmanship within one (1) year from date of substantial completion.

14. MANAGEMENT AND OPERATION:

(a) When is purchaser to assume maintenance costs? Upon conveyance of title.

(b) Who is to pay for monthly maintenance fees on unsold (initial sale) units? Developer.

(c) Do you have House Rules or Bylaws? Bylaws and House Rules.

(d) If yes, give date adopted by council of co-owners Not yet adopted.

(e) Name of manager, if any Developer, at this stage.

15. SALES AGENT(S): Name agency(s) or broker(s) handling sales:

Century 21/Realty Management Inc.

NOTICE

THE DEVELOPER MAY NOT, AFTER SUBMITTING TO THE COMMISSION THE PLAN UNDER WHICH THE CONDOMINIUM PROJECT IS TO BE OFFERED FOR SALE OR LEASE, MATERIALLY CHANGE THE SET-UP OR VALUE OR USE OF SUCH OFFERING WITHOUT FIRST NOTIFYING THE COMMISSION AND THE PURCHASERS AND PROSPECTIVE PURCHASERS IN WRITING OF SUCH INTENDED CHANGE.

AFFIDAVIT

TERRITORY OF GUAM,)
(ss.:
City of Agana.)

TOYOMICHI KAWANO, being duly sworn, deposes and says that the statements herein contained, and the documents submitted are fully, true and complete, and that he is the officer or agent authorized by the Developer to complete this questionnaire.

HATSUHO INTERNATIONAL, INC.

by Toyomichi Kawano
Toyomichi Kawano,
General Manager.

SUBSCRIBED and SWORN to before me this 3rd day of January, 1989.

Cecilia M.A. Mafnas
CECILIA M.A. MAFNAS,
Notary public in and for the territory of Guam. My commission expires: July 15, 1992.

)SEAL(

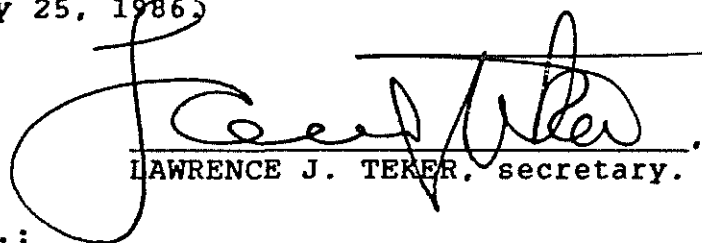
CERTIFICATE OF SECRETARY AS TO
ADOPTION OF RESOLUTION

This is to certify that the following is a complete, true, and correct copy of a resolution of the Board of Directors of Hatsuho International, Inc., a Guam corporation (the "Corporation"), duly adopted at a meeting of said board duly held on May 20, 1986, a quorum being present, and set forth in the minutes of said meeting, and that the same has not been rescinded or modified, to wit:

RESOLVED, that this Corporation establish a condominium on Guam to be known as "Hatsuho Oka Towers" and that any of the following persons are authorized to sign the condominium documents on behalf of the Corporation:

Mikio Toyoshima, chairman
Tadao Katagiri, president
Toyomichi Kawano, general manager

IN WITNESS WHEREOF, the secretary of said Corporation has hereunto set his hand and affixed the seal of the Corporation on July 25, 1986,




LAWRENCE J. TEKER, secretary.

TERRITORY OF GUAM)
(ss.:
City of Agana.)

On this 25th day of July, 1986, before me, a notary public in and for the territory of Guam, personally appeared LAWRENCE J. TEKER, known to me to be the secretary of the corporation therein named, and he acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

)SEAL(



CECILIA M.A. MAFNAS,
Notary public in and for the
territory of Guam. My commission
expires: June 15, 1987.