

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
HARBOR LIGHTS
111 Kahului Beach Road
Kahului, Maui, Hawaii

REGISTRATION NO. 617

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: October 12, 1973
Expires: November 12, 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED SEPTEMBER 10, 1973, AND INFORMATION SUBSEQUENTLY FILED ON OCTOBER 12, 1973. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, HAWAII REVISED STATUTES, CHAPTER 514.

1. HARBOR LIGHTS is a proposed fee simple condominium project containing 352 apartments located in 4 separate four-story buildings, consisting of 112 type "A-left" and 112 type "A-right" two-bedroom apartments, 32 type "A-end-Left" and 32 type "A-end-Right" apartments, 29 type "B-left" and 17 type "B-right" one bedroom apartments, 12 type "C" two-

bedroom apartments, and 6 type "D" two-bedroom apartments. There will be a total of 352 parking stalls; 351 apartments will have one parking stall appurtenant to the apartment as a limited common element. One type "D-right" apartment and one parking stall will be a common element exclusively for use by a resident manager and as further specified by the Board of Directors.

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 the issuance of this Final Public Report.
3. The Developer reports that the Declaration of Horizontal Property Regime and the Bylaws have been recorded in the Bureau of Conveyances, State of Hawaii, in Book 9476, Page 120, and that the Condominium Map has been recorded as Map No. 304.
4. As of this date no advertising and promotional matters have been submitted to the Commission pursuant to its rules and regulations.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of the Hawaii Revised Statutes, Chapter 514, and the Rules and Regulations of the Hawaii Real Estate Commission which relate to the Horizontal Property Regimes.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, October 12, 1973, unless a Supplementary Public Report issues, or the Commission, upon review of registration, issues an order extending the effective date of this report.
7. This Final Public Report is made a part of the registration of HARBOR LIGHTS condominium project. The Developer has the responsibility of placing a true copy of this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers and securing a signed copy of the receipt for the Final Public Report from each purchaser.

NAME OF PROJECT: HARBOR LIGHTS

LOCATION: The project is located in Kahului, Maui, Hawaii, and consists of approximately 7.513 acres of land.

TAX KEY: Second Division 3-7-02-18 and 24

ZONING: H-2, Hotel District

DEVELOPER: HONOFED CORP., a Hawaii corporation, is the developer of the project and has its principal place of business and postal address at 188 Merchant Street, Honolulu, Hawaii 96813.

ATTORNEY REPRESENTING DEVELOPER: Cades Schutte Fleming & Wright (Attention: Richard A. Hicks), 16th Floor, First Hawaiian Bank Building, P. O. Box 939, Honolulu, Hawaii 96808; telephone: 531-7232.

DESCRIPTION OF PROJECT: The project will consist of four four-story buildings. Each building is built on engineered fill under concrete slabs. The buildings are of concrete and concrete block construction and have wood cedar shakes on built up roofing. Each building has at least two staircases and two hydraulic passenger elevators servicing all four floors. The location of the buildings on the land is shown on Condominium Map No. 304, on file in the Bureau of Conveyances as well as in the office of the Real Estate Commission. There are three hundred and fifty-two (352) apartments in the four buildings. Floor levels for all apartments are reflected in the first digit of each apartment number. The location, model type, and number of bedrooms of each apartment is set out below:

<u>Apartment Numbers</u>	<u>Model Type</u>	<u>Bedrooms</u>
Building A: 112 Apartments		
104, 105, 108, 109, 116, 117, 120, 121, 124, 125	AL ("A-left")	2
101, 128	AeL ("A-end-Left")	2
103, 106, 107, 110, 115, 118, 119, 122, 123, 126	AR ("A-right")	2
102, 127	AeR ("A-end-Right")	2
111*	BR ("B-right")	1
114	BR	1
112, 113	BL ("B-left")	1
204, 205, 208, 209, 216, 217, 220, 221, 224, 225	AL	2
201, 228	AeL	2
203, 206, 207, 210, 215, 218, 219, 222, 223, 226	AR	2
202, 227	AeR	2
213	BL	1
211, 214	BR	1
212	C	2
304, 305, 308, 309, 316, 317, 320, 321, 324, 325	AL	2

* Manager's Residence, a common element

301, 328	AeL	2
303, 306, 307, 310, 315, 318, 319, 322, 323, 326	AR	2
302, 327	AeL	2
313	BL	1
311, 314	BR	1
312	C	2
404, 405, 408, 409, 416, 417, 420, 421, 424, 425	AL	2
401, 428	AeL	2
403, 406, 407, 410, 415, 418, 419, 422, 423, 426	AR	2
402, 427	AeR	2
413	BL	1
411, 414	BR	1
412	C	2

<u>Apartment Numbers</u>	<u>Model Type</u>	<u>Bedrooms</u>
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Building B: 64 Apartments

