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REAL ESTATE COMMISSION
DEPARTMENT OF TREASURY & REGULATION
STATE OF HAWAII

305 EMPIRE BLDG.
HONOLULU 13, HAWAII

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**PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT**

On
THE KIHEI SANDS
Kamaole Homesteads, Kihei
Island and County of Maui

REGISTRATION NO. 8

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 but may only take reservations therefore after

- (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.

December 6, 1962

SPECIAL ATTENTION

A FINAL REPORT MUST BE ISSUED BY THE COMMISSION PRIOR TO CONSUMMATION BY DEVELOPER OF A BINDING CONTRACT OR AGREEMENT FOR THE SALE OF ANY UNIT IN THIS PROJECT.

THIS PRELIMINARY PUBLIC REPORT PLUS A SUPPLEMENTAL REPORT ISSUED AT A LATER DATE SHALL TOGETHER CONSTITUTE THE FINAL PUBLIC REPORT ON THE PROJECT HEREIN DISCUSSED.

Particular attention of the prospective purchasers is also called to the following:

- (1) THE KIHEI SANDS is a proposed condominium project.
- (2) The developer has not applied for a building permit with the appropriate County of Maui authorities.
- (3) A preliminary plot plan of the project is on file. No detailed building plans or specifications have been prepared by architects or engineers.
- (4) Forms of reservation deposit receipts have been prepared in draft. No sales contracts or apartment deeds have been prepared or submitted as part of this reservation.
- (5) By laws of the Council of Co-Owners have not been prepared and submitted as part of this registration.

NOTE: The developer advises that all items above, and others required by law, will be taken care of before a binding contract between the purchaser and developer will be executed.

DEVELOPER: Walter M. Harada
c/o HAWAIIAN KING HOTEL
417 Nohonani Street
Honolulu 15, Hawaii

NAME OF PROJECT: THE KIHEI SANDS

LOCATION: The property in question is on the Island of Maui in the area referred to as Kihei. This parcel is approximately 15.0 miles from the town of Wailuku, the county seat. It is on the ocean side of Piilani Highway approximately six hundred feet from Kalama Beach Park. Tax Key No. 3-9-04-25.

DESCRIPTION: The proposed building will be two-stories and contains 78 one bedroom apartments. Each apartment will have a floor area of approximately 375 sq. ft.

The developer advises that this hollow-tile or concrete block structure will be designed and constructed in the style of a ranch-house. There are plans for landscaping throughout with tropical foliage. The property can be considered level as the maximum grade does not exceed three degrees down to the sloping, white sand beach.

Beach facilities will be anchored around a combination bar and restaurant. There are plans for an enclosed area for bathers to change, a fresh-water swimming pool and an observation deck. This recreational area for beach activities and water sports abuts the ocean swimming beach on which the property is located.

Each apartment will have one (1) bedroom and is to be furnished with refrigerator, oven, counter stove units and disposal.

There will be seventy-eight (78) parking stalls available in the center court of the project. Each apartment will be entitled to the use of one parking stall.

OWNERSHIP OF TITLE: The developer states that the property is presently owned by Wilson Investment Corporation, 4921 Waa Street, Honolulu, Hawaii and Gustave C. Ballentyne and Hazel S. Ballentyne, husband and wife, 124 Royal Circle Drive, Honolulu, Hawaii. The developer, Walter M. Harada, has an option to purchase the subject property under that certain agreement entered into by and between the said owners and the developer on May 9, 1962, recorded in the Bureau of Conveyances in Liber 4275, Page 463. The right and option to purchase is for 12 months from May 9, 1962, the date of said agreement.

ENCUMBRANCES AGAINST TITLE: Mortgage to the Bank of Hawaii, Head Office, Honolulu, Hawaii by the mortgagees Wilson Investment Corporation, a Hawaii corporation and Gustave C. Ballentyne and Hazel S. Ballentyne, husband and wife, of Honolulu, Hawaii for \$40,000.00, as recorded in the Bureau of Conveyances Liber 4275 at page 457.

GENERAL COMMON ELEMENTS: The developer advises that "General Common Elements" will include:

- (1) The foundations, main walls, roofs, halls, lobbies, stairways and entrances, exits or communication ways;
- (2) The roofs, yards, grounds, swimming pool and parking area (subject to the exclusive right of user of a parking space by each apartment owner);
- (3) Premises for the lodging of manager, custodian, janitor or person in charge of the building, if special lodging facilities shall be provided;
- (4) The compartments or installations of central service such as power, light, gas, cold and hot water, refrigeration, air conditioning, reservoirs, water tanks and pumps or the like;

- (5) The garbage incinerator and in general all such other devices or installations existing for common use and all other devices or installations existing for or rationally of common use or necessary to the existence upkeep and safety of the building.

INTEREST TO BE CONVEYED TO PURCHASER: The developer advises that each of the seventy-eight (78) apartment owners will receive:

- (1) A certain apartment;
- (2) Exclusive use of one (1) parking stall;
- (3) An undivided one-seventy eighth interest as tenant in common to use in common with the owners of the other apartments in the building the General Common Elements described above;
- (4) An undivided one-seventy eighth interest as tenant in common in the fee simple title to the 1.050 acre of land on which the building is to be built.

PURCHASE MONEY HANDLING: An agency account has been established with Cooke Trust Company, Ltd., 926 Fort Street, Honolulu, Hawaii for the purpose of holding one hundred dollars (\$100.00) deposits made by those interested in reserving an apartment. A copy of this agreement of agency has been submitted as part of this registration and is on file with the Commission.

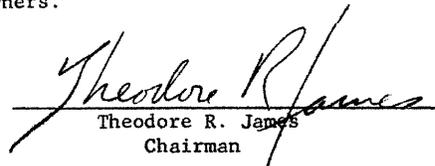
RESERVATION: A proposed Reservation Deposit Receipt, in draft, has been prepared by the developer which stipulates among other things that the reservation deposit will be placed in the custody of Cooke Trust Company, Ltd., and is to be released by the agency when and as instructed by written request signed by the depositor and the broker merchandising this project.

If a deposit is still in the custody of Cooke Trust Company, Ltd. on June 30, 1963, without the execution of a Sales Contract, they shall refund the amount to the depositor by check and inform the broker that they have done so.

NOTE: It is incumbent upon the purchasers to read and understand the Reservation Deposit Receipt document.

MANAGEMENT AND OPERATION: The developer has not filed any particulars, documents or procedures setting out the limitations on the use and ownership of the condominium units and to provide for the method of management and operation of the building.

NOTE: The purchaser is advised to acquaint himself with the general provisions of the horizontal property regimes law enacted by legislation in 1961 governing prorata contribution towards monthly maintenance expenses by the apartment owners.


Theodore R. James
Chairman

