

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII
424 SO. BERETANIA STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

OR
CARLETTE SURF
Honokawai, Lahaina
Island and County of Maui
Hawaii

REGISTRATION NO. 152

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.

October 12, 1966

SPECIAL ATTENTION

A comprehensive reading of the Report is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the prospective purchaser is particularly directed to the following:

1. CARLETTE SURF is an existing apartment building consisting of ten (10) dwelling units in a single structure to be converted to a lease condominium project.
2. The Developer of the project has filed all the basic documents and exhibits deemed necessary by the Commission for the registration of the Horizontal Property Regimes venture.
3. The Commission has determined that the basic documents have been filed in the office of the recording officer.

The Lease between Maui Pineapple Company, Limited and the Developer was recorded May 17, 1965, Liber 5041, Page 483. Amendments to said Lease were recorded at Liber 5041, Page 499 on May 17, 1965 and at Liber 5311, Page 334 on April 25, 1966.

Declaration of Horizontal Property Regime, with By-Laws of the Association of Apartment Owners attached, was recorded at Liber 5384, Page 284 on July 20, 1966.

Condominium Map No. 72 was assigned the project by the Registrar of Conveyances, Bureau of Conveyances, State of Hawaii, on July 20, 1966.

4. The Developer, complying with the Commission's Declaratory Ruling No. 1, dated December 14, 1965, has submitted a statement of all costs involved in completing this existing building.
5. No advertising or promotional matter has been filed pursuant to the Rules and Regulations promulgated by the Commission.
6. The prospective purchaser is advised to acquaint himself with the provisions of Chapter 170A., Revised Laws of Hawaii 1955, as amended, and the Rules and Regulations promulgated thereunder which relate to Horizontal Property Regimes.
7. This Report reflects information disclosed in the required Notice of Intention submitted to the Commission on July 18, 1966.

NAME OF PROJECT: CARLETTE SURF

LOCATION: The approximate land area of 0.37 acre committed to the Project is situate on the makai (westerly) side of Honoapiilani Highway at Mahinahina-Kai Subdivision on the northwest side of the Island of Maui about seven (7) miles from the town of Lahaina and forty (40) miles from the county seat of Wailuku along State Highway Number 30, a paved principal island road.

TAX KEY: Second Division 4-3-09-01

ZONING: Apartment A-3

DEVELOPER: The Notice of Intention identifies the Developer as:

Carl H. Duhrsen	Telephone:
Lahaina, Maui	366-020
Hawaii	

ATTORNEY REPRESENTING DEVELOPER: Crockett and Langa
(Attention: Mr. William F. Crockett), 38 South Market Street, P. O. Box 336,
Wailuku, Maui, Hawaii 96793. Telephone 33-796.

DESCRIPTION: The Declaration states that the building submitted to the Horizontal Property Regime is complete. The said building contains two (2) stories, including the ground floor, no basement, and ten (10) apartments. The principal materials of which the said building is constructed are as follows: the floors, beams, stairways and landings are of poured, reinforced concrete; the north and south exterior walls (short sides) of the said building, the walls between each room of the first story, the wall between the living room and service area of each apartment of the second story, and the columns of the said building, are of hollow tile; the walls between the rooms within each apartment, and between each apartment, of the second story are of gypsum board and wood, with fiberglass insulation; the east and west exterior walls (long sides) of the said building are of redwood, plate glass and louvered glass; the roof of the said building is of cedar shakes, supported by wooden roof trusses; all of the exposed interior hollow tile surfaces of the apartments of the first story of the said building are plastered; the exposed interior floor surfaces of the said building are covered with vinyl asbestos tile.

The apartments are numbered 1 through 10, inclusive. Apartments 1 through 5, inclusive, are located on the first story of the said building, and apartments 6 through 10, inclusive, are located on the second story of the said building (as more particularly shown on the certified floor plans of the said building, verified by NORMAN M. SAITO, professional engineer, of 30 Church Street, Wailuku, County of Maui, State of Hawaii, to be filed with the Bureau of Conveyances of the State of Hawaii simultaneously with the recording of this declaration). Apartments 2, 3, 4, 5, 7, 8, 9 and 10 are studio apartments, consisting of a lanai, living room, kitchen, dressing room, and bath, and each has an approximate floor space area of 470 square feet. Apartments 1 and 6 are one-bedroom apartments, consisting of a lanai, living room, bedroom, kitchen, dressing room, and bath, and each has an approximate floor space area of 940 square feet. Apartments 1 through 5, inclusive, each has immediate access to the land heretofore described. Apartments 6 through 10, inclusive, each has immediate access to the walkway on the east side of the building, the stairway and landings.

Each unit consists of the space measured horizontally of the distance between the surface of each of the north and south walls of each apartment, and the distance from the inside surface of the east wall of each apartment to the edge of the concrete slab of the lanai of each apartment on the first story, and the edge of the concrete slab of the balcony of each apartment on the second story, as the case may be, but in every such case on the west side of each apartment; and measured vertically of the distance between the topside surface of the concrete floor and the underside surface of the ceiling.

