

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
KIHEI AKAHI
Piilani Highway
Kamaole, Kula, Maui, Hawaii

REGISTRATION NO. 663

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

It was prepared as a supplement to an earlier Report dated October 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: September 4, 1975
Expires: August 8, 1976

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 FEBRUARY 20, 1974 AND INFORMATION SUBSEQUENTLY FILED AS OF AUGUST 8, 1975. 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 CHAPTER 514, HAWAII REVISED STATUTES as amended.

1. Since the issuance of the Commission's Preliminary Public Report of March 1, 1974 and Final Public Report of October 8, 1974, the Developer reports that changes have been made in the plan or setup as presented in the February 20, 1974 notice of intention to sell. 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), becoming a part of Kihei Akahi registration.

The Developer is responsible for placing a true copy of this Supplementary Public Report in the hands of all purchasers and prospective purchasers, along with copies of the Preliminary Public Report and Final Public Report. The buyer shall sign the required receipt signifying that he has had an opportunity to read all reports.

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 information disclosed therein.
3. The Developer reports that the Declaration of Horizontal Property Regime dated September 20, 1974, recorded in the Bureau of Conveyances of Hawaii in Liber 10150 at Page 52, and filed with Condominium Map No. 382, has been amended by First Amendment to Declaration dated July 31, 1975, recorded in said Bureau of Conveyances in Liber 10824 at Page 113.
4. Advertising and promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
5. This Supplementary Public Report automatically expires on August 8, 1976, unless another Supplementary Public Report issues or the Commission upon review of the registration issues an order extending the effective period of this report.

NOTE: The Developer has requested and the Commission has granted an extension of the expiration date through the issuance of this Supplementary Public Report for nine (9) months, until August 8, 1976.

6. 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 promulgated thereunder which relate to Horizontal Property Regimes.

The information contained in the Preliminary Public Report and Final Public Report under the topical headings of DESCRIPTION OF PROJECT, LIMITED COMMON ELEMENTS, COMMON INTEREST, MANAGEMENT AND OPERATIONS, PURCHASE MONEY HANDLING, ENCUMBRANCES AGAINST TITLE, and STATUS OF PROJECT is hereby amended as follows:

DESCRIPTION OF PROJECT: There will be five (5) buildings included in the project, plus a shower and toilet facility at the Building "D" pool area. Two (2) buildings are two-story wood frame buildings. One building is a single-story wood frame building. The two (2) remaining buildings are reinforced concrete structures, one of which is a split level building of five and six floors and the other is a seven floor building.

- (a) Building "A" is a wood frame two-story building containing eight (8) "Type 1" two-story apartments numbered from 101 through 108.

(b) Building "B" is a wood frame two-story building containing ten (10) "Type 2" apartments numbered 101 through 105, on the 1st floor and 201 through 205, on the 2nd floor.

(c) Building "C" is a split level five and six story reinforced concrete building containing one hundred ten (110) apartments serviced by two (2) elevators. The first floor of the building contains ten (10) apartments numbered 101 through 110, all at ground level in the six-story portion of the building, and the second through sixth floors of the building each contain twenty (20) apartments numbered "01" through "20", preceded by the number of the floor. Since the elevation of the land is higher at the five-story portion of the building, the apartments numbered 211 through 220 are at ground level. On the first floor, Apartment 101 is a "Type 5" apartment, Apartment 102 is a "Type 3" apartment and Apartments 103 through 110 are "Type 6" apartments. On the second through sixth floors, each apartment numbered "01" and "20" is a "Type 5" apartment, each apartment numbered "02" and "19" is a "Type 3" apartment, and all other apartments are "Type 4" apartments except apartments numbered 211 through 218, which are "Type 6" apartments.

(d) Building "D" is a seven-story reinforced concrete building containing one hundred twelve (112) apartments serviced by two (2) elevators. Each apartment is numbered "01" through "16", preceded by the floor number on which it is located. The seven floors are designated G (ground), 1, 2, 3, 4, 5 and 6. Each apartment numbered "01" and "16" is a "Type 5" apartment. Each apartment numbered "02" and "15" is a "Type 3" apartment. All other apartments are "Type 4" apartments except for Apartments G-3 through G-14, which are "Type 6" apartments.