104, 105, 112, 113	AL	2
101, 116	AeL	2
103, 106, 111, 114	AR	2
102, 115	AeR	2
108, 109	BL	1
107, 110	BR	1
204, 205, 212, 213	AL	2
201, 216	AeL	2
203, 206, 211, 214	AR	2
202, 215	AeR	2
208, 209	BL	1
207	C	2

210	D	2
304, 305, 312, 313	AL	2
301, 316	AeL	2
303, 306, 311, 314	AR	2
302, 315	AeR	2
308, 309	BL	1
307	C	2
310	D	2
404, 405, 412, 413	AL	2
401, 416	AeL	2
403, 406, 411, 414	AR	2
402, 415	AeR	2
408, 409	BL	1
407	C	2
410	D	2

<u>Apartment Numbers</u>	<u>Model Type</u>	<u>Bedrooms</u>
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Building C: 64 Apartments

104, 105, 112, 113	AL	2
101, 116	AeL	2
103, 106, 111, 114	AR	2
102, 115	AeR	2
108, 109	BL	1
107, 110	BR	1
204, 205, 212, 213	AL	2
201, 216	AeL	2
203, 206, 211, 214	AR	2
202, 215	AeR	2
208, 209	BL	1
207	C	2
210	D	2

304, 305, 312, 313	AL	2
301, 316	AeL	2
303, 306, 311, 314	AR	2
302, 315	AeR	2
308, 309	BL	1
307	C	2
310	D	2
404, 405, 412, 413	AL	2
401, 416	AeL	2
403, 406, 411, 414	AR	2
402, 415	AeR	2
408, 409	BL	1
407	C	2
410	D	2

<u>Apartment Numbers</u>	<u>Model Type</u>	<u>Bedrooms</u>
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Building D: 112 Apartments

104, 105, 108, 109, 116, 117, 120, 121, 124, 125	AR	2
101, 128	AeR	2
103, 106, 107, 110, 115, 118, 119, 122, 123, 126	AL	2
102, 127	AeL	2
111	BL	1
114	BL	1
112, 113	BR	1
204, 205, 208, 209, 216, 217, 220, 221, 224, 225	AR	2
201, 228	AeR	2
203, 206, 207, 210, 215, 218, 219, 222, 223, 226	AL	2
202, 227	AeL	2

213	BR	1
211, 214	BL	1
212	C	2
304, 305, 308, 309, 316, 317, 320, 321, 324, 325	AR	2
301, 328	AeR	2
303, 306, 307, 310, 315, 318, 319, 322, 323, 326	AL	2
302, 327	AeL	2
313	BR	1
311, 314	BL	1
312	C	2
404, 405, 408, 409, 416, 417, 420, 421, 424, 425	AR	2
401, 428	AeR	2
403, 406, 407, 410, 415, 418, 419, 422, 423, 426	AL	2
402, 427	AeL	2
413	BR	1
411, 414	BL	1
412	C	2

The interior living areas by model type in each apartment are as follows:

<u>Model Type</u>	<u>Interior Space (square feet)</u>
"AeR"	787.0278
"AeL"	787.0278
"AR"	783.8981
"AL"	783.8981
"BR"	610.1400
"BL"	610.1400
"C"	784.6266
"D"	790.6266

Each two bedroom apartment designated model types "AeL", "AeR", "AR", "AL", "C", and "D" in Buildings A, B, C, and D contains a hall, a living-dining room, two bedrooms, a kitchen, and a bathroom containing in three interconnected compartments a lavatory and toilet,

a bathtub-shower combination and another lavatory and toilet. Each one bedroom apartment designated model types "BR" and "BL" in Buildings A, B, C, and D contains a hall, a living-dining room, one bedroom, a kitchen, and a bathroom containing a lavatory, toilet, and bathtub-shower combination.

The kitchen in each apartment in Buildings A, B, C, and D contains a four-burner range and oven, a refrigerator, and a garbage disposal. Each apartment is carpeted throughout except for the kitchen and bathroom areas which have vinyl asbestos tile. Each apartment has access to the common elements of the project at the ground level.

The Declaration states that:

"4. Limits of Apartments. The respective apartments shall not be deemed to include the undecorated or unfinished perimeter walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits or other utility lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements as hereinafter provided. Each apartment shall be deemed to include all the walls and partitions which are not loadbearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings, and built-in fixtures."

