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
CLIFF VIEW TERRACE
45-342 Lilipuna Road
Kaneohe, Hawaii

REGISTRATION NO. 576

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 1, 1973

Expires: December 1, 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 or prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JUNE 21, 1973 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF OCTOBER 31, 1973. 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. CLIFF VIEW TERRACE is a leasehold condominium project consisting of thirty (30) apartment units contained in one (1) three (3)-story building constructed principally of concrete-hollow tile. Construction of the building was completed in September, 1969. There are

thirty-one (31) parking stalls, and all of the apartments and parking stalls will be offered for sale. All parking stalls will be appurtenant to various apartments.

Buyers will receive, through an apartment sublease, a leasehold interest for a term ending on February 28, 2028. The sublease will be issued to the Buyer by the Developer, who is the holder of the Master Lease.

2. The Developer of the project has submitted to the Commission for examination all documents and materials deemed necessary by the Commission for the registration of this condominium project and the issuance of the Final Public Report.

3. 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 in Honolulu, Hawaii.

   The Declaration of Horizontal Property Regime dated October 10, 1973, together with the By-Laws of Association of Apartment Owners, was filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 654,923. The Recording Officer has designated Condominium Map No. 184 to the project.

4. This Final Public Report is made a part of the registration of CLIFF VIEW TERRACE condominium project. The Developer is held responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers.

   Securing a signed copy of the Receipt for the Final Horizontal Property Regime Public Report from each purchaser is also the responsibility of the Developer.

5. The Commission has been advised that the Developer has not at this time secured a commitment to provide long-term mortgage loans to qualified individual purchasers of the apartment units.

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 promulgated thereunder which relate to Horizontal Property Regimes.

7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, November 1, 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.

NAME OF PROJECT: CLIFF VIEW TERRACE

LOCATION: 45-342 Lilipuna Road, Kaneohe, Hawaii
The site, comprising approximately 22,272 square feet, is located at the corner of Lilipuna Road and Cobb-Adam Road.

TAX MAP KEY: First Division 4-5-14-5

ZONING: Community Business District B-2. In that the building permit for the apartment building was obtained prior to the adoption of the comprehensive zoning code, the use of the building for residential purposes is a permitted non-conforming use, and such use of the building may continue, but no additions to the building will be permitted.

DEVELOPER: Hemmeter Investment Company, Suite 20G, 2003 Kalia Road, Honolulu, Hawaii. The partnership is comprised of the following individuals:

1. Christopher B. Hemmeter, 4815 Kainapau Place, Honolulu, Hawaii

2. Diane J. Plotts, 46-393 Hololio Street, Kaneohe, Hawaii

3. Henry H. Shigekane, 5111 Poola Street, Honolulu, Hawaii

ATTORNEY REPRESENTING DEVELOPER: Damon, Shigekane, Key & Char (Attention: William J. Shannon), 10th Floor, City Bank Building, 810 Richards Street, Honolulu, Hawaii. Phone No. 531-8031.

GENERAL DESCRIPTION OF THE PROJECT: The Declaration of Horizontal Property Regime reflects that this is a leasehold condominium project. The project is situate on approximately 22,272 square feet of land. The Floor Plans submitted by the Developer indicate thirty (30) apartment units located ten units to a floor in a one (1) three (3)-story building constructed principally of concrete and hollow tile. Construction of the building was completed in September, 1969. Prior to submission to the Horizontal Property Regime, the building was used as a residential apartment building.

1. There are two (2) types of apartments which have been designated as Models A and B. The following is a brief description of each model including the living area (excluding any lanai area) and the number of rooms in each model.

MODEL

A — A one-story apartment with an area of 648 square feet, more or less, containing two (2) bedrooms, one (1) bath and a kitchen-dining-living room area.

B A one-story apartment with an area of 696 square feet, more or less, containing two (2) bedrooms, one (1) bath, and a kitchen-dining-living room area.

2. There are nine (9) model A apartments on each of the three (3) floors of the building, and one (1) model B apartment on each of the three (3) floors of the building. Each apartment has been assigned an apartment number, the first number of which reflects the floor on which the apartment is located.

3. All parking spaces are located outside on the ground level.

4. Each apartment has access to the walkways connecting the building to the street entrances and parking areas of the project.

5. The respective apartments shall not be deemed to include the undercoated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits or other utility or service lines running through such apartment which are utilized for or serve any other apartment, the same being deemed common elements. 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 all fixtures originally installed therein.

6. All apartments will be furnished with an electric range, dishwater, refrigerator and hot water heater. These appliances are in a used condition, and will be sold to the purchaser "as is" and without any warranties.

COMMON ELEMENTS: The common elements will include the limited common elements herein described and all remaining portions of the project, including specifically but not limited to: (a) the land in fee simple; (b) all foundations, columns, girders, beams, supports, perimeter walls, load-bearing walls, roofs, walkways, boardwalks, ducts, pumps, pipes, wires, conduits, and generally all equipment, apparatus, installations and personal property existing for common use in the building located on the land hereinabove described; (c) all driveways, roads and other common ways, landscaping, yards, playground areas and equipment, garden areas, fences, retaining walls, refuse collection areas, mailbox areas, laundry rooms, accessory equipment and parking areas situate on the land hereinabove described.

