

**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  
THE KALAMA TERRACE APARTMENTS  
Corner of Walaka Street and Hua Place  
Kihei, Maui, Hawaii

REGISTRATION NO. 408

**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: October 26, 1971  
Expires: November 26, 1972

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 AUGUST 26, 1971, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED ON OCTOBER 18, 1971. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514, HAWAII REVISED STATUTES.

1. THE KALAMA TERRACE APARTMENTS is a proposed fee simple condominium project consisting of two (2) three-story apartment buildings designated as LEHUA (31 apartment units) and PUALANI (31 apartment units) with all floors devoted to residential apartment units. Each apartment shall have a lanai and at least one uncovered vehicle parking stall.
2. The Developer of the project has submitted to the Commission for examination all documents and exhibits deemed necessary for the registration of a condominium project and issuance of this Final Public Report.
3. The Commission has determined that the basic documents and floor plans (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners 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 August 25, 1971, have been filed with the Bureau of Conveyances, State of Hawaii, in Liber 7878 at page 268.

The Bureau of Conveyances has assigned Condominium Map No. 206 to the project.

4. No 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 514 of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regime.
6. This Final Public Report automatically expires thirteen (13) months after date of issuance, October 26, 1971, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this project.
7. The Developer shall give to each purchaser and prospective purchaser a true copy of this Final Public Report (white paper stock). The purchaser and prospective purchaser shall sign the required receipt signifying that he had had the opportunity to read the report.

NAME OF PROJECT: THE KALAMA TERRACE APARTMENTS

LOCATION: The 62,972 square feet of land committed to the project is situated at the corner of Walaka Street and Hua Place in Kihei, County and Island of Maui, State of Hawaii.

TAX KEY: Second Division, 3-9-16-25, -26, -27, -28, -29, -30

ZONING: Apartment A-3

DEVELOPER: KALAMA TERRACE COMPANY, a Hawaii registered limited partnership, of which Walter Zane Realty, Inc., a Hawaii corporation is the authorized general partner.

General Partner

Officers of Walter Zane Realty, Inc.

Walter S. S. Zane - President and Treasurer  
Florence F. Zane - Secretary

Limited Partners

Walter S. S. Zane  
Lawrence I. Morisako  
Michael Teruya  
Evelyn Zane Garcia and Walter S. S. Zane as joint tenants  
Mun On Chang  
Tai Hi Lim  
Hildred K. Lum

The limited partnership was formed on August 17, 1971. The office of the limited partnership is situated at Suite 616, 745 Fort Street, Honolulu, Hawaii. Telephone No. 536-6961.

ATTORNEY REPRESENTING DEVELOPER: JAMES H. WAKATSURI, Suite 311, 1022 Bethel Street, Honolulu, Hawaii. Telephone No. 537-2952.

DESCRIPTION: Plans submitted by the Developer show a fee simple residential condominium project consisting of two (2) three-story apartment buildings designated as LEHUA and PUALANI with all floors devoted to apartments. Each

apartment shall have a lanai. The buildings shall be constructed of continuous reinforced concrete footings, reinforced concrete block bearing walls, reinforced concrete floors, exterior concrete block walls, redwood ornamental trim, redwood railings for the lanais, aluminum railings along the corridors, and shake covered hip roof.

LEHUA shall have thirty-one (31) apartment units consisting of five (5) two-bedroom apartments and twenty-six (26) one-bedroom apartments, one of which is to be a common element designated as the residential unit for the Managing Agent. The first floor of the building shall contain one (1) two-bedroom and eight (8) one-bedroom apartments. The second floor shall contain two (2) two-bedroom and nine (9) one-bedroom apartments. The third floor shall contain two (2) two-bedroom and nine (9) one-bedroom apartments.

PUALANI shall have thirty-one (31) apartment units consisting of five (5) two-bedroom apartments and twenty-six (26) one-bedroom apartments. The first floor of the building shall contain one (1) two-bedroom and eight (8) one-bedroom apartments. The second floor shall contain two (2) two-bedroom and nine (9) one-bedroom apartments. The third floor shall contain two (2) two-bedroom and nine (9) one-bedroom apartments.

The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load bearing walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits, or other utility lines running through each apartment which are utilized for or serve more than one apartment, the same being the common elements as herein-after provided. Each apartment shall be deemed to include all the walls and partitions which are not load bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors, and ceilings and the range and hood, garbage disposal and refrigerator. Each apartment has access to a walkway which leads to stairways at each end of the building.

