

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**

on
HALE KAI II
Honokawai, Lahaina
Island and County of Maui
Hawaii

REGISTRATION NO. 165
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.

June 9, 1967

SPECIAL ATTENTION

A comprehensive reading of this 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED TO THE COMMISSION MARCH 10, 1967.

1. HALE KAI II is a proposed leasehold condominium project consisting of twelve (12) dwelling units arranged throughout a single building of two (2) floors. There are to be twelve (12) parking stalls available.
2. The Developer has filed all the documents and exhibits deemed necessary by the Commission for the registration of this Horizontal Property Regime venture and the issuance of a Final Public Report.
3. The Commission has determined that the basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Owners, and copy of the approved floor plans) have been filed in the office of the recording officer.

The Master Lease was recorded with the Bureau of Conveyances, State of Hawaii, in Liber 5158, Page 391 on October 7, 1965.

The Declaration of Horizontal Property Regime of HALE KAI II, with By-Laws of the Association of Apartment Owners attached, was filed in the Bureau of Conveyances, State of Hawaii, in Liber 5597, Page 209 on March 7, 1967.

Condominium Map No. 82 has been assigned the project.

4. No advertising or promotional matter has been filed pursuant to the Rules and Regulations promulgated by the Commission.
5. 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 Regime.

NAME OF PROJECT: HALE KAI II

LOCATION: The approximate 23,752 square feet committed to the project is situated on the makai (westerly) side of Honoapiilani Highway near Honokawai Stream on the northwest side of the Island of Maui at Honokawai, approximately six (6) miles from the town of Lahaina and thirty-eight (38) miles from the county seat at Wailuku along State Highway Number 30, a paved principal island road.

TAX KEY: SECOND DIVISION 4-3-06-63

ZONING: A-3 (Apartment 3, Single Family Dwellings)

DEVELOPER: KANAPALI HOTEL CORPORATION, an Arizona corporation authorized to do business as a foreign corporation in this State. The officers are as follows:

Leonard Goldman	President and Treasurer	1014 North 2nd Street Phoenix, Arizona
Patricia Goldman	Vice President and Secretary	1014 North 2nd Street Phoenix, Arizona
Harold S. Singleton	Assistant Vice President	620 McCully Street, Apt. 1002 Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: Henshaw, Conroy & Hamilton (Attn: Mr. Dwight M. Rush), 1410 First National Bank Building, Honolulu, Hawaii. Telephone 561-002.

DESCRIPTION: The project shall consist of a two storied apartment building, constructed principally of reinforced concrete floors and double stud walls, containing twelve (12) dwelling units. Six (6) apartments are located on the first floor of said building and numbered 101 to 106 inclusive, beginning from the south side of the building and six (6) apartments are located on the second floor of said building and numbered 201 to 206 inclusive, beginning from the south side of the building. Each apartment contains one bedroom, except Apartments 106 and 206 which contain two (2) bedrooms, a bathroom, kitchen and living room. Each one-bedroom apartment contains a gross floor area of approximately 618 square feet including lanai, and Apartments 106 and 206 contain a gross floor area of approximately 786 square feet including lanai. All second floor apartments also have a storage room over the bathroom.

Each apartment on the ground floor has immediate access to a walkway running along the side of the building. Apartments on the second floor have immediate access to stairways between upper and ground floors of the building leading to walkways connecting the building to the street entrances and parking areas of the project.

The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits or other utility or service lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements as provided in the Declaration. Each apartment shall be deemed to include all the walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors, and ceilings, and all fixtures originally installed therein including refrigerator, four-burner range and oven, 30 gallon water heater and disposal.

COMMON ELEMENTS: The Declaration identifies the common elements as: (a) the land described in fee simple; (b) all foundations, floor slabs, beams, supports, bearing walls, roofs, chases, entries, stairways and walkways of said buildings; (c) all yards, grounds, landscaping, mail boxes and refuse facilities; (d) all parking areas and driveways; (e) all ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, water, sewage treatment system, sprinkler system and telephone; and (f) storage and laundry building containing laundry and drying machines.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, called limited common elements in the Declaration are designated and set aside for the exclusive use of certain apartments, and such apartments shall have appurtenant thereto easements for the use of such limited common elements as follows: (a) one parking space, designated on Condominium Map No. 82 by the number corresponding to the number of each apartment, shall be appurtenant to and for the exclusive use of such apartment; and (b) each stairway serving two apartments on the second floor of the project shall be appurtenant to and for the exclusive use of the said apartment. Each entry, having a square foot area which is to be described, serving two apartments on the first floor shall be appurtenant to and for the exclusive use of the said apartments.

