

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
PUUONE HALE ALII
Wailuku, Maui, Hawaii

REGISTRATION NO. 291

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 16, 1969
Expires: October 16, 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 and prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JULY 3, 1969 AND ADDITIONAL INFORMATION SUBMITTED AS LATE AS SEPTEMBER 16, 1969. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514 OF THE HAWAII REVISED STATUTES.

1. PUUONE HALE ALII is a fee simple condominium project consisting of thirty (30) dwelling units arranged throughout a single building of three (3) stories. There are thirty (30) parking stalls for apartment occupants.
2. Advertising and promotional matter has been submitted prior to the date of this Final Public Report.
3. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514 of the Hawaii Revised Statutes and the rules and regulations of the Hawaii Real Estate Commission which relate to Horizontal Property Regime.

4. This Final Public Report is made a part of the registration on the PUUONE HALE ALII condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed copy of the Receipt for the Final Horizontal Property Regime Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.
5. 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.
6. The Developer 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. Said Declaration and By-Laws are recorded in the Bureau of Conveyances, starting at Book 6572 at page 273. The Registrar has designated Condominium Map No. 140 to the project.
7. This Final Public Report expires thirteen (13) months from the date of issuance, September 16, 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: PUUONE HALE ALII

LOCATION: The 24,236.0 square feet of land committed to the project is situated at Owa, Wailuku, Maui, State of Hawaii, being Lot No. 103 and Lot No. 104 of the PUUONE TRACT, UNIT 2.

TAX KEY: SECOND DIVISION 3-8-37-34 & 35

ZONING: A-2 (apartment district)

DEVELOPER: F-N-S DEVELOPMENT, INC., a Hawaii corporation, registered with the Department of Regulatory Agencies of the State of Hawaii on January 30, 1969, whose business address is listed as 1072 Lower Main Street, Wailuku, Maui, Hawaii.

The officers of the corporation are:

President	Harold L. Freitas
Vice-President	Wilfred M. Scales
Secretary-Treasurer	Donald H. Tokunaga

ATTORNEY REPRESENTING DEVELOPER: Crockett and Crockett (Attention: William F. Crockett, Esq.), 38 South Market Street, Wailuku, County of Maui, Hawaii. Telephone No. 33-796.

DESCRIPTION: The specimen Declaration of Horizontal Property Regime and Developer's floor plans reflect that the proposed condominium complex submitted to the regime, situated on the 24,236.0 square feet of fee simple land, will when complete consist of thirty (30) dwelling units arranged throughout a single building of three (3) stories. The principal materials of which the said building shall be constructed are as follows: the foundation, all floors, the stairways and the roof will be of poured (and/or pre-cast) reinforced concrete; all bearing walls (the end and side walls of the said building and the walls between apartments) will be of hollow concrete blocks; the interior partition walls within each apartment will be of gypsum board with metal studs on both sides; the interior floors within each apartment shall be covered with carpet or vinyl asbestos floor tile; the roof will be covered with asphalt, and shall have a wood shake fascia.

There are ten (10) apartments located on each of the three floors. The apartments are numbered in ascending order, by story, from northwest to southeast. Apartments numbered 1, 4, 7, 10, 13, 16, 19, 22, 25 and 28 are located on the first story (ground floor); apartments numbered 2, 5, 8, 11, 14, 17, 20, 23, 26 and 29 are located on the second story; apartments numbered 3, 6, 9, 12, 15, 18, 21, 24, 27 and 30 are located on the third story.

The apartments will be of three types: "A", "B", and "C". Apartments 1, 2 and 3 are A type apartments. Apartments 4 through 12 are B type apartments. Apartments 13 through 30 are C type apartments.

Each A type apartment shall consist of an entry hall, two bedrooms, bath/laundry, living room/dining room, kitchen and lanai, and each shall have an approximate enclosed floor space of 838 square feet and 32 square feet of lanai. Each B and C type apartment shall consist of an entry hall, one bedroom, bath/laundry, living room/dining room, kitchen and lanai, and each shall have an approximate enclosed floor space of 552 square feet and 32 square feet of lanai. The only difference between the B and C type apartments is in the lay-out of the rooms within each apartment.

Apartments 1, 4, 7, 10, 13, 16, 19, 22, 25 and 28 shall each have immediate access to the land heretofore described. All of the other apartments shall each have immediate access to the open corridor immediately adjacent to and connecting the apartments on each story above the ground floor and the stairways.

Each apartment shall consist of the space measured horizontally by the distances between the surface of the interior walls of each apartment, and the space measured by the area of the lanai of each apartment; and measured vertically by the distance between the topside surface of the concrete floor and the underside surface of the ceiling.