COMMON ELEMENTS: The common elements include: (a) the leasehold interest of the said CARL H. DUHRSEN and JEANNETTE E. DUHRSEN in the land hereinbefore described; (b) all foundations, columns, beams and supports, roof, walkways, stairways, exterior walls, partition walls between each apartment, floors and ceilings of the said building; (c) the swimming pool, its filtration unit, parking area, sewage disposal unit, outdoor lighting, linen and storage rooms located under the stairway, and the coin-operated washer and dryer and hot water heater installed in the said storage room; (d) all central and appurtenant installations for services such as power, light, telephone, gas, hot and cold water, refrigeration, air-conditioning, television, sewage disposal, and other utilities (including all pipes, ducts, wires, cables, and conduits used in connection therewith, whether located in common areas or in apartments), and all tanks, pumps, motors, fans, compressors, ducts and other apparatus and installations existing for common use; (e) all other apparatus and installations existing in the said building or on the said land hereinbefore described existing for, or rationally of common use to, or necessary or convenient to the existence, maintenance or safety of all of the apartments of the horizontal property regime hereby established.

LIMITED COMMON ELEMENTS: There are no limited common elements reflected in the Declaration of Horizontal Property Regimes submitted to the Commission for examination.

INTEREST TO BE CONVEYED PURCHASER. The percentage of undivided interest in the common elements appertaining to each apartment is as follows:

Apartments 1 and 6:	15.20% (each)
Apartments 2, 3, 4, 5, 7, 8, 9 and 10:	8.70% (each)

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The apartments of the said building are intended to be used as residential apartments. The Association of Apartment Owners of the horizontal property regime hereby established shall have the power to enact resolutions, rules and regulations, and the power to amend and repeal the same from time to time, restricting and regulating the use of the said building and the apartments thereof; provided, that any such resolution, rule or regulation shall be consistent with the terms of this Declaration of Horizontal Property Regime, the annexed Declaration of Covenants, Conditions and Restrictions and By-Laws of Association of Apartment Owners of Carlette Surf, a Horizontal Property Regime, and the terms and conditions contained in the said lease between Carl H. Duhrsen and Jeannette E. Duhrsen and the Maui Pineapple Company, Limited, as amended.

OWNERSHIP TO TITLE: The Developer advises in the Notice of Intention that the fee is vested in Maui Pineapple Company, Limited, a Hawaii corporation, Colin C. Cameron, Executive Vice President.

ENCUMBRANCES AGAINST TITLE: Evidence of search of title prepared June 21, 1966, by Title Guaranty of Hawaii, Incorporated, a Hawaii corporation, reflects the following:

Lease - Made May 29, 1963 by and between Maui Pineapple Company, Limited, called the "Lessor" and Carl H. Duhrsen and Jeannette E. Duhrsen, husband and wife, whose residence and post office address is Lahaina, Maui, Hawaii, called the "Lessees". For a term of thirty-five (35) years, commencing as of June 1, 1963 and ending May 31, 1998, the Lessees paying to the Lessor in equal quarterly installments, in advance, rent as follows: (a) For and during the first ten (10) years of said term, commencing June 1, 1963, up to and including May 31, 1973, one thousand four hundred fifty and no/100 dollars (\$1,450.00) per annum net to the Lessor; (b) for and during the next two 10-year and the last 5-year periods, such annual rent as the parties shall mutually agree upon in writing not later than sixty (60) days prior to the commencement of each of said rental periods, provided that such rental shall in no event be less than \$1,450.00 per annum.

Amendment of Lease - Made December 31, 1964 by above said parties in response to the Lessee's desires for an extension of the term of lease. The Lease was amended by amending the term from thirty-five (35) years commencing June 1, 1963 and ending May 31, 1998, to a term of fifty-five (55) years commencing June 1, 1963, and ending May 31, 2018. The language revision to the terms recited above under Lease, beginning at the item (b) is as follows: ... for and during the next four 10-year periods and the last 5-year period such annual rent as the parties mutually agree upon in writing not later than sixty (60) days prior to the commencement of said rental periods, provided that such rental shall in no event be less than \$1,450.00 per annum.

Amendment of Lease - Made April 4, 1966 by and between Maui Pineapple Company, Limited, as Lessor, and Carl H. Duhrsen and Jeannette E. Duhrsen, as Lessees, relates to submitting the described premises to the Horizontal Property Act. Other features such as consent of Lessor, assignment of lease or subleasing and termination of the Lease under the Horizontal Property Regimes conversion are covered.

PURCHASE MONEY HANDLING: Under his September 20, 1966 letter to the Commission, the Developer has advised that he does not intend to offer the apartments for

sale in the near future. At the time that a merchandising program is initiated, the Developer will enter into an escrow agreement and said arrangement for the deposit, retention and disbursing of the purchasers' funds will be reported to the Commission, becoming a part of this registration.

MANAGEMENT AND OPERATIONS: The By-Laws of the Association of Apartment Owners vests the Board of Directors with the powers and duties necessary for the administration of the affairs of the Association. Among other things, the Board is responsible for the appointment and dismissal of any personnel necessary for operation and maintenance functions.

STATUS OF PROJECT: The building was completed January 15, 1966 to the requirements and standards of the County of Maui.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 152 filed with the Commission on July 18, 1966.



YUKIO KASHIWA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

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DEPARTMENT OF REGULATORY AGENCIES
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