

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

1010 RICHARDS STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

## SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on  
HOLIDAY PLANTATION  
Makaha, Oahu, Hawaii

REGISTRATION NO. 577

IMPORTANT - Read This Report Before Buying

### **This Report Is Not an Approval or Disapproval of This Condominium Project**

It was prepared as a supplement to an earlier Report dated August 13, 1973 & July 8, 1974 issued by the Real Estate Commission on the above 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: May 18, 1977  
Expires: January 8, 1978

### 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JUNE 22, 1973, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF JUNE 21, 1974 AND MAY 13, 1977. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND SUBMITTING INFORMATION ON MATERIAL CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Preliminary and Final Report on the HOLIDAY PLANTATION project, Registration No. 577, dated August 13, 1973 and July 8, 1974, respectively, the Developer has submitted additional information to that filed in the June 21, 1974 submittal. The changes subsequently made are determined to be a material revision to the information disclosed earlier. This Supplementary Public Report (pink paper stock) amends the Preliminary Public Report (yellow paper stock) and the Final Public Report (white paper stock) and is made a part of the registration. The Developer is required to provide all purchasers or prospective purchasers

of apartments with a copy of this Supplementary Public Report as well as the Preliminary and Final Public Reports. Securing a signed copy of the receipt for Horizontal Property Regimes Public Report for all reports 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 Supplementary 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, as amended, 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, was filed in the Office of the Assistant Registrar of the Land Court, State of Hawaii, on June 18, 1974, as Document No. 685716; as amended on February 15, 1977, as Document No. 805045 and 805046. The Assistant Registrar of the Land Court has designated Condominium Map No. 217 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 Supplementary Public Report automatically expires January 8, 1978, unless the Commission, upon review of the registration, issues an order extending the effective period of this report.

The developer has requested and the Commission has granted an extension of the Preliminary and Final Public Reports, through this Supplementary Public Report to January 8, 1978.

The information in the topical headings of the Preliminary Public Report and the Final Public Report has all changed except for NAME OF PROJECT, ZONING, COMMON ELEMENTS, USE, PURCHASE MONEY HANDLING, MANAGEMENT OF PROJECT, HOUSE RULES and COMMUNICATIONS UTILITIES

LOCATION: The site is comprised of 28.070 acres located at Makaha, Oahu, Hawaii.

NOTE: By Amendment of Declaration on February 15, 1977, Document Nos. 805045 and 805046, a portion of the land originally submitted to the horizontal property regime has been withdrawn from the project.

TAX MAP KEY: 8-4-2-49

DEVELOPER: Holiday Makaha, a Hawaii limited partnership, whose business address is 801 Kaheka Street, Honolulu, Hawaii 96814, Telephone 946-1646. Holiday Mart, Inc., a Hawaii corporation, is general partner.

ATTORNEY REPRESENTING DEVELOPER: Phillip L. Rother (Rother, Grimes & Bybee, Suite 322, Dillingham Transportation Building, 735 Bishop Street, Honolulu, Hawaii 96813, Telephone 537-5311) is attorney for the developer.

DESCRIPTION: The plans for the project have been revised, and the total number of apartments has been reduced from 868 to 572. There will be 534 two-bedroom apartments instead of 804, 36 three-bedroom apartments instead of 60, and 2 three-bedroom townhouses instead of 4. A revised description follows:

The Declaration of Horizontal Property Regime, as amended, reflects that the leasehold project shall contain forty-one (41) two and three-story wood frame apartment buildings plus a single-story resident manager's office building of like construction. The apartments are of three types, 534 two-bedroom, one-bath apartments, 36 three-bedroom, one-bath apartments and 2 three-bedroom, one and one-half bath townhouses. The two and three-bedroom apartments are single story units located on the first, second or third floors and the townhouses are two-story units. There are a total of 572 units plus the common buildings located on 28.070 acres. The resident manager's office is not a dwelling unit. None of the buildings contain basements. The 9 utility buildings contain laundry facilities and are the location of the mailboxes. The 2 cabanas are situated adjacent to the swimming pools and contain barbeque and recreational facilities. The units will be numbered 1 through 196 with a letter, A, B, or C, indicating a first, second or third floor location, respectively, for the two and three-bedroom apartments. Apartment Numbers 1A through 196C are located in building numbers as indicated in the Final Public Report. Apartment Numbers 197A through 298C are deleted; and the manager's office is in building number 62.

