

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

ALII VILLAS
Alii Drive
Kailua, Kona, Hawaii

REGISTRATION NO. 441

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

It was prepared as a supplement to an earlier Report dated June 1, 1972 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: October 6, 1972
Expires: July 1, 1973

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 MARCH 20, 1972 AND INFORMATION SUBSEQUENTLY FILED AS OF OCTOBER 4, 1972. 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, CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report of June 1, 1972, on ALII VILLAS, Registration No. 441, the Developer reports that

changes have been made in the plan or setup as presented in the March 20, 1972 notice of intention to sell and information subsequently filed.

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 ALII VILLAS 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 reports that it has terminated all arrangements for insurance by the Federal Housing Administration (FHA) pursuant to Section 234 of Title II of the National Housing Act, as amended, of individual mortgages by qualified purchasers of apartments in the project. The Developer will instead proceed by way of conventional financing arrangements.
3. 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. Because of the Developer's decision to proceed by way of conventional financing, documents previously drafted in accordance with FHA forms, have been extensively revised. These include the Declaration of Horizontal Property Regime of Alii Villas, By-Laws of the Association of Apartment Owners of Alii Villas and the Apartment Lease. The Subscription and Purchase Agreement has been replaced by a proposed Sales Contract and the Regulatory Agreement has been deleted.
4. 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 changes in the common interests.
5. Advertising and promotional matter has been filed pursuant to the Rules and Regulations promulgated by the Commission.
6. The purchaser and prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, and the Condominium Rules and Regulations promulgated thereunder which relate to Horizontal Property Regimes.

NAME OF PROJECT: ALII VILLAS.

Except for the topical headings which follow, the information in the topical headings of the Preliminary Public Report of June 1, 1972, has not been disturbed.

DEVELOPER: The Developer represents that the corporate officers of Papiha Corporation are Leslie E. Benton (President and Treasurer), S. Matsunaga (Vice President) and Arnold M. Schwartz (Secretary). The corporate officers of TI Properties Corporation are Franz Tirre (President), William Sharf (Treasurer) and Sidney Hurlbutt (Assistant Secretary).

DESCRIPTION: Certain changes have occurred in the floor plans for the project and new designations of plans have been made. A complete description of the various apartment plans is provided below.

Said plans are designated as A-1, A-1(s), A-2, A-3, B-1, B-1(s), B-2, B-3, C-1 and G-2 and are further described as follows:

1. A Plan A-1 apartment contains 4 rooms (bedroom, bathroom, living-dining room and kitchen) with an approximate floor area of 647 square feet and a lanai of 117 square feet. There are 18 apartments of this plan. Apartment Nos. 122, 124, 126, 222, 224, 226, 322, 324 and 326 are Plan A-1 apartments, as shown on Drawing Number A5 of said plans. The plan for Apartment Nos. 137, 139, 141, 237, 239, 241, 337, 339 and 341, as shown on Drawing Number A6, is a mirror image of Plan A-1 as shown on Drawing Number A5.
2. A Plan A-1(s) apartment contains 4 rooms (bedroom, bathroom, living-dining room and kitchen) with an approximate floor area of 647 square feet and a lanai of 83 square feet. There are 12 apartments of this plan: Apartment Nos. 104, 108, 109, 113, 204, 208, 209, 213, 304, 308, 309 and 313. Plan A-1(s) is shown on Drawing A4 of said plans.
3. A Plan A-2 apartment contains 4 rooms (bedroom, bathroom, living-dining room and kitchen) with an approximate floor area of 647 square feet and a lanai of 83 square feet. There are 12 apartments of this plan: Apartment Nos. 102, 106, 111, 115, 202, 206, 211, 215, 302, 306, 311 and 315. Plan A-2 is shown on Drawing A4 of said plans as being identical to Plan A-1(s), but Plan A-2 does not include the storage closet off the lanai which is included in Plan A-1(s).
4. A Plan A-3 apartment contains 4 rooms (bedroom, bathroom, living-dining room and kitchen) with an approximate floor area of 647 square feet and a lanai of 83 square feet. There are 6 apartments of this plan: Apartments 117, 119, 217, 219, 317 and 319. The floor plan for Plan A-3 apartments is indicated on Drawing Number A7 of said plans.
5. A Plan B-1 apartment contains 4 rooms (bedroom, bathroom, living-dining room and kitchen) with an approximate floor area of 635 square feet and a lanai of 117 square feet. There are 18 apartments of this plan. Apartment Nos. 121, 123, 125, 221, 223, 225, 321, 323 and 325 are Plan B-1 apartments as shown on Drawing Number A5 of said plans. The plan for Apartment

Nos. 138, 140, 142, 238, 240, 242, 338, 340 and 342, as shown on Drawing Number A6, is a mirror image of Plan B-1 as shown on Drawing Number A5.

