

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
MENEHUNE SHORES
760 SOUTH KIHEI ROAD
KIHEI, MAUI

REGISTRATION NO. 534

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 25, 1975
Expires: December 25, 1976

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 FEBRUARY 27, 1973 AND INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF NOVEMBER 12, 1975. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS 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 on Registration No. 534 dated June 7, 1973, the Developer has prepared, assembled and forwarded additional information.

This Final Public Report is made a part of the registration of MENEHUNE SHORES condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers along with a copy of the Preliminary Public Report (yellow paper stock). Securing a signed copy of the Receipt for Horizontal Property Regime Public Report from each purchaser and prospective purchaser signifying that the purchaser or prospective purchaser has had an opportunity to read both reports is also the responsibility of the Developer.

2. 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.
3. The Developer reports that the basic documents (Declaration of Horizontal Property Regime, with By-Laws of the Association of Apartment Owners attached) has been recorded in the Bureau of Conveyances, State of Hawaii, on July 24, 1975 in Liber 10805, Page 21. The Bureau of Conveyances has assigned Condominium Map No. 425 to the project.
4. Advertising and promotional matter has not 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, Hawaii Revised Statutes, and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Final Public Report automatically expires 13 months from the date of issuance, November 25, 1975, unless a supplementary report is issued 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 issued June 7, 1973 has not changed, except for DESCRIPTION, COMMON ELEMENTS, ENCUMBRANCES AGAINST TITLE, STATUS OF PROJECT and the addition of PROGRAM OF FINANCING.

NAME OF PROJECT: MENEHUNE SHORES

ATTORNEYS REPRESENTING DEVELOPER: LANGA & KOHNE (Attention Sanford J. Langa), Wailuku Townhouse Building, Wailuku, Maui, Hawaii.

Telephone: 244-9168.

DESCRIPTION: The Declaration of Horizontal Property Regime states that the project consists of 154 freehold apartments and one apartment which is a common element in one building as follows:

- A. Apartments: One hundred fifty-four (154) freehold estates are designated, comprised of the spaces within the perimeter walls, floors and ceilings of each of 154 apartment units of the Project contained in one concrete building containing numbered units as follows:
 - (1) The building is six stories in height and contains 23 one bedroom apartments, 107 two bedroom apartments, 23 three bedroom apartments, and one commercial apartment. The building also contains a one bedroom first floor apartment with a manager's office, No. 111, which is a common element.
 - (2) Each apartment contains the number of rooms and approximate floor area according to its respective plan as follows:
 - (a) 23 apartments, each consisting of one bedroom, one bathroom, one kitchen, one living room, one entry way, one entry hall, one interior hall and one lanai, containing 773 square feet of floor area (including lanai) and being designated as: 112, 116, 117, 211, 212, 216, 217, 311, 312, 316, 317, 411, 412, 416, 417, 511, 512, 516, 517, 611, 612, 616 and 617.

- (b) 11 apartments each consisting of two bedrooms, two bathrooms one kitchen, one living room, one entry hall, one entry way, two interior halls and one lanai containing 991 square feet of floor area (including lanai) and being designated as: 119, 209, 219, 309, 319, 409, 419, 509, 519, 609 and 619.
 - (c) 96 apartments, each consisting of two bedrooms, two bathrooms, one kitchen, one living room, one entry way, one entry hall, two interior halls and one lanai, containing 980 square feet (including lanai) and designated as: 101 through 108, 120 through 127, 201 through 208, 220 through 227, 301 through 308, 320 through 327, 401 through 408, 420 through 427, 501 through 508, 520 through 527, 601 through 608, and 620 through 627.
 - (d) 23 apartments, each consisting of three bedrooms, two bathrooms, one kitchen, one living room, one entry way, one entry hall, one interior hall and one lanai, containing 1,250 square feet (including lanai) and designated as: 114, 115, 118, 210, 214, 215, 218, 310, 314, 315, 318, 410, 414, 415, 418, 510, 514, 515, 518, 610, 614, 615 and 618.
 - (e) One commercial apartment consisting of one dining room, one kitchen, and one 1200 square foot terrace, containing 4,000 square feet (including terrace) and designated as apartment R.
- (3) The first digit of each apartment number designates the floor on which the apartment is located.
 - (4) The apartments are located in the manner shown on the set of floor plans filed with the Commission.
 - (5) Each apartment has one entry, and each apartment has access by way of a common exterior hall at each floor level.
 - (6) 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 the apartments, or any pipes, wires, conduits, or other utility lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements as hereinafter 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 built-in fixtures.
- B. COMMON ELEMENTS: One freehold estate is designated of all remaining portions of the project, herein called "common elements", including specifically, but not limited to:
- (1) Said land in fee simple;
 - (2) All foundations, floors, columns, girders, beams, supports, bearing walls, roofs, chases, entries, interior stairways, walkways and elevators of said building;