Four Hundred Sixty-Eight (468) of the two-bedroom units also contain a bathroom, kitchen and living/dining room with a floor area of approximately 815 square feet. Of these, the ground floor units (A) also contain a lanai of approximately 120 square feet and the second floor (B) units and third floor (C) units, a lanai of approximately 30 square feet.

Forty-Two (42) of the two-bedroom units also contain a bathroom, kitchen and living/dining room with a floor area of approximately 822 square feet. Of these, the ground floor units (A) also contain front and side lanais with a total area of approximately 140 square feet and the second floor (B) units and third floor (C) units, front and side lanais with a total area of approximately 50 square feet. Twenty-Four (24) of the two-bedroom units also contain a bathroom, kitchen and living/dining room with a floor area of approximately 830 square feet. Of these, the ground floor units (A) also contain front and back lanais with a total area of approximately 144 square feet and the second floor (B) units, front and back lanais with a total area of approximately 53 square feet.

The thirty-six (36) three-bedroom units also contain a bathroom, kitchen and living/dining room with a floor area of approximately 993 square feet. Of these, the ground floor units (A) also contain a front lanai of approximately 120 square feet and the second floor (B) units and third floor (C) units, a front lanai of approximately 30 square feet.

The two (2) townhouses contain three bedrooms, a walk-in closet, one and one-half bathrooms, a living room and dining room with a floor area of approximately 1,283 square feet and front and back lanais totalling approximately 234 square feet.

The units will be numbered in the manner shown on the Condominium Map. Each unit will 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, the spaces within the perimeter walls, floors and ceilings, the adjacent lanai or lanais, and all fixtures originally installed therein including refrigerator/freezer, electric range with oven and garbage disposal. All apartment square footage figures are approximate and are based on measurements to the center line of party walls, to the inside of outside walls and omitting duct space.

LIMITED COMMON ELEMENTS: The Declaration reflects that certain parts of the common elements, herein called "limited common elements", are designated and set aside for the exclusive use of certain units. Such units shall have appurtenant thereto easements for the use of such limited common elements as follows:

One parking space shall be assigned to each of the two-bedroom apartments and two parking spaces to each of the three-bedroom apartments and townhouses upon the original conveyance thereof and shall be appurtenant to and for the exclusive use of such unit.

NOTE: The total number of parking stalls have been reduced from 1,095 to 724 of which 114 stalls will be designated for guest parking.

INTEREST TO BE CONVEYED TO PURCHASER: As a result of the change in the number of apartments noted above, the undivided interest in all common elements appurtenant to each of the apartment units is changed as follows:

All two-bedroom apartment units changed from .1132% to .1721%; all three-bedroom apartment units changed from .1379% to .2099%; all three-bedroom townhouses changed from .1783% to .2711%.

OWNERSHIP OF TITLE: A Preliminary Report dated November 26, 1976, has been issued by Security Title Corporation, a licensed abstractor, which indicates that title to the land is vested in Holiday Plantation, a Hawaii limited partnership. By Assignment of Lease dated March 31, 1977, and filed as Document No. 811801 Holiday Mart, Inc., the former developer, has conveyed its interest in and to the Master Lease dated September 28, 1973, to Holiday Makaha, a Hawaii limited partnership.

ENCUMBRANCES AGAINST TITLE: A title search prepared by Security Title Corporation dated April 7, 1977, provides that the land is subject to the following encumbrances:

1. Tax Key: 8-4-2-49

Taxes on the parcel of land herein described are assessed to each individual condominium unit. For any taxes that may be due and owing, reference is hereby made to the Office of the Tax Assessor of the First Division.

2. Grant and Covenant dated February 6, 1973, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 116618, in favor of the CITY AND COUNTY OF HONOLULU, granting all rights in basal water only.
3. The covenants as set forth in that certain Deed dated June 28, 1973, filed in said Office of the Assistant Registrar as Document No. 651892, to which reference is hereby made.
4. The terms and provisions of that certain Lease dated September 28, 1973, filed in said Office of the Assistant Registrar as Document No. 652593, made by MAKAHA VALLEY, INCORPORATED, a Hawaii corporation, and EDWIN YEE, LTD., a Hawaii corporation, dba HOLIDAY PLANTATION, a Joint Venture, as Lessor, and HOLIDAY MART, INC., a Hawaii corporation, as Lessee, for a term commencing from September 28, 1973 to and including December 31, 2074; as amended by instrument dated December 31, 1973, filed in said Office of the Assistant Registrar as Document No. 667332; and as further amended by instrument dated July 9, 1974, filed in said Office of the Assistant Registrar as Document No. 699165; and as further amended by instrument dated March 31, 1977, filed in said Office of the Assistant Registrar as Document No. 811792. Said Lease is now held by HOLIDAY MAKAHA, a registered Hawaii limited partnership, as Lessee, by Assignment of Lease dated March 31, 1977, filed in said Office of the Assistant Registrar as Document No. 811800. Consent thereto filed as Document No. 811801.

