

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
MOKULEIA SURF
68-101 Waialua Beach Road
Waialua, Oahu, Hawaii

REGISTRATION NO. 634

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

It was prepared as a supplement to an earlier Report dated January 14, 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: July 12, 1974
Expires: August 12, 1975

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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED NOVEMBER 9, 1973 AND ADDITIONAL INFORMATION SUBMITTED AS OF July 11, 1974. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL AND REPORTING CHANGES TO THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT.

1. Since the issuance of the Commission's Final Public Report of January 14, 1974 on MOKULEIA SURF, Registration No. 634, the Developer reports that changes have been made in the plan or set-up as presented in the November 9, 1973 notice of intention to sell. The subsequent changes are determined to be a material revision to the information

first disclosed. This Supplementary Public Report amends the January 14, 1974 document becoming a part of the Final Public Report on MOKULEIA SURF. The Developer is responsible for placing a true copy of the Supplementary Public Report (pink paper stock) in the hands of all purchasers and prospective purchasers, along with a true copy of the Final Public Report (white paper stock). 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 of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the project and updating the information disclosed therein.
3. Advertising and promotional materials have been submitted pursuant to the rules and regulations promulgated by the Commission.
4. The Commission, in its Final Public Report of January 14, 1974, noted that the basic documents (Declaration of Horizontal Property Regime, with By-Laws of Association of Apartment Owners attached, and Condominium Map No. 328) were filed in the office of the recording officer on December 28, 1973.

Said Declaration and said Condominium File Plan No. 328 were amended by Amendment to Declaration dated May 22, 1974, recorded in the Bureau of Conveyances in Liber 10014, Page 501.

5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes (as amended), and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.

The information in the topical headings, DEVELOPER, ATTORNEY REPRESENTING DEVELOPER, DESCRIPTION, LIMITED COMMON ELEMENTS, OWNERSHIP OF TITLE, ENCUMBRANCES AGAINST TITLE, PURCHASE MONEY HANDLING, MANAGEMENT OF PROJECT and STATUS OF PROJECT have been altered as follows. All other topical headings have not been disturbed.

NAME OF PROJECT: MOKULEIA SURF

DEVELOPER: The name of the Developer listed in the Final Report dated January 14, 1974 has been changed due to a sale of the property comprising the Project. The Developer is Home Land Developers, Inc., a California corporation, duly qualified and doing business in the State of Hawaii, the principal place of business and post office address of which is 20 O'Farrell Street, San Francisco, California 94108. The officers of the Developer are:

Rufus N. Colquhoun President	349 Fairhills Drive San Rafael, California 94901
Robert C. Winborn Executive Vice President	485 Oak Court Menlo Park, California 94025
Robert H. Hoilien Vice President	23 Portola Avenue San Rafael, California 94903
Lewis E. Cook, Jr. Vice President	1820 Vallejo Street, #103 San Francisco, California 94123
Allen G. King Vice President	223 Greenbank Avenue Piedmont, California 94611
Cora M. Brown Treasurer	544 El Centro Way Santa Rosa, California 95401
Helen L. Eike Secretary	133 Ardith Drive Orinda, California 94563
Frank H. Williams Assistant Vice President	No. 9 Valley View Drive Orinda, California 94563

LALAKEA CORPORATION, a Hawaii corporation, whose principal place of business and post office address is Suite 1110, Hawaii Building, 745 Fort Street, Honolulu, Hawaii 96813, will act as Home Land Developers, Inc., duly authorized agent for the development and marketing of the project.

ATTORNEY REPRESENTING DEVELOPER: The attorney representing the Developer has been changed to: CONROY, HAMILTON, GIBSON, NICKELSEN & RUSH (Attention: Dwight M. Rush and D. Scott MacKinnon) 20th Floor, Hawaii Building, 745 Fort Street, Honolulu, Hawaii 96813, Telephone: 521-2611.

DESCRIPTION: Said Amendment to Declaration indicates the deletion from the floor plans designated "1", "2", "3", and "4" of the words "net and gross" from the second sentence of the description of each respective floor plan.

