

# 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  
KUAPA ISLE  
Extension of Opihikao Place  
Kuapa Pond  
Honolulu, Hawaii

REGISTRATION NO. 236

### 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 12, 1969

Expires: October 12, 1970

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

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED NOVEMBER 12, 1968, AND SUBSEQUENT INFORMATION FILED AS LATE AS SEPTEMBER 9, 1969. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF CHANGES IN THE INFORMATION SINCE THE INITIAL REGISTRATION, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514 OF THE HAWAII REVISED STATUTES.

1. The Preliminary Public Report on KUAPA ISLE was issued on December 24, 1968. Subsequent thereto, the Developer has made certain changes in the project plan. This Final Public Report amends the Preliminary Public Report to reflect such changes. The Preliminary Public Report is incorporated by reference and made a part of this Final Public Report insofar as the Preliminary Public Report does not conflict with the amendments reflected herein. The amendments effected neither change the purchaser's undivided interest in the common elements nor change the size of the apartment or buildings. The amendments are technical and non-substantive changes of omissions and style in language for purposes of clarify and intent, except the amendments as follows:

Plans and Specifications. Revisions and additions to plans and specifications were made. The Developer has advised the Commission that the revisions and additions were made because of the unavail-

ability of certain materials specified and for general improvement of the plans and specifications; and has further advised that the revisions and additions are substantially of like grade and quality as originally specified.

All amendments have been submitted to, received by, and on file with, the Commission.

2. The Commission has determined that the basic documents (Declaration of Horizontal Property Regime, with By-Laws of 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 and By-Laws both dated November 11, 1968 have been filed with the Bureau of Conveyances, State of Hawaii, on December 11, 1968, in Liber 6328, at Page 371. Amendment No. 1 to the Declaration dated April 30, 1969, has been filed in Liber 6604, at Page 193.

The Bureau of Conveyances has assigned Condominium Map No. 120 to the project.

3. No advertising and promotional matter has been filed pursuant to the rules and regulations promulgated by the Commission.
4. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514 of the Hawaii Revised Statutes, and the Condominium Rules and Regulations which relate to Horizontal Property Regime.
5. The Developer shall give to each purchaser and prospective purchaser a true copy of the Preliminary Public Report (Yellow Paper Stock) and this Final Public Report (White Paper Stock).

The purchaser and prospective purchaser shall sign the required receipt signifying that he has had the opportunity to read both reports.

6. This public report automatically expires thirteen months after the date of issuance, September 12, 1969, unless a supplementary report is published or the Commission, upon review of the registration, issues an order extending the effective period of the report.

The Commission's Preliminary Public Report of December 24, 1968 should be carefully reviewed by purchaser and prospective purchaser. The information disclosed under the topical headings of Encumbrances Against Title, Purchase Money Handling, Status of Project, and Financing has been amended. Information disclosed in the remaining topical headings has not been disturbed.

ENCUMBRANCES AGAINST TITLE: The Developer has submitted a title report executed September 2, 1969, prepared by Title Guaranty of Hawaii, Inc., which certifies that there are no additional liens or encumbrances of whatever kind or nature against said title since the issuance of the Commission's Preliminary Public Report, except the following: Declaration of Horizontal Property Regime of Kuapa Isle dated November 11, 1968, filed in the Office of the Registrar of Conveyances of Honolulu, in Liber 6328, Page 371. Said Declaration was amended by Amendment No. 1 dated April 30, 1969, filed in Liber 6604, Page 193. The map filed with the Declaration of Horizontal Property Regime of Kuapa Isle has been designated Condominium File Plan No. 120. Development Agreement dated December 31, 1968, to take effect as of December 22, 1965, by and between Lewers & Cooke, Inc. and Kaiser Hawaii-Kai Development Co., recorded in Liber 6365, Page 261. This agreement is a short form of the document setting forth the fact that Lewers & Cooke holds the sub-development rights from the Basic Developer to the land covered by an unrecorded instrument dated December 22, 1965. Mortgage and Financing Statement dated January 3, 1969 from Aloha State Developers, Inc. and Lewers & Cooke, Inc., Mortgagors, doing business as joint venturers under the name of Kuapa Land Company to Honolulu Savings and Loan Company, Ltd., Mortgagee, filed in Liber 6367, Page 186, to secure \$3,650,000 and further advances. Taxes assessed against the lands have been fully paid up to and including June 30, 1969.