The designated apartment numbers, number of rooms, general location of each apartment in the respective buildings and total square feet floor area including the lanai of each apartment are as follows:

<u>LEHUA</u>				
<u>Apt. No.</u>	<u>Floor</u>	<u>Rooms</u>	<u>Total Sq. Ft. of Apartment Including Lanai</u>	<u>Location of Building</u>
101	Ground	One living-dining room combination, one bedroom	585	South Wing
102	Ground	One living-dining room combination, one bedroom	585	South Wing
103	Ground	One living-dining room combination two bedrooms	743	Main Wing
104	Ground	One living-dining room combination, one bedroom	606	Main Wing
105	Ground	One living-dining room combination, one bedroom	606	Main Wing
106	Ground	One living-dining room combination, one bedroom	606	Main Wing

<u>Apt. No.</u>	<u>Floor</u>	<u>Rooms</u>	<u>Total Sq. Ft. of Apartment Including Lanai</u>	<u>Location of Building</u>
107	Ground	One living-dining room combination, one bedroom	606	Main Wing
108	Ground	One living-dining room combination, one bedroom	606	Main Wing
*109	Ground	One living-dining room combination, one bedroom	606	Main Wing
201	Second	One living-dining room combination, one bedroom	585	South Wing
202	Second	One living-dining room combination, one bedroom	585	South Wing
203	Second	One living-dining room combination, two bedrooms	743	Main Wing
204	Second	One living-dining room combination, one bedroom	606	Main Wing
205	Second	One living-dining room combination, one bedroom	606	Main Wing
206	Second	One living-dining room combination, one bedroom	606	Main Wing
207	Second	One living-dining room combination, one bedroom	606	Main Wing
208	Second	One living-dining room combination, one bedroom	606	Main Wing
209	Second	One living-dining room combination, one bedroom	606	Main Wing
210	Second	One living-dining room combination, two bedrooms	743	Main Wing
211	Second	One living-dining room combination, one bedroom	609	North Wing
301	Third	One living-dining room combination, one bedroom	585	South Wing

\*Resident apartment for Managing Agent

<u>Apt. No.</u>	<u>Floor</u>	<u>Rooms</u>	<u>Total Sq. Ft. of Apartment Including Lanai</u>	<u>Location of Building</u>
302	Third	One living-dining room combination, one bedroom	585	South Wing
303	Third	One living-dining room combination, two bedrooms	743	Main Wing
304	Third	One living-dining room combination, one bedroom	606	Main Wing
305	Third	One living-dining room combination, one bedroom	606	Main Wing
306	Third	One living-dining room combination, one bedroom	606	Main Wing
307	Third	One living-dining room combination, one bedroom	606	Main Wing
308	Third	One living-dining room combination, one bedroom	606	Main Wing
309	Third	One living-dining room combination, one bedroom	606	Main Wing
310	Third	One living-dining room combination, two bedrooms	743	Main Wing
311	Third	One living-dining room combination, one bedroom	609	North Wing
<u>PUALANI</u>				
101	Ground	One living-dining room combination, one bedroom	585	South Wing
102	Ground	One living-dining room combination, one bedroom	585	South Wing
103	Ground	One living-dining room combination, two bedrooms	743	Main Wing
104	Ground	One living-dining room combination, one bedroom	606	Main Wing
105	Ground	One living-dining room combination, one bedroom	606	Main Wing

<u>Apt. No.</u>	<u>Floor</u>	<u>Rooms</u>	<u>Total Sq. Ft. of Apartment Including Lanai</u>	<u>Location of Building</u>
106	Ground	One living-dining room combination, one bedroom	606	Main Wing
107	Ground	One living-dining room combination, one bedroom	606	Main Wing
108	Ground	One living-dining room combination, one bedroom	606	Main Wing
109	Ground	One living-dining room combination, one bedroom	606	Main Wing
201	Second	One living-dining room combination, one bedroom	585	South Wing
202	Second	One living-dining room combination, one bedroom	585	South Wing
203	Second	One living-dining room combination, two bedrooms	743	Main Wing
204	Second	One living-dining room combination, one bedroom	606	Main Wing
205	Second	One living-dining room combination, one bedroom	606	Main Wing
206	Second	One living-dining room combination, one bedroom	606	Main Wing
207	Second	One living-dining room combination, one bedroom	606	Main Wing
208	Second	One living-dining room combination, one bedroom	606	Main Wing
209	Second	One living-dining room combination, one bedroom	606	Main Wing
210	Second	One living-dining room combination, two bedrooms	743	Main Wing
211	Second	One living-dining room combination, one bedroom	609	North Wing

