REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
1010 RICHARDS STREET
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HONOLULU, HAWAII 96801

FINAL
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT

ON

KUHIO SHORES AT POIPU
(Formerly known as "KOLOPA")
Rt. 1 - Lawai Beach Road
Koloa, Kauai, Hawaii

REGISTRATION NO. 540

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: February 11, 1975
Expires: March 11, 1976

SPECIAL ATTENTION

A comprehensive reading by the prospective purchaser is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED MARCH 27, 1973 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF JANUARY 22, 1975. THE DEVELOPER IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL AND SUBMITTING ADDITIONAL INFORMATION, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, CHAPTER 514, HAWAII REVISED STATUTES.

1. The Developer has complied with Chapter 514, Hawaii Revised Statutes and has fulfilled the requirements for the issuance of a Final Public Report.

2. Since the issuance of the Commission's Preliminary and Supplementary Public Reports on Registration 540, dated July 27, 1973 and November 1, 1974, respectively, the Developer

has forwarded additional information reflecting material changes which have been made in the documents and plans for the project.

3. KUHIO SHORES AT POIPU is a fee simple condominium project consisting of a four (4) story building, without a basement, consisting of a South Wing containing forty (40) apartments and an East Wing containing thirty-five (35) apartments. There are a total of seventy-five (75) residential apartments and seventy-five (75) parking spaces (rather than 76 as indicated in the Preliminary and Supplementary Public Reports).

4. This Final Public Report is made a part of the registration of KUHIO SHORES AT POIPU (formerly known as "KOLOPA") condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers receiving the Preliminary Public Report (yellow paper stock), and the Supplementary Public Report (pink paper stock). Securing a signed copy of the Receipt for Horizontal Property Regime Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.

5. 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.

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 recorded in the Bureau of Conveyances of the State of Hawaii.

The Declaration of Horizontal Property Regime, executed January 6, 1975, with By-Laws attached, was recorded in the Bureau of Conveyances of the State of Hawaii in Liber 10384, Page 260.

The approved Floor Plans showing the layout, location, apartment numbers, etc., have been designated Condominium File Plan No. 397.

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, and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.

7. This Final Public Report expires thirteen (13) months from the date of issuance, February 11, 1975, 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 July 27, 1973, and the Supplementary Public Report of November 1, 1974, with the exception of DESCRIPTION, INTEREST TO BE CONVEYED TO PURCHASERS, ENCUMBRANCES AGAINST TITLE, PURCHASE MONEY HANDLING, and MANAGEMENT OF THE PROJECT, has not been disturbed.

DESCRIPTION: The Declaration of Horizontal Property Regime and plans submitted by the Developer indicate a fee simple condominium project consisting of a four (4) story building, without a basement, consisting of a South Wing containing forty (40) apartments and an East Wing containing thirty-five (35) apartments, for a total of seventy-five (75) apartments:

Twenty-three (23) apartments, being Apartment Nos. 102, 103, 104, 105, 106, 107, 202, 203, 204, 205, 206, 207, 302, 303, 304, 305, 306, 307, 402, 403, 404, 405 and 406, are built according to Floor Plan "B-1", and each consists of four (4) rooms, including a bedroom, a living-dining room, a kitchen, a bathroom and a lanai; each of these apartments contains a floor area of approximately 854 square feet, including the lanai of approximately 122 square feet.

Three (3) apartments, being Apartment Nos. 109, 209 and 309, are built according to Floor Plan "B-1-A", and each consists of four (4) rooms, including a bedroom, a living-dining room, a kitchen, a bathroom and a lanai; each of these apartments contains a floor area of approximately 908 square feet, including the lanai of approximately 78 square feet.

Sixteen (16) apartments, being Apartment Nos. 112, 113, 116, 117, 212, 213, 216, 217, 312, 313, 316, 317, 411, 412, 415 and 416, are built according to Floor Plan "A-1", and each consists of five (5) rooms, including a bedroom, a living room, a dining room, a kitchen, a bathroom and a lanai; each of these apartments contains a floor area of approximately 824 square feet, including the lanai of approximately 76 square feet.

Four (4) apartments, being Apartment Nos. 119, 219, 319 and 418, are built according to Floor Plan "A-2-B", and each consists of seven (7) rooms, including two (2) bedrooms, a living room, a dining room, a kitchen, two (2) bathrooms and a lanai; each of these apartments contains a floor area of approximately 1,091 square feet, including the lanai of approximately 106 square feet.

Sixteen (16) apartments, being Apartment Nos. 111, 114, 115, 118, 211, 214, 215, 218, 311, 314, 315, 318, 410, 413, 414, and 417, are built according to Floor Plan "A-2", and four (4) apartments, being Apartment Nos. 110, 210, 310 and 409, are built according to Floor Plan "A-2-A"; each of these apartments consists of seven (7) rooms, including two (2) bedrooms, a living room, a dining room, a kitchen, two (2) bathrooms and a lanai; each of these apartments contains a floor area of approximately 1,059 square feet, including the lanai of approximately 106 square feet.

One (1) apartment, being Apartment No. 407, is built according to Floor Plan "B-2", and consists of six (6) rooms, including two (2) bedrooms, a living-dining room, a kitchen, two (2) bathrooms and a lanai; this apartment contains a floor area of approximately 1,212 square feet, including the lanai of approximately 122 square feet.

