

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII  
1010 RICHARDS STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

## FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on  
HA'I O KAUAI COTTAGE COLONY  
Wainiha, Haena  
Island and County of Kauai  
Hawaii

REGISTRATION NO. 130

### 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: March 21, 1969  
Expires: April 21, 1970

#### 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 or prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED SEPTEMBER 5, 1967 AND INFORMATION SUBSEQUENTLY FILED AS LATE AS FEBRUARY 24, 1969. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND REPORTING CHANGES IN THE PLAN, 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 the issuance of a Final Public Report.
2. Since the issuance of the Commission's Preliminary Public Report on Registration No. 130, dated November 7, 1967, the Developer has prepared, assembled and forwarded additional information which reflects material changes in the project.

This Final Public Report is made a part of the registration on HA'I O KAUAI COTTAGE COLONY 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) and

the Supplementary Public Report (pink 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.

The Declaration of Horizontal Property Regime, executed December 3, 1968, with By-Laws attached was recorded in the Bureau of Conveyances on December 13, 1968 in Liber 6338, Page 251.

The approved Floor Plans showing the layout, location, apartment numbers, etc., have been designated Condominium Map No. 121 by the Registrar, Bureau of Conveyances.

4. Advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
5. 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 effective June 6, 1967) and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Final Report expires thirteen months from the date of issuance, March 21, 1969, 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: HA'I O KAUAI COTTAGE COLONY

There have been no changes in the topical headings DESCRIPTION, COMMON ELEMENTS, LIMITED COMMON ELEMENTS, and INTEREST TO BE CONVEYED PURCHASER.

ENCUMBRANCES AGAINST TITLE: An interim construction mortgage dated December 19, 1968, in the amount of \$970,000 in favor of Bishop Trust Company, Limited, on the land of the project was recorded as aforesaid in Liber 6345, Page 458.

PURCHASE MONEY HANDLING: An executed copy of the Escrow Agreement dated December 26, 1968 identifies Bishop Trust Company, Limited, a Hawaii corporation, as Escrow for the project. The original escrow agreement with Title Guaranty Escrow Services, Inc. has been cancelled. A Statement of Program of Financing the project has been submitted to the Commission which sets forth that Bishop Trust Company, Limited, the interim lender under the mortgage above mentioned, has consented to the sale of most of the units by way of agreement of sale and will subordinate its mortgage to such agreements of sale. The remaining units will be supplied mortgage financing from various trusts. Commitments of these trusts have been filed with the Commission.

There is no change to the topical heading MANAGEMENT AND OPERATIONS.

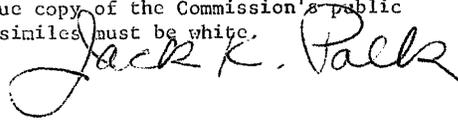
STATUS OF THE PROJECT: A copy of the executed Agreement dated August 29, 1968 between the Developer and Kenneth Shioi & Co., Ltd., as the Contractor, has been submitted as a part of this registration. Construction commenced on the site in November, 1968 and completion for occupancy is estimated on or about July 1, 1969.

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The purchaser or prospective purchaser should be cognizant of the fact that this report represents information disclosed by the Developer in the required Notice of Intention submitted September 5, 1967 and information subsequently filed as of February 24, 1969.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 180 filed with the Commission on September 5, 1967.

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



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

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Distribution:

DEPARTMENT OF TAXATION  
BUREAU OF CONVEYANCES  
PLANNING & TRAFFIC COMMISSION, COUNTY OF KAUAI  
FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

March 21, 1969  
Registration No. 180