

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

HA'I O KAUAI COTTAGE COLONY
(formerly known as BALI H'AI)
Wainiha, Haena
Island and County of Kauai
Hawaii

REGISTRATION NO. 130

This Report Is Not an Approval or Disapproval of This Condominium Project

It was prepared as a supplement to an earlier Report dated _____ issued by the Real Estate Commission on the above 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: August 16, 1968

Expires: September 16, 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 or prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION TO SELL SUBMITTED SEPTEMBER 5, 1967 AND INFORMATION SUBSEQUENTLY FILED AS OF JULY 15, 1968. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL AND SUBMITTING INFORMATION ON MATERIAL CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT AND AMENDMENTS THERETO BY ACT 244 (L. 1967) EFFECTIVE JUNE 6, 1967.

1. Since the issuance of the Commission's Preliminary Public Report of November 7, 1967 on BALI H'AI COTTAGE COLONY, Registration No. 180, the Developer reports that changes have been made in the plan or setup as presented in the September 5, 1967 notice of intention to sell.

The changes subsequently made are determined to be a material revision to the information disclosed earlier. This Supplementary Public Report (pink paper stock) amends the Preliminary Public Report (yellow paper stock), becoming a part of the HA'I O KAUAI COTTAGE COLONY registration. The Developer is responsible for placing a true copy of this Supplementary Public Report in the

hands of all purchasers and prospective purchasers, along with a copy of the Preliminary Public Report. The buyer shall sign the required receipt signifying that he has had an opportunity to read both reports.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the project and the updating of information disclosed therein.
3. Advertising and promotional matter has been filed pursuant to the Rules and Regulations promulgated by the Commission.
4. The purchaser and prospective purchaser is advised to acquaint himself with the provisions of Chapter 170A, Revised Laws of Hawaii 1955 (as amended), and the Condominium Rules and Regulations promulgated thereunder which relate to Horizontal Property Regimes.

NAME OF PROJECT: HA'I O KAUAI COTTAGE COLONY. The Developer has submitted information in the form of an amended specimen Declaration of Horizontal Property Regime and By Laws of the Association of Apartment Owners providing for a change in name from "BALI H'AI COTTAGE COLONY" Condominium Project to "HA'I O KAUAI COTTAGE COLONY" Condominium Project.

The information in the topical headings, LOCATION, TAX KEY, ZONING, DEVELOPER and ATTORNEY REPRESENTING DEVELOPER of the Preliminary Public Report of November 7, 1967, has not been disturbed.

DESCRIPTION: The Developer represents that the description has been amended to describe the addition of a building, which is identified hereafter as "cottage." The disclosure then is as follows: Fifty-three (53) freehold estates are designated in the space within the perimeter walls, floors and ceilings of each of the 53 apartment units of the project contained in thirteen (13) two-story residential buildings (designated as Buildings "A" through "M" inclusive), and a cottage designated "cottage", all constructed principally of wood, which spaces are referred to in the Declaration as "apartments", and are designated on the plans to be filed in the office of the recording officer and described as follows:

The arrangement or format in the Preliminary Public Report depicting the numbering of apartments and their respective locations in each of the thirteen (13) buildings has not been disturbed.

Added to the apartment information would be the following sentence after the words "...the second floor of Building M.":

The cottage apartment is located in the one-story building designated "cottage."

Each residential apartment except the cottage contains approximately 850 square feet of floor space, including a private lanai, and consists of the following rooms: two bedrooms, one bathroom, one kitchen, one living room and one private lanai. The cottage contains 774 square feet of floor space, including a private lanai, and consists of two bedrooms, one bathroom, one kitchen, one living room, one dining room and one private lanai.

There is no change to the topical headings Common Elements or Limited Common Elements in the Preliminary Public Report.

INTEREST TO BE CONVEYED PURCHASER: The specimen Declaration reflects that each residential apartment shall have appurtenant thereto an undivided 1/53 fractional interest (1.8867 % percentage interest) in the common elements of the project.

The remaining headings of the Preliminary Public Report have not been distributed.

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 July 15, 1968.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 180 filed with the Commission 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 pink in color.


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

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Distribution:

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August 16, 1968
Registration No. 180