Said Lease is subject to the following:

Real Property Mortgage dated March 31, 1977, filed in said Office of the Assistant Registrar as Document No. 811805, made by HOLIDAY MAKAHA, a registered Hawaii limited partnership, as Mortgagor, to HAWAII NATIONAL BANK, a national banking association, as Mortgagee, to secure the repayment of the sum of \$11,000,000.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor therein referred to.

5. Condominium Map No. 217, filed in said Office of the Assistant Registrar on June 18, 1974.

6. The covenants, agreements, obligations, conditions and other provisions set forth in that certain Declaration of Horizontal Property Regime dated June 14, 1974, filed in said Office of the Assistant Registrar as Document No. 685716, and the By-Laws attached thereto, to which reference is hereby made.

By undated instrument filed in said Office of the Assistant Registrar as Document No. 805045, the foregoing Declaration was amended.

7. The terms and provisions of that certain Agreement dated December 20, 1974, filed in said Office of the Assistant Registrar as Document No. 707707, made by MAKAHA VALLEY INCORPORATED, a Hawaii corporation ("MVI"), and HOLIDAY PLANTATION, a Hawaii registered limited partnership, ("the Lessor") and HOLIDAY MART, INC., a Hawaii corporation ("the Lessee"), to which reference is hereby made.

By instrument dated March 31, 1977, filed in said Office of the Assistant Registrar as Document No. 811802, HOLIDAY MART, INC., a Hawaii corporation, assigned all of its right, title and interest in and to the foregoing Agreement to HOLIDAY MAKAHA, Hawaii registered limited partnership.

8. Easements 75 to 90, as shown on Map 128, as set forth by Land Court Order No. 41751, filed October 20, 1976.
9. Undated Financing Statement covering certain personal property located on the real property herein described, given as security by HOLIDAY MAKAHA, in favor of HAWAII NATIONAL BANK, recorded on April 7, 1977, in the Bureau of Conveyances of the State of Hawaii in Book 12115 Page 41.
10. By Assignment of Rentals and Lessor's Interest in Leases dated March 31, 1977, filed in said Office of the Assistant Registrar as Document No. 811807, HOLIDAY PLANTATION, a Hawaii registered limited partnership, "Assignor", assigned to HAWAII NATIONAL BANK, a national banking association, "Assignee", all of its right, title and interest as Lessor in and to those certain Apartment Leases hereinafter identified and described, and any Leases hereafter made by Assignor, demising any portion of the parcel of land herein described, or improvements situated thereon, etc., as security for the repayment of that certain Mortgage identified and described in Subparagraph 4 hereof. Consent thereto filed as Document No. 811808.

11. That instrument dated March 31, 1977, filed in said Office of the Assistant Registrar as Document No. 811806, whereby HOLIDAY PLANTATION, a registered Hawaii limited partnership, "Mortgagor", assigned to HAWAII NATIONAL BANK, a national banking association, "Mortgagee", all of its fee simple interest in and to that certain parcel of land herein described, together with all buildings and improvements now located on said parcel of land and any and all buildings, improvements and building material that may be placed thereon, etc., as additional security for the repayment of the foregoing mortgage.
12. The terms and provisions of those certain Apartment Leases of Holiday Plantation dated and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as follows:

Apartment No.	31-A	December 18, 1974	Document No.	707987
	31-C	January 3, 1975		707990
	32-A	December 20, 1974		707993
	32-B	December 26, 1974		707996
	32-C	December 26, 1974		707999
	33-A	December 26, 1974		708002
	33-B	December 26, 1974		708005
	33-C	December 31, 1974		708009
	34-A	December 30, 1974		708012
	34-B	December 30, 1974		708015
	34-C	December 16, 1974		708018
	35-A	December 30, 1974		708021
	35-B	December 30, 1974		708024
	35-C	December 30, 1974		708028
		Assignment of Lease	November 24, 1975	744555
	37-B	December 16, 1974		708031
		Assignment of Lease	April 30, 1976	762696
	38-C	December 23, 1974		708034
	39-B	December 30, 1974		708037
	39-C	December 13, 1974		708039-A
	40-B	December 31, 1974		708042
	40-C	December 31, 1974		708045
	41-A	December 31, 1974		708049
	41-C	December 27, 1974		708052
	42-A	December 27, 1974		708055
	42-B	December 27, 1974		708058
	42-C	December 27, 1974		708061
	43-A	December 11, 1974		708065
	43-B	December 30, 1974		708068
	43-C	December 26, 1974		708071
	44-A	December 16, 1974		708074
	45-A	December 12, 1974		708077
	45-B	December 19, 1974		708080
	46-A	December 12, 1974		708083
	46-B	December 12, 1974		708087
	46-C	December 12, 1974		708090

