

REAL ESTATE COMMISSION  
PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES  
STATE OF HAWAII  
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FINAL  
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)  
PUBLIC REPORT

on

PUNA II  
Lahaina, Maui, Hawaii

REGISTRATION NO. 495

**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 10, 1973  
Expires: October 10, 1974

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 NOVEMBER 13, 1972. 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. Since the issuance of the Commission's Preliminary Public Report on PUNA II, Registration No. 495, dated March 1, 1973, the Developer has prepared and forwarded additional information to that filed in the November 13, 1972 submittal.
2. The Developer has submitted to the Commission all documents deemed necessary for the registration of the condominium project and the issuance of this Final Public Report prior to the completion of construction. This Final Public Report is made a part of the registration on the Puna II condominium project. The

Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers, including those receiving the Preliminary Public Report. 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.

3. Promotional material has been submitted pursuant to the rules and regulations promulgated by the Commission.
4. The basic documents (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 of Horizontal Property Regime executed on June 15, 1973 with the By-Laws attached, was recorded in the Bureau of Conveyances of the State of Hawaii in Liber 9243, page 353. The Registrar has designated Condominium Map No. 289 to the project.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Final Public Report automatically expires thirteen (13) months after date of issuance, September 10, 1973, unless a Supplementary Public Report issues or the Commission upon review of the registration issues an order extending the effective period of this report.

The information in the topical headings of the Preliminary Public Report with the exceptions of OWNERSHIP OF TITLE, STATUS OF PROJECT and DEVELOPER has not been disturbed. The topical heading of FINANCING OF PROJECT has been added.

NAME OF PROJECT: PUNA II

DEVELOPER: Name of the developer has been changed to PUNA-NAPILI DEVELOPMENT COMPANY as registered with the State of Hawaii Business Registration Division.

OWNERSHIP OF TITLE: A Preliminary Report dated August 6, 1973, prepared by Security Title Corporation, certifies that title to the land committed to the project is vested in J. C. MILLAR HAWAII, INC., a Hawaii corporation, as Lessee. The fee simple title to the land herein described was conveyed to HAWAIIAN TRUST COMPANY, LIMITED, TRUSTEE UNDER THAT CERTAIN INSTRUMENT ENTITLED REVOCABLE LIVING TRUST DATED THE 4TH DAY OF AUGUST, 1972 (executed by Margaret Fraser Tompkin as Settlor, and said Hawaiian Trust Company, as trustee), by deed dated August 31, 1972, recorded on September 12, 1972, in the Bureau of Conveyances of the State of Hawaii in Book 8579, Page 237.

FINANCING OF PROJECT: In the Supplement to the Notice of Intention submitted May 16, 1973, the Developer gives an estimated total cost of \$990,750.00 to complete the project.

Founders Financial Corporation, one of the members of the developer joint venture, will furnish all of the cash required to complete the construction of the project. Founders Financial Corporation's commitment for the above funding is spelled out in the registered joint venture agreement.

The twenty (20) apartments of the project have been sold for an aggregate purchase price of \$1,207,000. Apartment purchasers will pay into escrow, as part payments of their apartment purchase price, the aggregate amount of \$241,400 during the course of construction, which will also be available to pay for the construction of the project.

STATUS OF PROJECT: In the Supplement to the Notice of Intention submitted May 16, 1973, Developer discloses that it has entered upon a contract for the construction of the project with F & M Contractors, Inc., dated February 15, 1973, for a total contract price of \$607,481. Construction commenced March 20, 1973, and must be completed within 240 calendar days. County Building Permit #498 was issued March 22, 1973. Approximately ten per cent (10%) of the project has been completed.

The Home Insurance Company and The Hawaiian Insurance And Guaranty Company, Limited, are sureties for F & M Contractors, Inc., the contractor, under a Performance Bond, and under a Labor and Material Payment Bond, each in the principal amount of \$607,481.

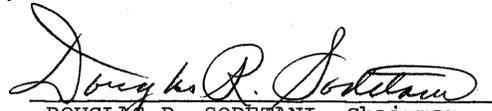
The general conditions of the construction contract (§13.2.2) provides as follows:

"If, within one year after the Date of Substantial Completion or within such longer period of time as may be prescribed by law or by the terms of any applicable special guarantee required by the Contract Documents, any of the Work is found to be defective or not in accordance with the Contract Documents, the Contractor shall correct it promptly after receipt of a written notice from the owner to do so unless the Owner has previously given the Contractor a written acceptance of such condition. The Owner shall give such notice promptly after discovery of the condition."

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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 13, 1972, and the Supplement to the Notice of Intention submitted May 16, 1973.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 495, filed with the Commission November 13, 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 white in color.

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

DISTRIBUTION:

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

Registration No. 495  
September 10, 1973