

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

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

PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on
CLUB MONDIALE PAKI MAUI
Honoapiilani Highway
Honokawai, Maui, Hawaii

REGISTRATION NO. 584

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 but may only take reservations therefore after

- (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: October 23, 1973
Expires: November 23, 1974

SPECIAL ATTENTION

A comprehensive reading of this 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 27, 1973. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, CHAPTER 514, HAWAII REVISED STATUTES.

1. CLUB MONDIALE PAKI MAUI is a proposed leasehold condominium project consisting of 40 residential apartments and one commercial apartment situated in one four-story building. Forty parking stalls will be provided on the project.
2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and issuance of this Preliminary Public Report.

3. The Developer reports that the Declaration of Horizontal Property Regime and the Bylaws will be filed in the Bureau of Conveyances, State of Hawaii immediately prior to the application for a Final Public Report.
4. As of this date, no advertising or promotional matter has been submitted pursuant to rules and regulations promulgated by the Commission.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Hawaii Revised Statutes, Chapter 514, and the Rules and Regulations of the Hawaii Real Estate Commission which relate to Horizontal Property Regimes.
6. This Preliminary Public Report automatically expires thirteen (13) months after the date of issuance, October 23, 1973, unless a Final or Supplementary Public Report is issued or the Commission, upon review of the registration, issues an order extending the effective period of this Report.
7. This Preliminary Public Report is made a part of the registration of the CLUB MONDIALE PAKI MAUI condominium project. The Developer has the responsibility of placing a true copy of this Preliminary Public Report (yellow paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed copy of the receipt for the Horizontal Property Regime Public Report from each purchaser when it is issued is also the responsibility of the Developer.

NAME OF PROJECT: CLUB MONDIALE PAKI MAUI

LOCATION: The project is located on Honoapiilani Highway, at Honokawai, on the island of Maui, and consists of approximately 88,369 square feet of land.

TAX KEY: 4-4-001-51

ZONING: A-2 apartment

DEVELOPER: Honokawai Maui Partnership, a Hawaii limited partnership, whose principal place of business and mailing address is Suite 1902 Amfac Building, 700 Bishop Street, Honolulu, Hawaii, 96813, is the Developer of the project. The general partner of Honokawai Maui Partnership is Broms-Lonie, Inc., an Oregon corporation, whose principal place of business and post office address is 900 S.W. Fifth Avenue, Portland, Oregon 97204.

ATTORNEY REPRESENTING THE DEVELOPER: Cades Schutte Fleming & Wright (Attention: Mr. Douglas E. Prior), 17th Floor, First Hawaiian Bank Building, P.O. Box 939, Honolulu, Hawaii 96808, Telephone: 531-7232.

DESCRIPTION OF PROJECT: The project will be an apartment hotel condominium project consisting of a single four story apartment building with full basement together with parking areas, driveways, a Japanese garden and other landscaping.

The apartment building contains 40 residential apartments and one commercial apartment. There will be five different types of residential apartments varying in size. The Type A one-bedroom apartment will have an interior living area of approximately 523 square feet including a hallway, living room, kitchen, bedroom and bathroom, and a covered lanai of approximately 112 square feet. Some Type A apartments will have a reversed floor plan. The Type B two-bedroom apartment will have an interior living area of approximately 739 square feet including a hallway, living room, kitchen, two bedrooms and two bathrooms, and a covered lanai of approximately 112 square feet. The Type C two-bedroom apartments will have an interior living area of approximately 821 square feet including a hallway, living room, kitchen, two bedrooms and two bathrooms, and two covered lanais aggregating approximately 224 square feet. The Type D two-bedroom apartments will have an interior living area of approximately 1046 square feet including a double hallway, living room, two kitchens, two bedrooms and two bathrooms, one with separate lavatory, and two covered lanais aggregating approximately 224 square feet. This type of apartment will be rentable as two separate units since one hallway with the living room, one kitchen, and one bath has its own separate entrance and can be closed off from the rest of the apartment and used as a studio apartment. The Type E two-bedroom apartments will have an interior living area of approximately 1046 square feet including a hallway, living room, kitchen, two bedrooms, two bathrooms, each with separate lavatory and one with a separate dressing room, and two covered lanais aggregating approximately 224 square feet.

The apartments are located on the first through fourth floors and numbered consecutively on each floor commencing at the north end; the first digit of each apartment number indicates its floor. The location of the residential apartment types is as follows:

<u>Apt. No.</u>	<u>Type</u>
101, 201, 301, 401	E
102, 202, 302, 402	D
103, 203, 303, 403	B
104, 204, 304, 404	C
105, 205, 305, 405	B
106, 206, 306, 406	C
107, 207, 307, 407	A
108, 208, 308, 408	A (Rev.)
109, 209, 309, 409	A
110, 210, 310, 410	A (Rev.)