LIMITED COMMON ELEMENTS: Certain parts of the common elements herein, called the "limited common elements", are hereby designated and set aside for the exclusive use of certain apartments and such apartments shall have appurtenant thereto easements for the use of such limited common elements as follows:

(a) Each apartment shall have appurtenant thereto one or

more parking spaces as shown on the plot plan of the project filed in the Office of the Assistant Registrar of the Land Court as Condominium Map No. 184.

(b) Each apartment on the ground level shall have the garden area adjoining said apartment as shown on said Condominium Map.

(c) The hallways or balconies giving access to the apartments on the second and third floors shall be the common elements for and be appurtenant only to the apartments within each building on said respective floors.

INTEREST TO BE CONVEYED TO PURCHASER: As specified and established in the Declaration, each apartment shall have appurtenant thereto an undivided percentage interest in all common elements of the project and the same proportionate share in all common profits and expenses of the project and for all other purposes including voting as follows:

FLOOR	APT. NO.	PERCENTAGE
1	101	3.33
	102	3.33
	103	3.33
	104	3.33
	105	3.33
	106	3.33
	107	3.33
	108	3.33
	109	3.33
	110	3.33
2	201	3.33
	202	3.33
	203	3.33
	204	3.33
	205	3.33
	206	3.33
	207	3.33
	208	3.33
	209	3.33
	210	3.33
3	301	3.34
	302	3.34
	303	3.34
	304	3.34
	305	3.34
	306	3.34
	307	3.34
	308	3.34
	309	3.34
	310	3.34

USE: The Declaration provides that the apartment shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, domestic servant and social guests, and for no other purpose.

The apartment shall not be rented for transient or hotel purposes, which are defineable as (a) rental for any period less than thirty days or (b) any rental in which the accupants 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 for such transient or hotel purposes, the owners of the respective apartments shall have the absolute right to lease such apartments subject to all provisions of the Declaration.

OWNERSHIP OF LAND AND ENCUMBRANCES AGAINST TITLE: The Developer has filed with the Commission a copy of lien letters dated June 9, 1973 and updated to October 4, 1973 prepared by Long & Melone, Ltd. The lien letters reveal the following:

1. Ownership of fee simple title is vested in Kualoa Land Corp., a Hawaii corporation.

2. The fee simple title is subject to: (a) a lease in favor of Halekou Land Corporation, a Hawaii corporation and predecessor corporation to Kualoa Land Corp. to Preferred Investments Corporation, a Hawaii corporation, dated October 15, 1965, filed in the Office of the Assistant Registrar of the Land Court as Document No. 372837; (b) a Mortgage in favor of First National Bank of Hawaii (now First Hawaiian Bank) in the amount of $269,500.00 dated October, 1968 and filed in the Office of the Assistant Registrar of the Land Court as Document No. 459682. Said Mortgage being on the leasehold interest in the property.

3. Taxes that may be due and owing.

The Developer has provided the following additional information regarding the ownership of land and encumbrances against title.

a) The lease referred to in paragraph 2(a) of this section has been assigned by Preferred Investments Corporation to Hemmeter Investment Company by Assignment of Lease dated October 3, 1973 and filed in the Office of the Assistant Registrar of the Land Court as Document No. 654,921.

b) An unrecorded Second Mortgage in favor of William Emmons Aull in the amount of $110,000.00, dated November 15, 1972. Said Mortgage being on the leasehold interest in the property.

c) An unrecorded Third Mortgage in favor of Preferred Investments Corporation in the amount of $620,000.00, dated October 3, 1973, Said Mortgage being the leasehold interest in the property.

The Developer has advised the Commission that all Mortgages referred to herein will be removed from the property prior to the conveyance of the first apartment lease.

PURCHASE MONEY HANDLING: An executed Escrow Agreement dated June 20, 1973 identifies Queen Escrows Corp., a Hawaii corporation, as the escrow. Upon examination of the Escrow Agreement,

it is found to be in consonance with Chapter 514, Hawaii Revised Statutes. The Contract of Sale provides that after inspection of the apartment unit, the purchaser will accept the unit in an "as is" condition, without warranties or representations thereof or any other matter pertaining thereto. It is encumbent upon the purchaser and prospective purchaser to read and understand the Escrow Agreement before executing the sales agreements since the Escrow Agreement prescribe the procedure for receiving and disbursing purchaser's funds.

MANAGEMENT OF PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the project shall be conducted by the Association of Owners under the direction of the Board of Directors, and the Board of Directors may appoint a responsible managing agent. The Declaration identifies the initial managing agent as being the State Management, Inc., 928 Bethel Street, Honolulu, Hawaii.

STATUS OF PROJECT: The Developer advises that the condominium building was completed in September, 1969 and utilized as a residential apartment building called the Mililani, and that the apartments are ready to be sold.

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 on June 21, 1973, and additional information subsequently filed as late as October 31, 1973.

This is a Final Horizontal Property Regimes Condominium Public Report which is made part of Registration No. 576, filed with the Commission on June 21, 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 DEPARTMENT, CITY & COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

REGISTRATION NO. 576
November 1, 1973