One (1) apartment, being Apartment No. 408, is built according to Floor Plan "B-2-A", and consists of six (6) rooms, including two (2) bedrooms, a living-dining room, a kitchen, two (2) bathrooms and two (2) lanais; the apartment contains a floor area of approximately 1,408 square feet, including the lanais of approximately 78 square feet and 122 square feet, respectively.

Three (3) apartments, being Apartment Nos. 108, 208 and 308, are built according to a revised floor plan of Floor Plan "B-1", and each consists of four (4) rooms, including a bedroom, a living-dining room, a kitchen, a bathroom and a lanai; each of these apartments contains a floor area of approximately 854 square feet, including the lanai of approximately 122 square feet.

Four (4) apartments, being Apartment Nos. 101, 201, 301 and 401, are built according to a revised floor plan of Floor Plan "B-1", and each consists of four (4) room, including a bedroom, a living-dining room, a kitchen, a bathroom and a lanai; each of these apartments contains a floor area of approximately 820 square feet, including the lanai of approximately 120 square feet.

INTEREST TO BE CONVEYED TO PURCHASERS: The Declaration indicates that the purchasers securing an apartment deed will obtain an apartment together with the following appurtenant undivided percentage interests in the common elements of the project:

Floor Plan "B-1" Apartments:	1.2278%
Floor Plan "B-1-A" Apartments:	1.3054%
Floor Plan "A-1" Apartments:	1.1847%
Floor Plan "A-2-B" Apartments:	1.5685%
Floor Plans "A-2" and "A-2-A" Apartments:	1.5225%
Floor Plan "B-2" Apartment:	1.7424%
Floor Plan "B-2-A" Apartment:	2.0242%
Apartment Nos. 108, 208 and 308:	1.2278%
Apartment Nos. 101, 201, 301 and 401:	1.1788%

This same percentage interest for each apartment shall be used in determining each purchaser's proportionate share of all common profits and expenses of the project and shall be used for all other purposes including determining the proportionate representation for voting purposes in the Association of Apartment Owners of the project.

ENCUMBRANCES AGAINST TITLE: A Preliminary Report dated December 16, 1974, issued by Title Guaranty of Hawaii

Incorporated, as submitted to the Commission, provides that the following are encumbrances against title to the property.

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

2. Ten (10) foot road setback along Lawai Beach Road.

3. Exception and reservation of all such water rights and konohiki rights as are, or may be, appurtenant to the lands of the project.

4. The location of the seaward boundary in accordance with the law of the State of Hawaii.

5. For any taxes that may be due and owing and a lien on the lands of the project, reference is hereby made to the Office of the Tax Assessor of the Fourth Division, State of Hawaii.

6. The restrictive covenants contained in that certain grant of easement dated October 22, 1974, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 10273, Page 532.

7. The restrictive covenants contained in that certain grant of easement dated November 27, 1974, recorded as aforesaid in Liber 10301, Page 170.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated November 18, 1974, between Title Guaranty Escrow Service, Inc., as Escrow, and Developer has been filed with the Commission. On examination, the executed Escrow Agreement filed with the Commission is found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly Sections 514-36 through 514-40, H.R.S. Among other provisions, the executed Escrow Agreement states that a purchaser shall be entitled to a refund of his funds, and Escrow shall pay said funds to said purchaser, without interest, and less Escrow's $25.00 cancellation fee, if purchaser shall in writing request refund of his funds and any one of the following shall have occurred:

1. Escrow receives a written request from Developer to return to purchaser the funds of such purchaser then held under the Escrow Agreement by Escrow; or

2. If a purchaser's funds were obtained prior to the issuance of a Final Public Report and if there is any change in the condominium plans, subsequent to the execution of purchaser's sales contract, requring the approval of a County officer having jurisdiction over the issuance of permits for construction of buildings, unless the purchaser has given written approval or acceptance of the specific change; or

3. If a purchaser's funds were obtained prior to the issuance of a Final Public Report and the request is prior to the time the Final Public Report is issued; or

4. If a Purchaser's funds were obtained prior to the issuance of a Final Public Report and the Final Public Report differs in any material respect from the Preliminary Public Report, unless the purchaser has given written approval or acceptance of the difference; or

5. If a Purchaser's funds were obtained prior to the issuance of a Final Public Report and the Final Public Report is not issued within one (1) year of the date of issuance of the Preliminary Public Report.

MANAGEMENT OF THE PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the project shall be conducted for the Association of Apartment Owners under the direction of the Board of Directors by a responsible managing agent. The Developer has informed the Commission that it has selected Mr. Lloyd Miller, Prince Kuhio Resort Apartments, Apt. No. 106, as the initial managing agent.

NOTE: Developer advises that no representations or references will be made to either purchasers or prospective purchasers concerning rental of the apartment, income from the apartment or any other economic benefit to be derived from the rental of the apartment, including but not limited to, any reference or representation to the effect that Developer or the Managing Agent of the project will provide, directly or indirectly, any services relating to the rental or sale of the apartment, or as to possible advantages from the rental of an apartment under federal or state tax laws. Rental of the apartments and the provision of management services in connection therewith is and shall be the sole responsibility of the purchaser.

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 27, 1973, and additional information subsequently filed as of January 22, 1975.

This is a FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT which is made a part of REGISTRATION NO. 540 filed with the Commission March 27, 1973. 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.

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

Distribution:

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

Registration No. 540

February 11, 1975