INTEREST TO BE CONVEYED PURCHASER: Each one-bedroom apartment shall have appurtenant thereto an equal undivided 7.9 percentage interest and each two (2) bedroom apartment shall have appurtenant thereto an equal 10.5 percentage interest in all common elements of the project and the same proportionate share in all common profits and expenses of the project and for all other purposes including voting.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The apartments shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, domestic servants and social guests, and for no other purpose. The owners of the respective apartments shall have the absolute right to lease such apartments subject to all provisions of the Declaration.

OWNERSHIP TO TITLE: The Notice of Intention states and the evidence of title search prepared March 16, 1967 by Title Guaranty of Hawaii, a Hawaii corporation, verifies that title to the fee is vested in James Richard Andrews and Winifred Myrtle Andrews, 2461 Ala Wai Boulevard, Honolulu, Hawaii.

An Indenture of Lease dated October 6, 1965, by and between James Richard Andrews and Winifred Myrtle Andrews, husband and wife, as "Lessors" and Harold S. Singleton and Betty Heath Singleton, husband and wife, as "Lessees" for a term of Fifty-seven (57) years commencing on the 1st day of January 1966, and ending on the 31st day of December 2022 is recorded in Liber 5158, Page 391 at the Bureau of Conveyances, State of Hawaii, under date October 7, 1965.

An assignment of her estate, right, title and interest in the property described in the above recorded lease was made January 19, 1967 by Betty Heath Singleton to Harold S. Singleton, and said document is on record with the Bureau of Conveyances in Liber 5567, Page 181 as at date January 25, 1967.

The holders of the fee, James Richard Andrews and Winifred Myrtle Andrews, husband and wife, executed a Consent to Assignment on January 19, 1967. Said consent is recorded with the Bureau of Conveyances in Liber 5567, Page 184.

ENCUMBRANCES AGAINST TITLE: The title search document, prepared March 16, 1967 by Title Guaranty of Hawaii, reflects a reservation of the State of Hawaii, of all mineral and metallic mines of every description. The James Richard Andrews and Winifred Myrtle Andrews Lease, dated October 6, 1965 for a term of Fifty-seven (57) years commencing January 1, 1966 to Harold S. Singleton and Betty Heath Singleton is an encumbrance and is on record with the Bureau of Conveyances in Liber 5158, Page 391. The title continuation report also shows notice has been recorded in Liber 5597, Page 209 of the creation of a condominium project on the land under search to be known as HALE KAI II as shown on Condominium Map No. 82.

PURCHASE MONEY HANDLING: An Escrow Agreement dated February 23, 1967 has been executed and a copy of same filed with the Commission. The Escrow Agent is identified as Security Title Corporation, a Hawaii corporation. Upon examination the specimen Deposit Receipt and Contract and the executed Escrow Agreement are found to be in consonance with the Commission's Declaratory Ruling No. 1, dated December 14, 1965.

It is incumbent upon the purchaser and prospective purchaser that he reads the Deposit Receipt and Contract and the executed Escrow Agreement. The Escrow Agreement establishes how the proceeds from the sale of dwelling units and funds from other sources are placed in trust, as well as the retention and disbursement of said trust funds.

MANAGEMENT AND OPERATIONS: The Declaration states that the operation of the project shall be conducted for the Association of Apartment Owners by a responsible corporate Managing Agent who shall be appointed by the Association in accordance with the By-Laws. The powers, duties and responsibilities of the Board of Directors of the Association are set down in the By-Laws of the Association of Apartment Owners Proposed House Rules for the administration of the condominium project have been filed with the Commission.

STATUS OF PROJECT: In the registration of March 10, 1967, the Developer stated that he anticipated construction would start not later than May 16, 1967. A building contract was executed January 27, 1967 identifying John Pacific Company as the contractor. On March 13, 1967 said construction contract was amended and Kaanapali Hotel Corporation, doing business as Maui Projects, is to prosecute the building contract. Completion of the project, ready for occupancy, is approximately eight to nine months from commencement of construction.

The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted March 10, 1967 and information filed subsequently with the Commission as of May 22, 1967.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 165 filed with the Commission on March 10, 1967.



YUKIO KASHIWA, Vice Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

REB:sw

Distribution:

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