- (3) All yards, grounds, landscaping, mailboxes and refuse facilities;
- (4) All parking areas and driveways;
- (5) All ducts, electrical equipment, wiring and other central and appurtenant installations including power, light, water, sewer, water sprinkling and telephone systems;
- (6) Recreation area, swimming pool, equipment, and Roof Garden;
- (7) One apartment containing one bedroom, one office, one kitchen, one bathroom, one living room, one entry way, one entry hall, one interior hall and one lanai, containing 888 square feet of floor area (including lanai) and being designated as the manager's apartment, No. 111;
- (8) Janitorial rooms, elevator lobbies and telephone closets located on each floor;
- (9) Rubbish collection facilities;
- (10) Two first floor lobby areas located adjacent to Apartments 108 and 120.

OWNERSHIP OF TITLE: A Preliminary Report dated October 29, 1975 issued by Security Title Corporation shows that title to the land is vested in Walter C. Witte.

ENCUMBRANCES AGAINST TITLE: The title report shows that there are no liens or encumbrances of whatever kind or nature of record against the title, save and except the following: Taxes that may be due and owing and lien on the land, as to which reference is made to the Office of the Tax Assessor of the Second Division; Mortgage dated October 10, 1975 recorded in Liber 10957, Page 390, made by and between Pacific Savings & Loan Association, as mortgagee, and Walter C. Witte, the general partner of the Menehune Shores Hui, developer of this project, as mortgagor; Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patents Numbered 3102, 7447 and 2792; Any shoreline setback requirements under the law; the effect of a Deed by Abraham Kualaku McAulton to himself and his wife, Rose Eleanor McAulton, dated May 10, 1965, recorded in Liber 5036, Page 231. At the date of said deed, said Abraham Kualaku McAulton had no record interest in the land, nor has he since acquired any; the declaration and by-laws hereinbefore described; and Condominium Map No. 425 recorded in the Bureau of Conveyances on July 24, 1975.

PROGRAM OF FINANCING: The Developer has complied with the provisions of Section 514-15 of the Hawaii Revised Statutes by filing with the Commission the following:

1. Developer's verified statement of a total development cost.
2. Developer's verified estimated completion date of the entire project, which is to be on or about September 1, 1976.
3. Copies or satisfactory evidence of executed construction contracts and bonds therefor as follows:
 - (a) Agreement dated October 1, 1975 by and between Menehune Shores Hui, a limited partnership, as Developer, and Walker-Moody Construction Co., Ltd., as contractor for construction of the 154-unit condominium.

- (b) Material payment bond and a performance bond for the construction, dated October 3, 1975, issued by Industrial Indemnity Co., as surety, and Walker-Moody Construction Co., Ltd., as principal.

The bond is in the amount of not less than 100% of the construction contract price.

4. The commitment letters indicate Pacific Savings & Loan Association of Honolulu shall provide the construction loan and Pioneer Federal Savings and Loan Association shall provide the permanent financing.
5. A copy of the executed Escrow Agreement which contains provisions in compliance with H.R.S. Section 514-15(6).

STATUS OF PROJECT: The Developer advises that construction has commenced. It is estimated that the building will be completed for occupancy on or about September 1, 1976.

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 February 27, 1973, and information subsequently filed as of November 15, 1975.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 534 filed with the Commission on February 27, 1973.

The report, when reproduced, shall be a true copy of the Commission's public report. The paper stock used in making facsimilies must be white.



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

DISTRIBUTION:
Department of Taxation
Bureau of Conveyances
Planning Commission, County of Maui
Federal Housing Administration
Escrow Agent

Registration No. 534

November 25, 1975