<u>Apt. No.</u>	<u>Floor</u>	<u>Rooms</u>	<u>Total Sq. Ft. of Apartment Including Lanai</u>	<u>Location of Building</u>
301	Third	One living-dining room combination, one bedroom	585	South Wing
302	Third	One living-dining room combination, one bedroom	585	South Wing
303	Third	One living-dining room combination, two bedrooms	743	Main Wing
304	Third	One living-dining room combination, one bedroom	606	Main Wing
305	Third	One living-dining room combination, one bedroom	606	Main Wing
306	Third	One living-dining room combination, one bedroom	606	Main Wing
307	Third	One living-dining room combination, one bedroom	606	Main Wing
308	Third	One living-dining room combination, one bedroom	606	Main Wing
309	Third	One living-dining room combination, one bedroom	606	Main Wing
310	Third	One living-dining room combination, two bedrooms	743	Main Wing
311	Third	One living-dining room combination, one bedroom	609	North Wing

LEHUA and PUALANI are U-shaped and each apartment is identical in the location, total floor area, and number of bedrooms in the two buildings. The lanai of every apartment unit in the main wing of each building faces west or the ocean and the entrance of every apartment faces east or the mountains. The main wing of each building runs north and south. The lanai of every apartment unit in the south wing of each building faces south and the entrances to every apartment faces north. The south wing of each building runs east and west. The lanai of every apartment unit in the north wing of each building faces north and the entrance to every apartment faces south. The north wing of each building runs east and west. The south and north wings are connected to the main wing of each building.

COMMON ELEMENTS: The Declaration of Horizontal Property Regime states that the common elements include the apartment building, the land on which it is located and all elements mentioned in the Horizontal Property Act which are actually constructed in the project, and specifically includes, but is not limited to: (a) Said land in fee simple; (b) Apartment No. 109 of LEHUA and parking stall numbered 109-8 as shown on the File Plan, which shall be for the purpose and use of the Managing Agent of the project; (c) All foundations, columns, girders, beams, supports, bearing walls, roofs, chases, entries,

stairways, walkways, corridors, entrances and exits of said buildings; (d) All ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, cold and hot water, refuse and telephone; (e) The laundry and utility panel rooms; (f) The water heater enclosures; (g) The refuse enclosures; (h) The concrete walks and patio on the grounds; (i) The swimming pool, decking and cabana areas; (j) All parking areas and driveways; and (k) Any and all other apparatus and installations of common use and all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

LIMITED COMMON ELEMENTS: The Declaration states that certain parts of the common elements, called "limited common elements" are designated and set aside for the exclusive use of certain apartments and such apartments shall have appurtenant thereto an exclusive easement for the use of such limited common elements. The limited common elements set aside and reserved are as follows:

- (a) There shall be sixty-five separately designated and numbered parking stalls as shown on the File Plan recorded in the Bureau of Conveyances. Each parking stall with the same apartment number shall be appurtenant to and for the exclusive use of that apartment with the same parking stall number.
- (b) Parking stalls numbered 109-6, 109-7 and 45 may be used for visitors or may be rented or assigned for the exclusive use of certain apartments or otherwise disposed of by the Association under such terms and conditions as it determines.
- (c) The corridors and stairs and stairwell on the second and third floors of each building shall be appurtenant to and for the exclusive use of the respective apartments on each respective floor.

INTEREST TO BE CONVEYED PURCHASER: The Declaration states that each apartment shall have appurtenant thereto an undivided percentage interest in the common elements, such interest being defined and referred to as the "common interest" and the same proportionate share in all common profits and expenses of the project and for all other purposes including voting, to-wit:

<u>LEHUA</u>		<u>PUALANI</u>	
<u>Apt. No.</u>	<u>Common Interest</u>	<u>Apt. No.</u>	<u>Common Interest</u>
101	1.534	101	1.535
102	1.535	102	1.535
103	1.950	103	1.950
104	1.591	104	1.591
105	1.591	105	1.591
106	1.591	106	1.591
107	1.591	107	1.591
108	1.591	108	1.591
		109	1.591
201	1.535	201	1.535
202	1.535	202	1.535
203	1.950	203	1.950
204	1.591	204	1.591
205	1.591	205	1.591
206	1.591	206	1.591
207	1.591	207	1.591
208	1.591	208	1.591
209	1.591	209	1.591
210	1.950	210	1.950
211	1.599	211	1.599
301	1.535	301	1.535
302	1.535	302	1.535
303	1.950	303	1.950
304	1.591	304	1.591