LIMITED COMMON ELEMENTS: Said Amendment to Declaration has changed the designation and location of the parking stalls. Said Amendment to Declaration indicates that one or more parking stalls as designated on said condominium file plan by a number, which number is also set forth opposite to the number of each of the respective apartments in Exhibit "D" to said Declaration, shall be appurtenant to and for the exclusive use of each such apartment, and that said parking stalls are located to the south of the building.

OWNERSHIP OF TITLE: 1521 CORP., a Hawaii corporation, which was represented as the fee simple owner of the property committed to the project in the Final Report dated January 14, 1974, conveyed all of its right, title and interest in said property to Home Land Developers, Inc., a California corporation, by Deed dated May 22, 1974, and recorded in the Bureau of Conveyances of the State of Hawaii in Liber 9960, Page 357.

ENCUMBRANCES AGAINST TITLE: Developer advises that an updated preliminary report dated May 24, 1974, issued by Security Title Corporation as submitted to the Commission, discloses that the encumbrance listed as number 4 in the Final Report dated January 14, 1974, should be deleted in its entirety and that the following additions to the encumbrances against title as listed in said Final Report should be reported:

1. The restrictive covenant contained in that certain Deed dated October 9, 1973, recorded in said Bureau of Conveyances in Book 9544, Page 370, to which reference is hereby made.

2. Undated Financing Statement in favor of Amfac Financial Corp., recorded on October 12, 1973, in said Bureau of Conveyances in Book 9544, Page 386.

3. Undated Financing Statement in favor of Amfac Financial Corp., recorded in said Bureau of Conveyances in Book 9544, Page 397.

Developer also advises that due to changes in the specimen Sales Contract the purchaser or prospective purchaser be cognizant of the following note:

NOTE: The specimen Sales Contract includes a provision under which the purchaser agrees that until the Developer has closed out the sale of all of the apartments in the condominium project, or until July 31, 1975, whichever shall first occur, the purchaser will not enter into an agreement with any owner of another apartment in the project and/or any third party under which the Purchaser agrees to share expenses and/or rentals of apartments in the project, and that this agreement of the Purchaser shall survive the issuance to the Purchaser of the apartment deed of the apartment and shall bind the Purchaser's heirs, executors, administrators, successors and assigns during the term thereof.

PURCHASE MONEY HANDLING: 1521 CORP., a Hawaii corporation, assigned all of its right, title and interest under and to that certain Escrow Agreement dated November 7, 1973, by and between 1521 CORP., as "Developer", and Security Title Corporation, as "Escrow", listed in the Final Report dated January 14, 1974, to Home Land Developers, Inc., a California corporation, by Instrument dated July 9, 1974; said Home Land Developers, Inc. thereunder agreeing to assume all of 1521 CORP.'s duties and obligations under said Escrow Agreement.

MANAGEMENT OF PROJECT: Said Amendment to Declaration indicates that 1521 CORP. has been removed as the initial managing agent for the project, and until such time as another managing agent is designated by Developer, service of legal process may be made upon Lalakea Corporation, Suite 1110, Hawaii Building, 745 Fort Street, Honolulu, Hawaii 96813.

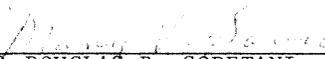
NOTE: The Developer advises that it is not offering to provide services relating to the sale or rental of apartments of the project and that no representation or reference to that effect has been made or will be made by or on behalf of the Developer. Rental of the apartments with the provision of management services in connection therewith is and shall be the sole responsibility of the purchaser.

STATUS OF PROJECT: The Developer advises that the estimated completion date for the project reported in the Final Report dated January 14, 1974, has been changed to August 15, 1974.

The purchaser or prospective purchaser should be cognizant of the fact that this report represents information disclosed by the Developer in the required Notice of Intention submitted November 9, 1973 and additional information subsequently filed as of July 11, 1974.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 634 filed with the Commission on November 9, 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 pink in color.


(For) DOUGLAS R. SODEHANI, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

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

July 12, 1974
REGISTRATION NO. 634