

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

TUTU RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

HALE PAU HANA

Kamaole Beach Lots, Kihei
Island and County of Maui
Hawaii

REGISTRATION NO. 175

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.

Issued: September 6, 1968

Expires: October 6, 1969

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 purchaser and prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JULY 20, 1967 AND INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS LATE AS SEPTEMBER 3, 1968. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT AND AMENDMENTS THERETO BY ACT 244 (L. 1967), EFFECTIVE JUNE 6, 1967.

1. The Developer has complied with Section 170A-13.6, R.L.H., and has fulfilled the requirements for issuance of a Final Public Report prior to construction.
2. Since the issuance of the Commission's Preliminary Public Report on Registration No. 175 dated September 15, 1967, the Developer has prepared, assembled and forwarded additional information to that filed in the July 20, 1967 submittal. This Final Public Report is made a part of the registration on HALE PAU HANA condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers receiving the Preliminary Public Report (yellow paper stock). Securing a signed copy of the Receipt for Horizontal Property Regime Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.

3. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the condominium project and the issuance of this Final Public Report.
4. The Developer, under date September 3, 1968, reports that the basic documents (Declaration of Horizontal Property Regime, with By-Laws of the Association of Apartment Owners attached, and a copy of the approved Floor Plans) have been filed in the office of the recording officer.

The Declaration, executed July 26, 1968, with By-Laws attached, has been recorded in the Bureau of Conveyances, State of Hawaii, July 26, 1968 in Liber 6146, Page 1.

Condominium Map No. 108 showing the layout, location, apartment numbers, available parking stalls, etc., was designed to the project by the Registrar, Bureau of Conveyances.
5. Advertising and promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 170A, Revised Laws of Hawaii 1955 (as amended, particularly by ACT 244, L. 1967 and effective June 6, 1967) and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
7. This Final Public Report expires thirteen months from the date of issuance, September 6, 1968, unless a supplementary report is published or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: HALE PAU HANA

DESCRIPTION: The Developer, under date July 29, 1968, has advised the Commission of changes in the design and arrangement of parts of the project. These changes are recited in the Declaration of Horizontal Property Regime recorded in the office of the recording officer. These material changes are disclosed as follows:

The project will consist of seventy-eight (78) apartments.

Penthouse apartments numbered 703 to 707, inclusive, located on the seventh floor of "Building A" have been deleted. In place thereof Apartments numbered 701 to 707, inclusive, have been placed on the seventh floor.

Penthouse Apartment No. 32 located on the third floor of "Building C" has been re-designated. It is now described as one penthouse apartment, designated "Penthouse," located on the third floor of "Building C."

Typical Unit "Building A": there are now forty-two (42) apartments. Apartments numbered 701 to 707 having been added to the seventh floor. One dining room has also been added and the floor area has been increased to 826 square feet.

End Unit "Building A": one dining room has been added and the floor area increased to 1,152 square feet.

Typical Unit "Buildings B & C": the floor area has been increased to 718 square feet.

Penthouse Plan "Building C": a dressing room has been added and the floor area increased to approximately 2,924 square feet.

7th Floor Unit Plan "Building A" has been withdrawn as recited in the Preliminary Public Report.

Commercial Unit Plan remains undisturbed.

INTEREST TO BE CONVEYED PURCHASER: The recorded Declaration reflects that the common interest paragraph has been changed only in that the 7th Floor Unit Plan "Building A" has been deleted and the Commercial Unit Plan was found to have a 5.02% interest rather than 5.03% as shown in the Preliminary Public Report.

OWNERSHIP TO TITLE: The Option Agreement executed on November 18, 1966 has been exercised. The fee title is vested in the Developer, HALE PAU HANA, INC., by Warranty Deed executed October 1, 1967 and recorded in the Bureau of Conveyances on February 9, 1968 in Liber 5958, Page 440. An oral title report from the plant of the Abstractor, Security Title Corporation, a Hawaii Corporation, verifies that the Developer is vested with the fee.

ENCUMBRANCES AGAINST TITLE: The Abstractor orally reported: Mortgage - a Purchase Money Mortgage, in the amount of \$180,000.00 back to Harold M. Johnson and Mary W. Johnson, husband and wife, was executed October 1, 1967 and recorded in the Bureau of Conveyances on February 9, 1968 in Liber 5958, Page 449. Taxes - Real Property Taxes for Year 1968 are a lien. Declaration of Horizontal Property Regime, executed July 26, 1968, with By-Laws attached, as recorded in the Bureau of Conveyances, July 26, 1968 in Liber 6146, Page 1. Condominium Map No. 108 has been designated to the project by the Registrar, Bureau of Conveyances.

STATUS OF PROJECT: The Developer advises that commencement of construction is scheduled for shortly after the Final Public Report issues. A building contract has been executed June 14, 1968 and the contractor is identified as Maui Builders Company, Limited, a Hawaii corporation. It is estimated that the building will be completed for occupancy in approximately 365 calendar days from the 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 July 20, 1967 and information subsequently filed as late as September 3, 1968.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 175 accepted by the Commission on July 20, 1967.

The report, when reproduced, shall be a true copy of the Commission's public report. The paper stock used in making facsimiles must be white.


JACK K. PALK, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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Distribution:
DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING AND TRAFFIC COMMISSION, COUNTY OF MAUI
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ESCROW AGENT

September 6, 1968
Registration No. 175