

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
HALE HUKI
Puueo, Hilo
Island and County of Hawaii

REGISTRATION NO. 513

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: November 9, 1973
Expires: December 9, 1974

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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JANUARY 9, 1973, AND INFORMATION SUBSEQUENTLY FILED AS OF NOVEMBER 8, 1973. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report of April 4, 1973, the Developer has forwarded additional material to the January 9, 1973 Notice of Intention.
2. This Final Public Report is made a part of the registration of HALE HUKI condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers. Securing a signed copy of the Receipt for Horizontal Property Regime Public Report from each purchaser is also the responsibility of the Developer.

3. 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.
4. 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 with the offices of the recording officers.

The Declaration of Horizontal Property Regime, with By-Laws attached thereto, was executed August 30, 1973, and filed in the Bureau of Conveyances of the State of Hawaii in Liber 9495 at Page 395, and in the office of the Assistant Registrar of the Land Court, State of Hawaii, as Document No. 649950.

The Project Plans have been designated Condominium File Plan No. 280 by the Bureau of Conveyances, and Condominium Map No. 308 by the Land Court.

5. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes.
7. This Final Public Report expires thirteen (13) months from the date of issuance, November 9, 1973, unless a supplementary report is published 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 of April 4, 1973, with the exception of DESCRIPTION, PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE, ENCUMBRANCES AGAINST TITLE, MANAGEMENT AND OPERATIONS, and STATUS OF PROJECT has not been disturbed.

NAME OF PROJECT: HALE HUKI

DESCRIPTION: Since the time of the issuance of the Commission's Preliminary Report on HALE HUKI, the locations of three apartments have been changed. Apartment 103 has been relocated from the ground floor of the South Wing to the ground floor of the East Wing. Apartments 101 and 102 have been relocated from the ground floor of the East Wing to the ground floor of the South Wing, with Apartment 101 being located on the Puna (South) end of the South Wing, and Apartment 102 being located on the Hamakua (North) end of the South Wing.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The apartments shall be occupied and used only as private residences by the respective owners thereof, their tenants, families, domestic servants and social guests, and for no other purpose, except that one apartment, Apartment 103, shall be free of the residential restriction contained herein, and said apartment may be used for any purpose not contrary to law or to the comprehensive Zoning Code of the County of Hawaii, or to any other provisions contained in this paragraph. No apartment shall be rented for transient or hotel purposes, which are defined as (a) rental for any period less than 30 days, or (b) any rental in which the occupants of the apartment are provided customary hotel services such as room service for food and beverage, maid service, laundry and linen or bellboy service. Except as aforesaid the owners of the respective apartments shall have the absolute right to lease such apartments subject to all provisions of this Declaration.

NOTE: The Developer advises that Apartment 103 will be conveyed to James Dahlberg, whose company, J. Dahlberg Realty, Inc., will be the initial managing agent for the Project. Apartment 103 will be used in part as a residence for Mr. Dahlberg, and in part to carry on the business of the project management, as well as unrelated real estate business of J. Dahlberg Realty, Inc.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report dated September 24, 1973, prepared by Security Title Corporation reports that title to the land is subject to the following: (a) Taxes for the Fiscal Year 1972-1973 have been paid in full; (b) Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent No. 4687; (c) This report is based on the assumption that J. W. Keomakani, the Grantee in that certain Deed dated January 7, 1871, recorded in Book 31 Page 323, and J. W. K. Lo, the Grantor in the certain Deed dated November 30, 1906, recorded in Book 286 Page 281, are one and the same person; (d) The interest of the State of Hawaii and/or the County of Hawaii, if any, in and to that portion of the land hereinafter described created by accretion; (e) Mortgage dated January 25, 1973, in favor of Bank of Hawaii filed as Document No. 616293 and recorded in Book 8904 Page 175; and (f) Declaration of Horizontal Property Regime with By-Laws attached dated August 30, 1973, filed as Document No. 649950 and recorded in Book 9495 Page 395. Condominium Map No. 280 and 308 has been assigned by both the Bureau of Conveyances and in the Office of the assistant Registrar, respectively.

MANAGEMENT AND OPERATIONS: The Developer has advised the Commission that J. Dahlberg Realty, Inc., a Hawaii Corporation, has been selected as initial managing agent for the project for a period of one year beginning October 1, 1973.

STATUS OF PROJECT: The Developer has notified the Commission that construction of the project is expected to be completed by November 1, 1973. A building contract dated January 1, 1973, between the Developer and Isemoto Contracting Co., Ltd. has been submitted, as well as a Performance and Payment Bond dated February 16, 1973, and a Statement of Program of Financing dated August 30, 1973.

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 January 9, 1973, and information subsequently filed as of November 8, 1973.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 513 filed with the Commission on January 9, 1973.

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.


(for) DOUGLAS R. SODEVANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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REGISTRATION NO. 513

November 9, 1973