(e) The Clubhouse Complex, housed in a single-story wood frame building, will be divided as follows: (1) The Manager's Apartment will consist of a living room, one bedroom, kitchen and a bathroom of approximately 495 square feet, a concrete patio of approximately 60 square feet and an office area of approximately 73 square feet, making a total of 628 square feet; (2) The Clubhouse for members' use will consist of a toilet and shower area of approximately 304 square feet and a meeting area with storage room of approximately 686.8 square feet, with a total area of 990.8 square feet.

There are two hundred forty (240) apartments exclusive of the Manager's Apartment, each of which is one of six (6) types as follows:

(a) Each of the eight (8) "Type 1" townhouse apartments will include two bedrooms, a bath, dressing room and balcony on the second level, and a living room, kitchen, a half bath and a lanai on the first level, and will contain an enclosed area of approximately 1,175.4 square feet and 125 square feet of lanai and balcony area, for a total area of 1,300.4 square feet. The eight (8) "Type 1" townhouse apartments are located in Building "A" and are numbered 101 through 108, as shown in said Condominium Map.

(b) Each of the ten (10) "Type 2" apartments will include two bedrooms, living room, kitchen, lanai and two bathrooms, and will contain approximately 879 square feet (871 square feet of enclosed area and an entry way of 8 square feet) and 91 square feet of lanai area, or 970 square feet of total apartment area. The ten (10) "Type 2" apartments are located in Building "B" and are numbered 101 through 105 on the 1st floor and 201 through 205 on the 2nd floor as shown on said Condominium Map.

(c) Each of the twenty-five (25) "Type 3" apartments will include two bedrooms, one lanai, two bathrooms, living room and kitchen, and will contain approximately 932 square feet of enclosed area and 92 square feet of lanai area, or 1,024 square feet of total apartment area. Eleven (11) of the "Type 3" apartments are located in Building "C" and fourteen (14) are located in Building "D", as shown on said Condominium Map.

(d) Each of the one hundred forty-four (144) "Type 4" apartments will include one bedroom, a balcony, kitchen and a bathroom, and will contain approximately 655 square feet of enclosed area and 68 square feet of balcony area, or 723 square feet of total apartment area. Seventy-two (72) of the "Type 4" apartments are located in Building "C" and seventy-two (72) are located in Building "D", as shown on said Condominium Map.

(e) Each of the twenty-five (25) "Type 5" apartments are studio apartments with a kitchen, bathroom, lanai and living/bedroom, and will contain 429.4 square feet of enclosed area and 50 square feet of lanai area, or a total of 479.4 square feet of total apartment area. There are eleven (11) "Type 5" apartments in Building "C" and fourteen (14) in Building "D", as shown on said Condominium Map.

(f) Each of the twenty-eight (28) "Type 6" apartments will include one bedroom, a lanai, kitchen and a bathroom, and will contain approximately 696 square feet of enclosed area and 27 square feet of lanai area, or 723 square feet of total apartment area. Sixteen (16) of the "Type 6" apartments are located in Building "C" and twelve (12) are located in Building "D", as shown on said Condominium Map.

Each apartment will be furnished with the following appliances: gas range with oven, electric refrigerator, food waste disposal, dishwasher (except for Type "5" apartments), range hood and washer/dryer (compact type). Each apartment will be served by central water, central gas water heater, telephone outlet, gas, and television antenna system. Each apartment will have individual electric meters.

The project will have two hundred sixty-five (265) parking stalls which includes six (6) loading zones, eighteen (18) guest stalls and one (1) Manager's stall.

LIMITED COMMON ELEMENTS: A parking stall shall be appurtenant to each apartment as a limited common element for such apartment, as shown on Exhibit "A" attached hereto and incorporated herein by reference and also shown on said Condominium Map and any amendments thereto. The Declarant reserves the right, without the consent or joinder of anyone else having any interest in the project, to amend the Declaration and said Condominium Map one or more times in order to designate which parking stalls are appurtenant to apartments as provided in the preceding sentence as well as to designate the guest parking stalls, if any, referred to in item (d) of paragraph 5 of said Declaration; provided, however, that said right shall terminate upon the issuance of an apartment deed by Developer as to such apartment and its appurtenant parking stall.

In the event the owner of an apartment to which a parking stall is appurtenant desires to relinquish the same in order that it may be assigned to another apartment in the building, such parking stall

shall be deleted from his apartment and added to the other by instruments executed solely by the respective owners and the mortgagees, if any, of the affected apartments, and such instruments shall be promptly recorded and a copy of each mailed to the Association of Apartment Owners; provided that so long as at all times (or, in the case of an exchange of parking stalls between apartments, immediately subsequent to such an exchange) there shall be at least one parking stall appurtenant to each apartment.