<u>LEHUA</u>		<u>PUALANI</u>	
<u>Apt. No.</u>	<u>Common Interest</u>	<u>Apt. No.</u>	<u>Common Interest</u>
305	1.591	305	1.591
306	1.591	306	1.591
307	1.591	307	1.591
308	1.591	308	1.591
309	1.591	309	1.591
310	1.950	310	1.950
311	1.599	311	1.599

PURPOSE OF PROJECT AND RESTRICTIONS AS TO USE: The Declaration and By-Laws of the Association of Apartment Owners state all apartments of the condominium project shall be used only for single family residential use and other uses that are permitted under the zoning ordinances, subject to the provisions in the Declaration, By-Laws and House Rules. The By-Laws further states that (a) No more than four (4) persons who are six years of age or over shall be allowed to occupy a one-bedroom apartment; (b) No more than six (6) persons who are six years of age or over shall be allowed to occupy a two-bedroom apartment; (c) All common elements of the condominium project shall be used only for their respective purposes as designated and designed; and (d) No water bed or mattress shall be used in any apartment.

OWNERSHIP TO TITLE: The Notice of Intention states that the ownership of title to the fee simple property upon which the condominium project is to be constructed is vested in Walter Zane Realty, Inc. The title evidence report, dated October 1, 1971 prepared by Security Title Corporation, a Hawaii corporation, verifies that title to the said property is vested in Walter Zane Realty, Inc.

ENCUMBRANCES AGAINST TITLE: The title evidence report, dated October 1, 1971 prepared by Security Title Corporation reports that the land committed to the regime is subject to the following:

- (a) Real Property Taxes. For any taxes that may be due and owing and a lien on the land, reference is hereby made to the Office of the Tax Assessor of the Second Division.
- (b) Excepting and reserving therefrom two 5-foot wide easements for Electric and Telephone Purposes, described as follows:  
 Easement F (File Plan 986) containing an area of 75 square feet.  
 Easement G (File Plan 986) containing an area of 75 square feet.
- (c) Grant dated June 3, 1966, recorded on July 21, 1966, in the Bureau of Conveyances of the State of Hawaii in Book 5385, page 142, in favor of MAUI ELECTRIC COMPANY, LIMITED, a Hawaii corporation, and HAWAIIAN TELEPHONE COMPANY, a Hawaii corporation, granting a perpetual right and easement to build, etc., pole and wire lines and/or underground power lines for the transmission of electricity, etc., over, across, through and under Easements F and G.
- (d) The restrictive covenants set forth in that certain Deed dated September 24, 1968, recorded on September 25, 1968, in said Bureau of Conveyances in Book 6233, page 461, to which reference is hereby made.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated August 23, 1971, identifies Security Title Corporation, a Hawaii corporation, as the Escrow Agent. On examination the specimen Sales Agreement and executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes. The Sales Agreement provides in part that the sale is in all respects made subject to certain provisions of Chapter 514 which provide for Seller's filing of certain documents with the Real Estate Commission, the refunding of Purchaser's money under certain circumstances and the depositing of Purchaser's funds with an Escrow.

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

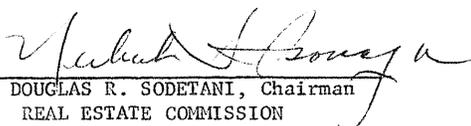
MANAGEMENT AND OPERATIONS: The By-Laws of the Association of Apartment Owners state that the Board of Directors may employ a Managing Agent to manage and control the project subject at all times to direction by the Board, with all the administrative functions set forth specifically in the said By-Laws and such other powers and duties and at such compensation as the Board may establish, subject to prior approval of every such employment contract by a majority of apartment owners. A specimen Management Agreement dated August 25, 1971, submitted as part of the registration identifies Walter S. S. Zane as the Managing Agent until duly succeeded.

STATUS AND FINANCING OF PROJECT: The Developer has submitted as part of the registration a statement of program of financing the condominium project including a letter of loan commitment and a statement of all costs involved in completing the project. A copy of the building contract submitted as part of the registration identifies the contractor as James Ouye and Isami Ouye doing business as Service Contracting Company. A copy of the Owner's Bond issued by Pacific Insurance Company, Ltd., has been submitted. The Developer advises the Commission that construction of the project will begin as soon as the building permit is secured. The building contract specifies completion within 300 consecutive days from the date of commencement.

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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 August 26, 1971, and information subsequently filed on October 18, 1971.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 408 filed with the Commission on August 26, 1971.

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.

  
for DOUGLAS R. SODEIANI, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

YH:va

Distribution:

DEPARTMENT OF TAXATION  
BUREAU OF CONVEYANCES  
PLANNING COMMISSION, COUNTY OF MAUI  
FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

October 26, 1971  
Registration No. 408