Apartment No.		Date	Document No.
48-B		December 30, 1974	708093
48-C		December 20, 1974	708097
49-A		December 30, 1974	708100
49-B		December 30, 1974	708103
50-A		December 12, 1974	708106
50-B		December 30, 1974	708109
50-C		December 30, 1974	708112
54-B		December 30, 1974	708115
56-A		December 17, 1974	708119
	Amended	February 13, 1975	710961
52-A		December 17, 1974	708122
47-C		December 17, 1974	708125
47-B		December 17, 1974	708128
47-A		December 17, 1974	708131
40-A		January 17, 1975	710460
44-B		February 7, 1975	710463
44-C		February 7, 1975	710466
49-C		January 29, 1975	710470
51-B		February 5, 1975	710473
	Assignment of Lease	November 5, 1975	758764
51-C		February 5, 1975	710476
	Assignment of Lease	November 5, 1975	758765
53-A		February 5, 1975	710480
	Assignment of Lease	November 5, 1975	758766
53-B		February 5, 1975	710483
	Assignment of Lease	November 5, 1975	758767
54-A		January 29, 1975	710486
54-C		February 7, 1975	710489
55-B		February 7, 1975	710492
75-A		December 30, 1974	710495
75-C		January 21, 1975	710498
76-B		February 6, 1975	710501
77-A		February 6, 1975	710504
77-B		February 6, 1975	710507
77-C		February 6, 1975	710511
78-A		February 7, 1975	710514
78-B		February 7, 1975	710517
78-C		February 7, 1975	710520
79-A		February 7, 1975	710523
80-A		January 31, 1975	710527
81-C		February 7, 1975	710530
82-A		February 7, 1975	710533
83-C		January 21, 1975	710537
84-C		January 22, 1975	710540
85-C		January 29, 1975	710543
86-A		January 22, 1975	710547
86-B		January 22, 1975	710550
86-C		January 29, 1975	710553
88-A		January 28, 1975	710557
88-C		January 24, 1975	710560
89-B		January 27, 1975	710563
89-C		January 29, 1975	710566
90-A		February 3, 1975	710569
90-C		January 23, 1975	710572
91-A		January 29, 1975	710575

Apartment No.	92-A	January 29, 1975	Document No.	710578
	92-B	January 29, 1975		710582
	92-C	January 29, 1975		710585
	93-A	January 28, 1975		710588
	93-B	January 28, 1975		710592
	94-B	February 7, 1975		710595
	94-C	February 7, 1975		710598
	95-A	February 7, 1975		710601
	95-B	February 7, 1975		710605
	95-C	February 6, 1975		710608
		Exchange Agreement February 12, 1976		754694
	97-B	December 31, 1974		710611
	98-C	January 30, 1975		710614
	45-C	February 11, 1975		713235
	53-C	March 7, 1975		713238
	55-C	March 6, 1975		713241
	58-B	March 7, 1975		713244
	58-C	March 7, 1975		713247
	59-A	March 7, 1975		713250
	59-B	March 7, 1975		713253
	59-C	March 7, 1975		713256
	60-B	March 7, 1975		713259
	60-C	March 7, 1975		713262
	62-B	March 7, 1975		713265
	63-B	March 7, 1975		713268
	63-C	March 7, 1975		713271
	64-B	March 7, 1975		713274
	68-B	March 7, 1975		713277
	68-C	March 7, 1975		713280
	69-B	March 7, 1975		713283
	69-C	March 7, 1975		713286
	70-B	March 7, 1975		713289
	71-A	March 7, 1975		713292
	71-B	March 7, 1975		713295
	72-B	March 7, 1975		713298
	74-B	March 7, 1975		713301
	79-C	February 21, 1975		713304
	81-A	March 7, 1975		713307
	81-B	March 7, 1975		713310
	84-B	March 7, 1975		713313
	97-C	February 6, 1973		713316
	154-A	March 4, 1975		713319
	154-B	March 5, 1975		713322
	158-A	March 8, 1975		713325
	158-B	March 8, 1975		713328
	161-C	February 25, 1975		713331
	162-A	March 5, 1975		713334
	163-A	February 27, 1975		713337
	173-A	March 5, 1975		713340
	173-B	March 10, 1975		713343
	175-C	March 6, 1975		713346
	180-A	March 6, 1975		713349
	185-A	March 4, 1975		713352
	187-C	March 6, 1975		713355
	188-C	March 4, 1975		713358
	192-C	March 4, 1975		713361