COMMON ELEMENTS: According to the specimen Declaration, the common elements shall include: (a) the land heretofore describe, except such portions hereinafter described as limited common elements, and the superadjacent airspace above the roof, and next to the exterior walls, of the said building; (b) all foundations, columns, beams and supports, girders, roof, walks, stairways, exterior walls, partition walls between each apartment, floors, and ceilings, and open corridors immediately adjacent to and connecting the apartments of each story above the ground floor; (c) outdoor lighting, central television antenna, and trash refuse area; (d) all central and appurtenant installations for services such as power, light, telephone, gas, hot and cold water, refrigeration, air-conditioning, television, sewage disposal, and other utilities (including all pipes, ducts, wires, cables, and conduits used in connection therewith, whether located in common area or in apartments), and all tanks, pumps, motors, fans, compressors, ducts and other apparatus and installations existing for common use; (e) all tangible personal property and money, and any apartment of the regime, acquired and held by the association of apartment owners or the board of directors of the horizontal property regime, or their agents, for the maintenance, safety and operation of the common elements of the regime, or for the common use and benefit of the apartment owners; and (f) all other apparatus and installations existing in the said central residential apartment building or on the said land hereinbefore described existing for, or rationally of common use to, or necessary or convenient to the existence, maintenance or safety of all the apartments of the horizontal property regime hereby established.

LIMITED COMMON ELEMENTS: Each apartment shall have a parking stall in the parking area. Each such parking stall shall be marked by a number corresponding to the apartment to which it appertains. Each such parking stall shall be a limited common element to the apartment to which it appertains.

COMMON INTEREST: The specimen Declaration discloses that the percentage of undivided interest in the common elements appertaining to each apartment is as follows:

Apartments 1, 2 and 3	4.81%
Apartments 4 through 29	3.16%
Apartment 30	3.41%

PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE: The specimen Declaration reflects that the apartments shall be used as residential apartments.

OWNERSHIP TO TITLE: Developer has submitted copies of Certificates of Title prepared by Title Guaranty of Hawaii, Incorporated, which certify that as of May 26, 1969, legal titles to Lot 103 (Tax Map Key: 3-8-37-34) and Lot 104 (Tax Map Key: 3-8-37-35) are vested in F-N-S Development, Inc.

ENCUMBRANCES AGAINST TITLE: The copies of Certificates of Title certify that Lots 103 and 104 are subject to the following encumbrances: Grant of easement for utility purposes over and across said parcels of land in favor of Maui Electric Company, Limited and Hawaiian Telephone Company. Easements for sanitary sewer purposes reserved to Frank Munoz and Donald H. Tokunaga. Restrictions relative to the use of said lands. Reservation to the State of Hawaii to mineral rights. For any taxes that may be due and owing and lien on the lands, reference is made to the Office of Tax Assessor of the District in which said lands are situated.

- Note: (1) Written approval of the plans and specifications, as required by the restrictive covenants, has been obtained from Donald H. Tokunaga by letter dated July 2, 1969.
- (2) Developer discloses that the land is further encumbered by the Declaration of Horizontal Property Regime dated June 23, 1969 and recorded in Liber 6572 at page 273, being known as Puone Hale Alii, and Condominium Map No. 140.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement, dated June 29, 1969, between Title Guaranty Escrow Services, Inc., and F-N-S DEVELOPMENT, INC., has been filed. On examination the specimen Contract of Sale and the executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly Section 514-15.

Among other provisions, the Escrow Agreement provides that upon approval of the American Security Bank, Escrow shall from time to time disburse money from the escrow funds to pay for construction costs of the building in proportion to the valuation of the work completed by the contractor as certified by a registered architect or professional engineer, and for architectural, engineering, finance and legal fees and for other incidental expenses of the project, as approved by the American Security Bank. The Escrow Agreement further provides that after the completion of the building, and after Escrow receives satisfactory evidence that all mechanics' and materialmen's liens have been satisfied, and forty-five (45) days after Developer shall file with the Circuit Court of the Second Circuit a copy of an affidavit showing publication of a notice of completion of the building, and shall furnish a file marked copy thereof to Escrow, Escrow shall disburse the remaining money held in escrow to Developer, or to whomever Developer shall appoint.

It is incumbent upon the purchaser and prospective purchaser that he reads with care the Contract of Sale and the executed Escrow Agreement. The latter document, Escrow Agreement, establishes how the proceeds from the sale of apartments and all sums received from any source are placed in trust, as well as the retention and disbursement of said trust funds.

FINANCING OF PROJECT: The American Security Bank has issued the developer a \$425,000 interim construction loan commitment. The construction loan will be secured by a first mortgage of the property. The developer also expects to obtain approximately \$90,000 from apartment purchasers in part payment of the apartment purchase price. This purchase money will be deposited in escrow. The escrow agreement permits the disbursement of these funds, if necessary, for construction costs. The developer also has approximately \$40,000 of equity funds on deposit to satisfy any unexpected project costs.


MANAGEMENT AND OPERATIONS: The Declarant discloses that the administration of the project shall be vested in the Association of Apartment Owners. The Developer has not entered into any management contract as of the date of this Final Public Report.

STATUS OF PROJECT: In the Notice of Intention the Developer advised the Commission that the construction of the project would commence approximately one week after the issuance of the public report. It is estimated that the project will be completed six months after notice to proceed. According to the construction contract executed by Global Contractor, Incorporated, on April 28, 1969, the work shall be completed within six (6) months after notice to proceed. Owner's Bond in an amount equal to 100% of the contract price was issued on September 15, 1969 by First Insurance Company of Hawaii, Ltd., as Surety.

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 3, 1969.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 291, filed with the Commission July 3, 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 white.


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

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September 16, 1969
Registration No. 291