Each apartment has direct access to a connecting corridor which is part of the common elements. The building will have a staircase at the south end connecting all floors and a central core at the north end with a staircase and two elevators. On the first floor the core contains a lobby and lobby office, a maids' room, vending machine and laundry room and connecting corridor. On the second floor the core contains an office of approximately 304 square feet which is a commercial apartment numbered apartment 200, a maids' room, vending machine and laundry room and connecting corridor. On each of the third and fourth floors the core contains a maids' room, vending machine and laundry room and connecting corridor. In the basement the core contains a storage and service room and a maids' room, a vending machine room and connecting corridor. The basement also contains two women's rooms, two men's rooms,

an equipment room, laundry, eight storage rooms, a recreation room, a maintenance and storage room and connecting corridor.

The building is primarily a concrete masonry structure with interior partitioning of gypsum wallboard. All apartments will have drapes and will be carpeted throughout except in the bathrooms and kitchens which will have sheet vinyl floor coverings.

The Developer plans to add two additional phases to this condominium project. It has reserved the right to construct a second building of up to four stories containing up to 40 additional apartments on the site in the area mauka of the first building as shown on the building plans filed with the Real Estate Commission. The second building will be of similar materials and design except for apartment layouts but will have no basement. On the first floor the second building will be linked by a corridor to the central core and linked on each of the second through fourth floors by a bridge. If this second building is constructed, the common interest of the apartments in the first building will be reduced as shown below and the owners of the apartments in the second building will share in the common expenses of the condominium project in the proportion to the floor area of their apartments, all as more fully explained in the Declaration of Horizontal Property Regime which each prospective purchaser should carefully read.

The Developer also reserves the right to construct a third building on an adjacent parcel of land just north of this project. The building will be a separate condominium project, but when it is completed it will be merged with this condominium project so that the two projects will be operated as a single condominium project with one board of directors, one common expense fund for maintenance of all landscaping and improvements and the right of the owners in each project to use the common areas of both projects all as more fully explained in the Declaration as to Merger of Increments in a Condominium Project which each prospective purchaser should carefully read.

COMMON ELEMENTS: The common elements will include the limited common elements described below and all other portions of the land and improvements other than the apartments, including the apartment buildings, the land upon which they are located, and all elements mentioned in the Horizontal Property Act which are actually constructed on the land and specifically shall include but shall not be limited to:

- (a) The land in fee simple;
- (b) All foundations, columns, girders, beams, supports and bearing walls of said building;
- (c) All yards and refuse areas;
- (d) All driveway areas;
- (e) Recreation areas and landscaping;
- (f) All parking stalls; and
- (g) All other devices or installations upon the land existing for or rationally of common use to all the owners of apartments within the project.

LIMITED COMMON ELEMENTS: All portions of each building exclusive of the apartments therein contained and the common elements above defined shall be limited common elements appurtenant to and for the exclusive use of the apartments in such building. These limited common elements shall include but shall not be limited to the stairways, roof and storerooms of each building. The land under the building, compartments and installations of all central services serving just one building such as power, gas, water lines, pumps, drainage, pipes and other utility lines within the building are also limited common elements for the use of apartments in the building. One storage unit per apartment shall be a limited common element for the exclusive use of the apartment bearing the same number as the storage unit as shown on the Condominium Map. The lobby office, maids' rooms, laundry and vending machine rooms and those store rooms numbered 200 as shown on the Condominium Map are limited common elements for the exclusive use of the commercial apartment number 200.

PERCENTAGE OF UNDIVIDED INTEREST: The percentage of undivided interest in all of the common elements appertaining to each apartment is as follows:

Type A:	1.79%
Type B:	2.40%
Type C:	2.94%
Type D:	2.58%
Type E:	2.57%
Apt. 200:	0.04%

The voting rights of apartment owners as well as their share of the common expenses shall also be in proportion to their common interest. In the event that the second building is constructed the Declaration of Horizontal Property Regime will be amended to provide that the percentage of undivided interest in all of the common elements appertaining to each apartment in the first building will be as follows:

Type A:	1.044%
Type B:	1.331%
Type C:	1.792%
Type D:	2.084%
Type E:	2.078%
Apt. 200:	0.024%

In such event the aggregate percentage of undivided interest in all the common elements appertaining to all the apartments in the second building will be 41.640% which percentage will be allocated between the apartments in the second building in proportion to their respective floor areas.

PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE: The residential apartments in the project shall at all times be used as permanent or temporary residences or as hotel rooms and for no other purpose and use of an apartment as a hotel room is restricted to the apartment owner's participation in the rental program managed by Broms-Lonie, Inc. (or that of any successors or assigns of Broms-Lonie, Inc.) except as Broms-Lonie, Inc., or its successors or assigns, shall waive this restriction. Such use as a hotel room is defined for these purposes as (i) rental for any period less than one (1) month or (ii) any rental in which the occupants of the apartments are provided customary hotel services, such as room service for

food and beverage, maid service, laundry, linen or bellboy service. The commercial apartment number 200 (the owner of which will be Broms-Lonie, Inc.) shall at all times be used for office and commercial purposes connected with the rental program managed by Broms-Lonie, Inc. (or that of any successors or assigns of Broms-Lonie, Inc.) provided that in the event said apartment is transferred to the Board of Directors of the Association of Owners it may be used for any purpose designated by the Board.