COMMON INTEREST: The common interest, the proportionate share in the profit and common expenses of the project and the proportionate representation for voting purposes in the Association of Apartment Owners of the project shall be in the below stated percentage for each apartment. Each apartment shall have appurtenant thereto the following undivided percentage interest:

<u>Type of Apartment</u>	<u>Percentage of Common Interest</u>
Type "1"	.68380%
Type "2"	.51115%
Type "3"	.54200%
Type "4"	.40480%
Type "5"	.24970%
Type "6"	.40480%

MANAGEMENT AND OPERATIONS: The Developer has named HAWAIIANA MANAGEMENT COMPANY, whose principal place of business is 1860 Ala Moana Boulevard, Honolulu, Hawaii, as the initial Managing Agent.

PURCHASE MONEY HANDLING: The amended Sales Contract provides that if said building and other improvements are not completed and ready for occupancy on or before one (1) year from the date of execution of the Sales Contract, said Sales Contract shall terminate, and all payments made by Buyer under paragraph 2 of said Sales Contract shall be refunded without deduction or interest. Upon tender of such refund to Buyer, Seller and Buyer shall be released from all obligations to each other under said Sales Contract.

ENCUMBRANCES AGAINST TITLE: The Developer has filed an updated Preliminary Report dated June 16, 1975 prepared by Security Title Corporation. Said report states that the land is encumbered as follows:

1. For any real property taxes that may be due and owing, reference is made to the Office of the Tax Assessor, Second Division.
2. Grant of Easement dated June 5, 1974, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 10009 at Page 270, in favor of the BOARD OF WATER SUPPLY OF THE COUNTY OF MAUI, granting an easement to construct, etc., water pipeline or pipelines, etc.
3. Condominium Map No. 382, filed in said Bureau on September 23, 1974.
4. The covenants, agreements, obligations, conditions and other provisions set forth in that certain KIHAI AKAHI DECLARATION OF HORIZONTAL PROPERTY REGIME, dated September 20, 1974, recorded in said Bureau in Liber 10150 at Page 52, and the By-Laws attached thereto, to which reference is hereby made.

5. Real property Mortgage and Financing Statement dated October 17, 1974, recorded in said Bureau in Liber 10193 at Page 340, made by DILLINGHAM LAND CORPORATION and NIPPON SHINPAN PACIFIC, INC., associated in a joint venture known as "KIHEI AKAHI", as Mortgagor, to FIRST HAWAIIAN BANK, as Mortgagee.

6. Undated Financing Statement recorded on October 18, 1974, in said Bureau in Liber 10193 at Page 362.

7. Grant dated April 23, 1975, recorded in said Bureau in Liber 10648 at Page 267, in favor of MAUI ELECTRIC COMPANY, LIMITED and HAWAIIAN TELEPHONE COMPANY, granting a perpetual right and easement to build, etc., operate pole and wire lines and/or underground lines, etc., necessary for the transmission and distribution of electricity to be used for light and power and/or communications, etc., over, under, upon, across and through the land on which said project is located.

8. Grant dated May 13, 1975, recorded in said Bureau in Liber 10659 at Page 352, in favor of GASCO, INC., granting the perpetual right and easement to construct, etc., gas facilities consisting of fuel gas tanks together with attendant pipelines and appurtenances thereof (all said facilities to be installed underground except for any tanks hereinbefore specified), across, through, under and upon the aforesaid land.

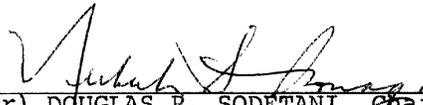
"RESERVING to the Grantor the right to use and enjoy said premises for all purposes, including rights-of-way across and under the same, provided that such use shall not in any manner interfere with the present or prospective exercise of the rights hereby granted."

STATUS OF PROJECT: The estimated date of completion of the first 128 apartments units located in Buildings A, B and C is November 30, 1975. The estimated date of completion of the remaining 112 apartment units located in Building D is April 30, 1976.

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 February 20, 1974 and information subsequently filed as of August 3, 1975.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 663 filed with the Commission February 20, 1974.