COMMON ELEMENTS: The common elements will include the Land and all improvements on the Land, including Buildings A, B, C, and D (except for all portions of Buildings A, B, C, and D which are apartments other than Apartment No. 111 in Building A) the Limited Common Elements, as well as all common elements mentioned in Chapter 514, Hawaii Revised Statutes, which are actually constructed on the Land and specifically shall include but shall not be limited to:

(a) The Land in fee simple; (b) Apartment No. 111 in Building A and Parking Stall No. 111A, and resident manager's office for use by the resident manager or as otherwise determined by the Board of the Association; (c) All foundations, floor slabs, columns and load bearing walls; (d) The roofs; (e) All landscaped yards, plantings and retaining walls, and similar items; (f) The swimming pool, the recreation space, the clubhouse, and other recreational areas and structures; (g) The laundry facilities in each Building; (h) All roads, driveway areas and exterior ground level walkways and the first floor hall of each building; (i) The elevators and staircases in each building, all ducts, electrical equipment, wiring and other central and appurtenant installations for services including power, light, cold and hot water, refuse and telephone; (j) The storage room, access to which will be regulated by the resident manager; (k) all other devices or other installations upon the Land existing for or rationally of common use to all the owners of apartments within HARBOR LIGHTS.

LIMITED COMMON ELEMENTS: 351 parking stalls will be limited common elements, each reserved for the exclusive use of the apartments to which they are appurtenant. Each parking stall and the apartment to which it is appurtenant correspond by number and letter (e.g., Parking Stall 214C is appurtenant to Apartment 214 in Building C).

Apartment owners may rent parking stalls to owners and non-owners of apartments. The hallways on the second, third, and fourth floors of each building will be limited common elements reserved for the use of apartments on the second, third, and fourth floors in each building, respectively.

PERCENTAGE OF UNDIVIDED OWNERSHIP TO BE CONVEYED TO PURCHASERS: The percentage of undivided interest in all of the common elements appertaining to each apartment by model type is as follows:

<u>Model Type</u>	<u>Number of Units of Each Model Type</u>	<u>Common Interest</u>
"AeR"	32	.2932
"AeL"	32	.2932
"AR"	112	.2932
"AL"	112	.2932
"BR"	16	.2280
"BL"	29	.2280
"C"	12	.2932
"D"	6	.2932

PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE: The apartments hereinabove described shall at all times be used only for a private dwelling for the owner, his family, tenants and social guests and such other purposes as are permitted by the Declaration.

OWNERSHIP OF TITLE: The Developer has filed with the Commission a Preliminary Report, dated September 19, 1973, prepared by Title Guaranty of Hawaii, Inc., which certifies that title to the land committed to this regime is vested in HONOFED CORP.

ENCUMBRANCES: The Preliminary Title Report prepared by Title Guaranty of Hawaii, Inc. states that as of the date of the search (September 19, 1973) title to the land is subject to:

1. Real property taxes - Information pending. Tax Key: 3-7-02-18 (2)
2. The reservation in favor of the State of Hawaii of all mineral and metallic mines.
3. Restricted access rights along the boundary fronting Kahului Beach Road, as shown on Right-of-Way Map F.A.S.P. No. S-0340(1).
4. Declaration of Horizontal Property Regime and Bylaws dated September 6, 1973, recorded in the Bureau of Conveyances Book 9476, Page 120. The approved floor plans have been designated as Condominium Map No. 304.
5. Real Estate Mortgage and Financing Statement dated June 29, 1973, in favor of Honolulu Federal Savings and Loan Association for \$7,000,000.00 and recorded in the Bureau of Conveyances Book 9293, Page 251.
6. Undated financing statement in favor of Honolulu Federal Savings and Loan Association recorded in Book 9324, Page 207, as verified by the developer's attorney.

The Developer has advised the Commission that the mortgage and financing statements identified in items 5 and 6 above will be released prior to the conveyance of any apartment.

PURCHASE MONEY HANDLING: A copy of the specimen sales contract and the escrow agreement has been submitted as part of the registration. The escrow agreement dated September 6, 1973, identifies HONOFED Escrow, Inc., as the escrow agent. Upon 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 Chapter 514-35 and Section 514-36 through Section 514-40, Hawaii Revised Statutes. A prospective purchaser should carefully examine the form of sales contract and escrow agreement to determine the time for and the amount of installment payments on the purchase price, the estimated common monthly expenses and the sharing of the closing costs.

MANAGEMENT AND OPERATION: Article III, Section 3, of the Bylaws states that the Board of Directors shall at all times employ a responsible managing agent to manage and control the property, subject at all times to direction by the Board of Directors.

STATUS OF PROJECT: The Developer advises that construction of the project has commenced on June 6, 1973, and will be completed about October, 1974.

The specimen sales contract provides that if the purchasers who have agreed to obtain mortgage loans have not secured commitments therefor satisfactory to Developer, Developer may cancel the sales contracts and refund all monies paid by the purchasers without interest.

The purchaser or prospective purchaser should be cognizant of the fact that this Public Report represents information disclosed by the Developer in the required Notice of Intention submitted September 10, 1973, and information subsequently filed on October 12, 1973.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 617 filed with the Commission on September 10, 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 white.


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

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ESCROW AGENT

October 12, 1973
REGISTRATION NO. 617