OWNERSHIP OF TITLE: A Preliminary title report, dated May 18, 1973, prepared by First American Title Company of Hawaii, Inc., certifies that the Developer is the owner in fee simple of the land to be included in the project.

ENCUMBRANCES: The Preliminary Title Report of First American Title Company of Hawaii, Inc., dated May 18, 1973, states that title in the property is subject to the following: (1) Real Property taxes in the amount of \$10,445.30 which are presently delinquent, (2) Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent No. 7997, (3) the seaward boundary of the property as affected by the case of Application of Ashford, 50 Haw. 314 (1968) and Sections 205-31 to 205-37, Hawaii Revised Statutes, (4) Mortgage in favor of United States National Bank of Oregon, dated May 3, 1972, in the amount of \$2,470,000, recorded in the Bureau of Conveyances of Hawaii in Book 8332, Page 117.

NOTE: A portion of the third phase building will encroach on the project as shown on the Condominium Map and the project will be subject to a perpetual easement for this encroachment. Developer reserves the right to deed the easement area in fee to the fee owner of the adjacent project and thereby remove it from this project, provided that Developer deeds the area prior to December 31, 1978.

PURCHASE MONEY HANDLING: A copy of the specimen Sales Contract and the executed Escrow Agreement has been submitted as part of the registration. The Escrow Agreement dated March 8, 1973, identifies First American Title Company of Hawaii, Inc. as the "Escrowee". On examination, the specimen Sales Contract and the executed Escrow Agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly with Section 514-35 and Section 514-36 through Section 514-40, Hawaii Revised Statutes.

Among other provisions, the Escrow Agreement provides that the Purchaser shall pay as escrow fee the sum of \$125.00. The Escrow Agreement further provides that a purchaser shall be entitled to a refund of his funds, without interest, if Purchaser requests in writing a refund of his funds, provided, one of the following has occurred: (a) Seller has requested Escrowee in writing to return to Purchaser the funds then being held hereunder by Escrowee; or (b) Purchaser's funds were obtained prior to the issuance of a Final Public Report and subsequent to the execution of Purchaser's Sales Contract there is a change in the condominium building plans requiring the approval of a county officer having jurisdiction over the issuance of permits for the construction of buildings (unless Purchaser has given written approval or acceptance of the specific change); or (c) the Final Public Report differs in any material respect from the Preliminary Public Report; or (d) If the Final Public Report is not issued within

one year from the date of issuance of the Preliminary Public Report.

The Sales Contract provides that the Buyer agrees either to buy the furniture listed as Exhibit A of the Sales Contract or to enter into a lease agreement for said furniture. Developer reserves the right to change the furniture list.

A prospective purchaser should carefully examine the form of Sales Contract, Ground lease, Apartment Deed, and Escrow Agreement to determine the time for and amount of installation payments on the purchase price, the total lease rent payable, the estimated monthly common expenses, and the sharing of the closing costs.

MANAGEMENT AND OPERATION: The Developer reports that the initial managing agent for the project shall be Broms-Lonie, Inc.

The Sales Contract provides that the Buyer agrees to enter into a Property Management Agreement with Broms-Lonie, Inc., an Oregon corporation, to manage said project for a period of three (3) years and that compensation shall be based on the following schedule: \$19.50 for each Type A unit; \$29.25 for each Type B and C units; and \$39.00 for each Type D and E units.

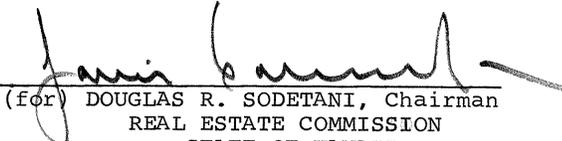
STATUS OF PROJECT: Construction of the project commenced September, 1973, and it is estimated that construction will be finished in June 1974.

NOTE: The commercial apartment number 200 will be transferred to Broms-Lonie, Inc. for use in connection with the rental program to be conducted by it. The Apartment Deed and Ground lease issued to Broms-Lonie, Inc. by the Developer will provide that in the event Broms-Lonie, Inc. (or its successors or assigns as owners of apartment 200) ceases to conduct a rental program in the project, apartment number 200 together with its common interest will be conveyed to the Board of Directors of the Association of Apartment Owners on behalf of all other apartment owners.

The purchaser or prospective purchaser should be cognizant of the fact that this Preliminary Public Report represents information disclosed by the Developer in the required Notice of Intention submitted June 26, 1973, and additional information submitted as late as October 22, 1973.

This PRELIMINARY HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 584 filed with the Commission on June 27, 1973.

The report, when reproduced, shall be a true copy of the Commission's Public Report. The paper stock used in making facsimiles must be yellow.


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

Distribution:

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October 23, 1973
REGISTRATION NO. 584