Apartment No.	36-A	March 18, 1975	Document No.	716922
	37-C	March 18, 1975		716925
	38-A	March 18, 1975		716928
	38-B	March 18, 1975		716931
	57-B	April 8, 1975		716934
	60-A	April 11, 1975		716937
	61-A	April 9, 1975		716941
	61-B	April 9, 1975		716944
	62-A	April 9, 1975		716947
	61-C	April 9, 1975		716949
	64-C	April 7, 1975		716952
	65-A	April 2, 1975		716955
	65-B	April 2, 1975		716958
	66-A	April 3, 1975		716961
		Assignment of Lease December 29, 1975		749667
	66-B	April 9, 1975		716964
	67-C	April 11, 1975		716967
	69-A	April 8, 1975		716970
	71-C	April 9, 1975		716973
	73-A	April 9, 1975		716976
	82-C	March 13, 1975		716979
	96-A	March 27, 1975		716982
	153-A	April 7, 1975		716985
	153-B	March 24, 1975		716988
	166-B	March 10, 1975		716991
	168-A	April 9, 1975		716994
	170-B	April 11, 1975		716997
	172-A	April 10, 1975		717000
	172-B	April 10, 1975		717003
	190-B	March 12, 1975		717006
	48-A	April 10, 1975		717085
	51-A	April 10, 1975		717089
	72-A	April 9, 1975		717093
	80-B	April 9, 1975		717097
	181-A	April 9, 1975		717101
	181-B	April 9, 1975		717105
	36-B	April 18, 1975		718050
	89-A	April 10, 1975		718089
	160-A	April 18, 1975		718092
	182-A	April 11, 1975		719228
	182-B	April 11, 1975		719231
	31-B	May 12, 1975		720002
	41-B	May 12, 1975		720006
	74-C	May 6, 1975		720009
	85-A	May 6, 1975		720012
	118-A	May 9, 1975		720015
	118-B	May 9, 1975		720018
	119-B	May 9, 1975		720021
	121-A	May 7, 1975		720024
		Assignment of Lease July 20, 1976		776760
	123-A	May 9, 1975		720027
	124-C	May 8, 1975		720030
	125-C	May 6, 1975		720033
	126-A	May 6, 1975		720036

Apartment No. 126-C	May 9, 1975	Document No. 720039
128-B	May 9, 1975	720042
171-A	April 11, 1975	720045
171-B	April 11, 1975	720048
55-A	May 15, 1975	720582
83-B	May 15, 1975	720586
85-B	May 14, 1975	720589
96-B	May 15, 1975	720592
68-A	May 15, 1975	720662

STATEMENT OF FINANCING: The interim construction loan and the permanent loan commitments originally made for the project by Hawaii National Bank (with its participating lenders, Fidelity Savings & Loan Association and Brentwood Savings & Loan Association) will be replaced by a new loan in the principal amount of \$11,000,000 and new permanent loan commitments.

In addition to the conventional financing packages as outlined in the previous Statements of Financing, the Developer is reserving the right to sell units under five-year agreements of sale, with ten percent (10%) downpayments and current market interest.

STATUS OF PROJECT: Construction of the project began on October 1, 1973, but was suspended due to contractor disputes from June 1, 1975 until early 1977. The Developer has advised the Commission that construction is expected to be completed within approximately 36 months from the date hereof.

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The prospective purchaser or purchasers should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted June 22, 1973, and additional information subsequently filed as of May 13, 1977.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 577 filed with the Commission on June 22, 1973.

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

*Ad. Kame Young*  
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Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

DISTRIBUTION:  
DEPARTMENT OF TAXATION  
BUREAU OF CONVEYANCES  
PLANNING COMMISSION, CITY AND COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

REGISTRATION NO. 577  
May 18, 1977