

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
KUILIMA ESTATES EAST
Koolauloa, Oahu, Hawaii

REGISTRATION NO. 574

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: August 7, 1974
Expires: September 7, 1975

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 JUNE 12, 1973, INFORMATION SUBSEQUENTLY FILED AS OF AUGUST 8, 1973, AND INFORMATION SUBSEQUENTLY FILED AS OF AUGUST 5, 1974. THE DEVELOPER IN 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 Preliminary Report on KUILIMA ESTATES EAST project, Registration No. 574, dated August 8, 1973, the Developer has submitted additional information to that filed in the submittals of June 12, 1973 and August 8, 1973, and has requested a Final Report on the project. This Final Report is made a part of the registration, a copy of which the Developer is required to provide all purchasers or prospective

purchasers of apartments. Securing a signed copy of the receipt for Horizontal Property Regimes Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.

2. The Developer has complied with Chapter 514, Hawaii Revised Statutes, and has fulfilled the requirements of the Commission for the issuance of this Final Public Report prior to the completion of construction.
3. Advertising and promotional matter 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 the 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, with By-Laws of Association of Apartment Owners attached, dated May 29, 1973, was filed in the Office of the Assistant Registrar of the Land Court, State of Hawaii, on July 16, 1974, as Document No. 689810. The Assistant Registrar of the Land Court has designated Condominium Map No. 222 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, August 7, 1974, 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 Report has not been changed, with the exception of the following headings: ATTORNEY REPRESENTING DEVELOPER, LIMITED COMMON ELEMENTS, ENCUMBRANCES AGAINST TITLE, INTEREST TO BE CONVEYED TO PURCHASER, and STATUS OF PROJECT. Additional headings entitled DECLARATION, BY-LAWS AND CONDOMINIUM MAP, MASTER LEASE, ARCHITECTURAL DRAWINGS AND SPECIFICATIONS, STATEMENT OF FINANCING, CONSTRUCTION CONTRACT, PERFORMANCE BOND, and LABOR AND MATERIAL PAYMENT BOND have been added.

NAME OF PROJECT: KUILIMA ESTATES EAST

ATTORNEY REPRESENTING DEVELOPER: Murray Estes and Paul A. Tomar (Hogan, Rother, Grimes & Bybee), 320 Dillingham Building, 735 Bishop Street, Honolulu, Hawaii 96813, Telephone: 531-6851, have replaced Phillip L. Rother as attorney for the developer.

LIMITED COMMON ELEMENTS: The limited common elements for the apartments in the project, as described in the Declaration of Horizontal Property Regime placed on file with the Commission on June 8, 1973,

and the Preliminary Report issued on August 8, 1973, have remained unchanged, except that an additional limited common element has been set aside for Type G-1 and G-3 apartments, as follows:

The fenced areas adjacent to the entry lanais on Type G-1 and G-3 apartments shall be designated and set aside as a limited common element for the exclusive use of the applicable apartment.

ENCUMBRANCES AGAINST TITLE: An updated title search prepared by Title Guaranty of Hawaii, Inc., a licensed abstractor, dated July 16, 1974, provides that the land is subject to the following encumbrances:

1. Real property taxes for the fiscal year July 1, 1974 - June 30, 1975, as follows:
 - 1st Installment - OPEN (delinquent after 11/30/74, bill not yet received)
2. Designation of easements 92 to 97, inclusive, affecting Lot 466, as shown on Map 72 of Land Court Application No. 1095, as set forth by Land Court Order No. 39934, filed June 7, 1974:
 - Easement 92 for roadway and water purposes;
 - Easement 93 for water purposes;
 - Easement 94 for water purposes;
 - Easement 95 for roadway and water purposes;
 - Easement 96 (10 feet wide) for drainage purposes; and
 - Easement 97 (10 feet wide) for drainage purposes.
3. The restrictions on use and other restrictions and all other of the covenants, agreements, obligations, conditions and other provisions set forth in Declaration of Horizontal Property Regime dated May 29, 1973 and filed as Land Court Document No. 689810 and the By-Laws attached thereto as the same are or may hereafter be amended in accordance with law, said Declaration or said By-Laws. (Project covered by Condominium Map No. 222).
4. Terms, agreements, reservations, covenants, conditions and provisions contained in lease agreement dated May 29, 1973 by and between THE TRUSTEES UNDER THE WILL AND OF THE ESTATE OF JAMES CAMPBELL and INSCON DEVELOPMENT COMPANY, filed in the Office of the Assistant Registrar as Document No. 689808.

INTEREST TO BE CONVEYED TO PURCHASER: The undivided interest in all common elements appurtenant to APARTMENT 73 has been changed from .574 to .573.

STATUS OF PROJECT: Construction of the project began on October 1, 1973, pursuant to a Construction Contract dated July 12, 1973, between Insccon Development Company, as owner, and Del E. Webb Corporation, as general contractor. A copy of the Construction Contract has been placed on file with the Commission. Construction is expected to be completed within approximately 22 months after the commencement date, and the estimated date of completion is August, 1975.

DECLARATION, BY-LAWS, AND CONDOMINIUM MAP: Developer advises that on July 16, 1974, it placed on file with the Office of the Assistant Registrar of the Land Court the Declaration of Horizontal Property Regime with By-Laws attached and the Floor Plans as Document No. 689810 and Condominium Map No. 222, respectively.

This Declaration (Document No. 689810) reflects the following amendments to the Declaration which was placed on file with the Commission on June 8, 1973:

- (a) The designation of an additional limited common element for Type G-1 and G-3 apartments, as described above under the heading, "LIMITED COMMON ELEMENTS."
- (b) A decrease in the common interest of Apartment 73, as described above under the heading, "INTEREST TO BE CONVEYED TO PURCHASER".

A copy of this Declaration (Document No. 689810), reflecting the above amendments, has been placed on file with the Commission.

MASTER LEASE: Developer advises that the Master Lease dated November 21, 1969, filed as Document No. 492,500 and recorded in Liber 6847, Page 322, which covered the lot on which the project will be located (Lot 466) together with other property, no longer covers Lot 466. The new Lease to the Developer covering only Lot 466 was executed on May 29, 1973, and filed on July 16, 1974, as Document No. 689808.

ARCHITECTURAL DRAWINGS AND SPECIFICATIONS: Some minor changes have been made to the architectural drawings and specifications, including the addition of guard rails for full height windows, the addition of gypsum board wraparound exhaust ducts, the revision of area separation walls, and some minor changes in some lumber and other materials.

STATEMENT OF FINANCING: The Prudential Insurance Company of America has committed to the Developer a maximum of \$6,300,000.00 in individual condominium mortgages to qualified buyers for the entire project. The Prudential Insurance Company of America has also committed to the Developer a \$6,450,000.00 construction loan to finance construction of the entire project. A copy of the foregoing commitment letters has been placed on file with the Commission.

CONSTRUCTION CONTRACT: A copy of the Construction Contract dated July 12, 1973, between the Developer and Del E. Webb Corporation, the Contractor, has been placed on file with the Commission.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: On July 16, 1973, Fireman's Fund Insurance Company issued a Performance Bond and a Labor and Material Payment Bond in favor of the Developer. A copy of each of these bonds has been placed on file with the Commission.

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 June 12, 1973, and additional information subsequently filed as of August 5, 1974.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 574 filed with the Commission on June 12, 1973.

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


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

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ESCROW AGENT

REGISTRATION NO. 574

AUGUST 7, 1974