

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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

## SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

AINA KU'AI KAI  
40 Kai One Place  
Kailua, Oahu, Hawaii

REGISTRATION NO. 267

### **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: March 9, 1970

Expires: April 9, 1971

#### 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 MARCH 19, 1969 AND INFORMATION SUBSEQUENTLY FILED AS LATE AS FEBRUARY 25, 1970. 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 REGIMES LAW, CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Final Public Report of August 22, 1969 on AINA KU'AI KAI Condominium Project, Registration No. 267, the Developer reports that changes have been made in the plan as presented in the March 19, 1969 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 Final Public Report (white paper stock) becoming a part of the AINA KU'AI KAI 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 Final Public Report. The buyer shall sign the required receipt certifying 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 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 514, Hawaii Revised Statutes, as amended, and the Condominium Rules and Regulations promulgated thereunder which relate to Horizontal Property Regimes.

The information in the topical headings NAME OF PROJECT, LOCATION, TAX KEY, ZONING, DEVELOPER and ATTORNEY REPRESENTING DEVELOPER of the Final Public Report dated August 22, 1969 has not been disturbed.

DESCRIPTION: The present plan is to build six (6) separate residences, numbered #1, #2, #4, #5, #6 and #7, and designated on the floor plans as "House Plan No. 2", "House Plan No. 3" and "House Plan No. 4". Each dwelling contains the number of rooms and approximate floor area according to its respective floor plan, as follows:

(a) HOUSE PLAN NO. 2: Two (2) dwellings, being units #2 and #4, contain twelve (12) rooms each, including five (5) bedrooms, three (3) bathrooms, an attached enclosed garage and an arcade. The total floor area of each of these dwellings is 2,825 square feet, including the garage area of 440 square feet and the arcade area of 145 square feet.

(b) HOUSE PLAN NO. 3: Three (3) dwellings, being units #5, #6 and #7, are two-story structures and contain thirteen and one-half (13-1/2) rooms each, including five (5) bedrooms, three and one-half (3-1/2) bathrooms and an attached enclosed garage-storage area. The total floor area of each of these dwellings is 2,880 square feet, including the garage-storage area of 460 square feet.

(c) HOUSE PLAN NO. 4: One (1) dwelling, being unit #1, contains nine (9) rooms, including four (4) bedrooms, two (2) bathrooms and a detached double carport. The total floor area is approximately 3,272 square feet, including the carport of approximately 480 square feet.

The Fourth Amendment to the Declaration of Horizontal Property Regime states that the Owner-Developer reserves the right to later designate a limited common element for a dwelling site and construct thereon an additional dwelling unit, described as follows:

One (1) dwelling, being unit #3, House Plan No. 2 similar to units #2 and #4, contains twelve (12) rooms, including five (5) bedrooms, three (3) bathrooms, an attached enclosed garage and an arcade. The total floor area of this dwelling is 2,825 square feet, including the garage area of 440 square feet and the arcade area of 145 square feet.

Each dwelling has immediate access to the adjacent grounds and driveway of the project, all as more particularly shown on said Condominium Map No. 78.

There is no change in the information contained in the topical heading COMMON ELEMENTS contained in the Final Public Report.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, called "limited common elements", are designated and set aside for the exclusive use of certain dwellings, and such dwellings shall have appurtenant thereto an exclusive easement for the use of such limited common elements. The limited common elements so set aside and reserved include, but are not limited to all items set forth in said condominium map as limited common elements and are as follows:

(a) The site of each dwelling, consisting of the land beneath such dwelling, together with the driveway leading thereto, shall be appurtenant to and for the exclusive use of such dwelling.

(b) The swimming pool and surrounding fenced area shall be appurtenant to and for the exclusive use of dwelling #1.

INTEREST TO BE CONVEYED TO PURCHASER: Each dwelling shall have appurtenant thereto an undivided 16.666+% percentage interest (1/6th fractional interest) in the common elements, such interest being defined and referred to herein as the "common interest". The common interest, the proportionate shares in the profits and common expenses of the project and the proportionate representation for voting purposes in the Association of Dwelling Owners of the project, shall be in said percentage or fraction for each dwelling.

If the Owner-Developer adds the additional dwelling unit to the project, then the common interest appurtenant to all the units of the project will be a 14.285% percentage interest or 1/7th fractional interest in all of the common elements of the project, and the same proportionate shares in all common profits and expenses of the project and for all other purposes including voting.

The information contained in the topical headings PURPOSE OF DWELLINGS AND RESTRICTIONS AS TO USE and OWNERSHIP TO TITLE of the Final Public Report has not been disturbed.

There is no change in the information contained in the Final Public Report to the topical headings ENCUMBRANCES AGAINST TITLE, PURCHASE MONEY HANDLING, and MANAGEMENT AND OPERATIONS.

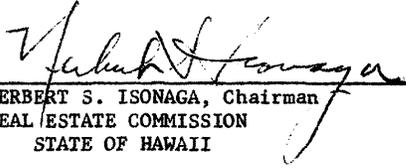
STATUS OF THE PROJECT: The declarant states that construction has commenced and the estimated completion date is on or before April 15, 1970.

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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 March 19, 1969 and information subsequently filed as late as February 25, 1970.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 267 filed with the Commission on March 19, 1969.

The 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.

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

REB:bym

Distribution:

DEPARTMENT OF TAXATION  
BUREAU OF CONVEYANCES  
PLANNING DEPARTMENT C & C OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

March 9, 1970  
Registration No. 267.