This 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 Commission, County of Maui
Federal Housing Administration
Escrow Agent

September 4, 1975

Registration No. 663

KIHEI AKAHU

PARKING STALL ASSIGNMENT

<u>STALL NO.</u>	<u>ASSIGNMENT</u>	<u>STALL NO.</u>	<u>ASSIGNMENT</u>	<u>STALL NO.</u>	<u>ASSIGNMENT</u>
				109	C-616
1	A-108	55	C-506	110	C-617
2	A-107	56	C-505	111	C-219
3	A-106	57	C-601	112	C-514
4	A-105	58	C-501	113	C-409
5	Guest	59	C-307	114	C-410
6	Guest	60	C-306	115	C-411
7	L/Z	61	C-305	116	C-520
8	Guest	62	C-203	117	C-412
9	A-104	63	C-205	118	C-413
10	A-103	64	C-206	119	C-414
11	A-102	65	C-209	120	C-310
12	A-101	66	C-210	121	C-312
13	Guest	67	C-110	122	C-313
14	Guest	68	C-109	123	C-317
15	Guest	69	C-108	124	C-318
16	Guest	70	B-201	125	C-211
17	Guest	71	B-203	126	C-214
18	Guest	72	B-103	127	C-216
19	Guest	73	B-205	128	C-217
20	M/U	74	B-105	129	C-218
21	Guest	75	L/Z	130	C-220
22	Guest	76	C-511	131	Guest
23	Guest	77	C-512	132	Guest
24	Guest	78	C-102	133	C-215
25	Guest	79	C-613	134	C-429
26	Guest	80	C-513	135	C-213
27	B-104	81	C-612	136	C-212
28	B-204	82	C-404	137	C-320
29	B-102	83	C-504	138	C-316
30	B-202	84	C-303	139	C-315
31	B-101	85	C-202	140	C-314
32	C-101	86	C-302	141	C-311
33	C-103	87	C-402	142	C-515
34	C-104	88	C-502	143	C-516
35	C-105	89	C-602	144	C-620
36	C-106	90	C-619	145	C-418
37	C-107	91	C-519	146	C-417
38	C-208	92	L/Z	147	C-416
39	C-207	93	L/Z	148	C-415
40	C-204	94	C-419	149	C-518
41	C-201	95	C-319	150	C-517
42	C-301	96	C-603	151	C-618
43	C-405	97	C-604	152	D-414
44	C-304	98	C-605	153	D-509
45	C-308	99	C-503	154	C-510
46	C-309	100	C-403	155	D-511
47	C-401	101	C-606	156	D-512
48	C-406	102	C-607	157	D-513
49	C-407	103	C-608	158	D-514
50	C-408	104	C-609	159	D-G15
51	C-509	105	C-610	160	D-115
52	C-510	106	C-611	161	D-215
53	C-508	107	C-614	162	D-315
54	C-507	108	C-615	163	D-415

L/Z - Loading Zone

M/U - Manager's Unit

<u>STALL NO.</u>	<u>ASSIGNMENT</u>	<u>STALL NO.</u>	<u>ASSIGNMENT</u>
164	D-515	223	D-210
165	D-615	224	D-211
166	L/Z	225	D-212
167	L/Z	226	D-213
168	D-602	227	D-214
169	D-502	228	D-314
170	D-402	229	D-313
171	D-302	230	D-312
172	D-202	231	D-311
173	D-102	232	D-310
174	D-602	233	D-309
175	D-603	234	D-308
176	D-604	235	D-307
177	D-605	236	D-306
178	D-606	237	D-101
179	D-607	238	D-201
180	D-608	239	D-301
181	D-609	240	D-401
182	D-610	241	D-501
183	D-611	242	D-601
184	D-612	243	D-G03
185	D-613	244	D-G04
186	D-614	245	D-G05
187	D-503	246	D-G06
188	D-504	247	D-G07
189	D-505	248	D-G08
190	D-506	249	D-114
191	D-507	250	D-113
192	D-508	251	D-112
193	D-403	252	D-111
194	D-404	253	D-G09
195	D-405	254	D-G10
196	D-406	255	D-G11
197	D-407	256	D-G12
198	D-408	257	D-G13
199	D-409	258	D-G14
200	D-410	259	D-616
201	D-411	260	D-516
202	D-412	261	D-416
203	D-413	262	D-316
204	D-306	263	D-216
205	D-305	264	D-116
206	D-304	265	D-G16
207	D-303		
208	D-110		
209	D-109		
210	D-108		
211	D-107		
212	D-106		
213	D-105		
214	D-104		
215	D-103		
216	D-203		
217	D-204		
218	D-205		
219	D-206		
220	D-207		
221	D-208		
222	D-209		

L/Z - Loading Zone