6. A Plan B-1(s) apartment contains 4 rooms (bedroom, bathroom, living-dining room and kitchen) with an approximate floor area of 615 square feet and a lanai of 80 square feet. The floor plan for Plan B-1(s) apartments is indicated on Drawing Number A7 of said plans; Apartments 120, 220 and 320 are of this plan.
7. A Plan B-2 apartment contains 4 rooms (bedroom, bathroom, living-dining room and kitchen) with an approximate floor area of 615 square feet and a lanai of 80 square feet. The floor plan for B-2 apartments is shown on Drawing Number A4 and there are 23 apartments of this plan. Apartment Nos. 103, 105, 107, 110, 112, 114, 116, 201, 203, 205, 207, 210, 212, 214, 216, 301, 303, 305, 307, 310, 312, 314 and 316.
8. A Plan B-3 apartment contains 4 rooms (bedroom, bathroom, living-dining room and kitchen) with an approximate floor area of 615 square feet and a lanai of 80 square feet. The floor plan for Plan B-3 apartments is indicated on Drawing Number A7 of said plans; Apartments 118, 218 and 318 are of this plan.
9. A Plan C-1 apartment contains 6 rooms (2 bedrooms, 2 bathrooms, living-dining room and kitchen) with an approximate floor area of 761 square feet and a lanai of 192 square feet. There are 15 apartments of this plan: Apartment Nos. 127, 129, 131, 133, 135, 227, 229, 231, 233, 235, 327, 329, 331, 333 and 335. The floor plan for Plan C-1 apartments is shown on Drawing Number A8 of said plans.
10. A Plan C-2 apartment, shown on Drawing Number A8 of said plans, contains the same number of rooms and approximate floor area as a Plan C-1 apartment but the arrangement is a mirror image of the Plan C-1 arrangement. There are 15 apartments of this plan: Apartment Nos. 128, 130, 132, 134, 136, 228, 230, 232, 234, 236, 328, 330, 332, 334 and 336.

Each apartment also includes the space within the perimeter walls, floor, ceiling and door of the storage closet, if any, on the same floor as such apartment and shown on said plans as belonging to such apartment. The first number of each apartment indicates the floor on which the apartment is situated.

Each apartment will contain an automatic dishwasher in addition to the other appliances mentioned in the Preliminary Public Report.

INTEREST TO BE CONVEYED TO PURCHASER: The common interest percentages have been changed and the new percentages are shown on Exhibit "A" attached hereto and made a part hereof.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The apartments shall be occupied and used by the respective owners thereof only as a private dwelling for the owners, his family, tenants and social guests and for no other purpose.

PURCHASE MONEY HANDLING: A copy of a revised Escrow Agreement dated October 2, 1972, by and between Title Guaranty Escrow Services, Inc., as Escrow, and Alii Villas, a joint venture, as Seller, has been submitted to the Commission as part of this registration. On examination the Escrow Agreement and newly submitted Sales Contract are found to be in compliance with Chapter 514, Hawaii Revised Statutes. The provisions of the Sales Contract should be carefully read by the purchasers. The specimen document filed as a part of the registration recites the conditions under which the purchaser acknowledges receipt of the Public Report; further, the Sales Contract provides that if at the time the purchaser signs the contract the Commission has not issued its Final Public Report covering Alii Villas, at the purchaser's option the purchaser may cancel his contract upon written notice to the Seller within five days of the purchaser's receipt of a copy of the Final Public Report if the Final Public Report varies in any material respect from this Supplementary Public Report, or if the Final Public Report is not issued within one year from the date of issuance of the Preliminary Public Report, or if there is any change in the condominium building plans subsequent to the execution of the contract requiring the approval of a county officer having jurisdiction over issuance of permits for construction of buildings.

The Escrow Agreement reported in the Preliminary Public Report remains unchanged except for the deletions of reference to FHA matters on pages 1 and 2 thereof.

It is incumbent upon the purchaser that he read with care, however, the Sales Contract and Escrow Agreement. The Escrow Agreement establishes how the proceeds and the sale of the apartments and all sums of any source are placed in trust as well as the retention, disbursement and refund of said trust fund.

STATUS OF PROJECT: The Developer has reserved the option to refund purchaser's funds if less than 75% of the apartments are sold to qualified buyers by December 1, 1973, or if the project cannot be completed and ready for occupancy on or before two years from the date the Sales Contract becomes effective.

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 30, 1972 and information subsequently filed as of October 4, 1972.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 441 filed with the Commission on March 20, 1972.

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.



DOUGLAS R. SORDANT, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:
Department of Taxation
Bureau of Conveyances
Planning Dept., County of Hawaii
Federal Housing Administration
Escrow Agent

Registration No. 441
October 6, 1972

EXHIBIT "A"

<u>Apartment Number</u>	<u>Percentage Interest</u>
201, 301	.7394
102, 202, 302	.7781
103, 203, 303	.7394
104, 204, 304	.7781
105, 205, 305	.7394
106, 206, 306	.7781
107, 207, 307	.7394
108, 208, 308	.7781
109, 209, 309	.7781
110, 210, 310	.7394
111, 211, 311	.7781
112, 212, 312	.7394
113, 213, 313	.7781
114, 214, 314	.7394
115, 215, 315	.7781
116, 216, 316	.7394
117, 217, 317	.7781
118, 218, 318	.7394
119, 219, 319	.7781
120, 220, 320	.7394
121, 221, 321	.7637
122, 222, 322	.7781
123, 223, 323	.7637
124, 224, 324	.7781
125, 225, 325	.7637

<u>Apartment Number</u>	<u>Percentage Interest</u>
126, 226, 326	.7781
127, 227, 327	.9154
128, 228, 328	.9154
129, 229, 329	.9154
130, 230, 330	.9154
131, 231, 331	.9154
132, 232, 332	.9154
133, 233, 333	.9154
134, 234, 334	.9154
135, 235, 335	.9154
136, 236, 336	.9154
137, 237, 337	.7781
138, 238, 338	.7637
139, 239, 339	.7781
140, 240, 340	.7637
141, 241, 341	.7781
142, 242, 342	.7637