Note: Abstractor reports that numerous apartment leases and mortgages thereof appear of record which have been purposely omitted from the title report.

Developer has advised the Commission that 234 apartment leases have been issued by Bishop Estate to Lewers & Cooke, Inc., which leases will be assigned to purchasers on closing. The interim mortgage held by Honolulu Savings and Loan Co., Ltd. is secured by the 234 apartment leases plus Developer's development rights.

PURCHASE MONEY HANDLING: The Developer has complied with the provisions of Section 514-15 of the Hawaii Revised Statutes by filing with the Commission the following:

1. Developer's verified statement of a total development cost.
  2. Developer's verified estimated completion date of the entire project is on or about September of 1970.
  3. Developer's statement that the total project cost will be covered with funds from a construction loan from Honolulu Savings and Loan Co., Ltd. and the balance paid in and applied to development costs out of Developer's equity. Developer advises that none of the purchaser's funds are being used toward development costs.
  4. Copies or satisfactory evidence of executed construction contracts and bonds therefor are as follows:
    - a. Agreement dated June 13, 1968, by and between Kuapa Land Company (Developer), as owner, and Urban Equipment, Inc., as contractor, for the grading of pads and roads, construction of roadway, drainage, water, sewer, underground electric, telephone and street lighting systems; together with a labor and material payment bond and a performance bond for such grading and construction, each dated June 13, 1968, issued by Maryland Casualty Company, as surety.
    - b. Agreements dated December 31, 1968, by and between Kuapa Land Company (Developer), as owner, and Hirano Brothers, Limited, as contractor, for the construction of the piling and swimming pool, and clubhouse; together with a labor and material payment bond and performance bonds (2) for such construction, dated January 7, 1969 and January 6, 1969, issued by Maryland Casualty Company, as surety, and Lewers & Cooke, Inc., as surety, respectively.
    - c. Construction contracts, each dated December 31, 1968, by and between Kuapa Land Company (Developer), as owner, and Hirano Brothers, Limited, as contractor, for the construction of 117 duplex apartment buildings; together with performance bonds for such construction, each dated January 2, 1969, issued by Lewers & Cooke, Inc., as surety, have been deposited with Honolulu Savings and Loan Co., Ltd. Developer has filed with the Commission a copy of the construction contract and performance bond for Building No. 1 only.
- All bonds are in the amount of not less than 100% of the construction contract prices.
5. A copy of the executed Escrow Agreement with Title Guaranty Escrow Services, Inc., dated October 24, 1968, which contains provisions in compliance with Section 514-15(6).

STATUS OF PROJECT: The Developer advises the Commission that about 30% of the over-all project has been completed. It is estimated that the entire project will be completed on or about September 1970.

FINANCING: Developer has filed with the Commission a copy of a commitment letter dated May 22, 1968, from Honolulu Savings and Loan Co., Ltd., approving Developer's application for construction and take-out financing for Kuapa Isle. Said commitment was accepted by the Developer and a construction loan was made by Honolulu Savings and Loan Co., Ltd. pursuant thereto.

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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 November 12, 1968 and additional information subsequently filed as late as September 9, 1969.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 236 filed with the Commission on November 12, 1968.

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 in color.

  
HERBERT S. ISONAGA, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

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Distribution:

DEPARTMENT OF TAXATION  
BUREAU OF CONVEYANCES  
PLANNING DEPARTMENT, CITY & COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

September 12, 1969  
Registration No. 236