

# 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

THE ROYAL KAILUAN  
Kuakini Highway  
Kailua-Kona, Hawaii

REGISTRATION NO. 675

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

It was prepared as a supplement to an earlier Report dated July 17, 1975 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 24, 1976  
Expires: May 24, 1977

### 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED APRIL 17, 1974, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF MAY 21, 1976. THE DEVELOPER IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL AND SUBMITTING ADDITIONAL INFORMATION IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Final Public Report on Registration 675, dated July 17, 1975, additional information has been forwarded reflecting material changes which have been made in the documents for the project.

2. This Supplementary Public Report is made a part of the registration of THE ROYAL KAILUAN condominium project. The Developer is responsible for placing this Supplementary Public Report (pink paper stock) in the hands of all purchasers and prospective purchasers receiving the Final Public Report (white paper stock). Securing a signed copy of the Receipt for both

Horizontal Property Regime Public Reports from each purchaser and prospective purchaser is also the responsibility of the Developer.

3. All documents and materials deemed necessary by the Commission for the registration of this proposed condominium project and the issuance of this Supplementary Public Report have been filed.

4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners and a copy of the approved Floor Plans) have been filed in the Bureau of Conveyances of the State of Hawaii.

The Declaration of Horizontal Property Regime executed July 19, 1974, with By-Laws attached was recorded in the Bureau of Conveyances of the State of Hawaii on May 21, 1975 in Book 10655 at page 370, and amended by instrument dated November 13, 1975, recorded as aforesaid in Book 11961 at page 550.

The approved Floor Plans showing the layout, location, apartment numbers, etc., have been designated Condominium Map No. 412.

5. Advertising or promotional matter has been filed pursuant to the rules and regulations promulgated by the Commission.

6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of the Horizontal Property Act, Chapter 514 of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regime.

7. This Supplementary Public Report automatically expires on May 24, 1977 unless another Supplementary Public Report issues or 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 approved the extension of the Final Public Report dated July 17, 1975 to May 24, 1977.

Information contained in this Supplementary Public Report supplements, and where inconsistent, supercedes the information contained in the Final Public Report of July 17, 1975. Except for the information contained herein under the topical headings which follow, no changes in the information contained in the aforesaid Final Public Report have been made.

OWNERSHIP OF TITLE: Certificate of Title dated February 15, 1974, Continuation of Certificate of Title dated May 21, 1975 and Continuation of Certificate of Title dated April 1, 1976, prepared by Long & Melone, Ltd., certifies that American Trust Co. of Hawaii, Inc., a Hawaii corporation, is the fee owner of the land by Deed dated February 5, 1976 recorded in Book 11329 at page 40. An unrecorded Trust Agreement dated February 3, 1976 has been filed with the Commission disclosing that title is held by American Trust Co. of Hawaii, Inc. as "Trustee" for the use and benefit of the Developer.

ENCUMBRANCES:

1. Title to all mineral and metallic mines reserved to the State of Hawaii.

2. MORTGAGE  
Mortgagor (s) : Lanvail, Inc., a Colorado corporation

Mortgagee (s) : Roger M. Alison, James C. Brace,  
Ernest J. Billman, Malin Burnham,  
Roy Doumani, David B. Heyler, Gavin  
Miller, Forest E. Olson, Trustees of  
Alison Mortgage Investment Trust  
Dated : July 27, 1973  
To Secure : \$1,050,000.00  
Recorded in said Bureau of Conveyances in Book 9421 at  
page 346.

3. FINANCING STATEMENT

Debtor : Lanvail, Inc.  
Secured Party : Roger M. Alison, James C. Brace,  
Ernest J. Billman, Malin Burnham,  
Roy Doumani, David B. Heyler, Jr.,  
Gavin Miller, Forest E. Olson, as  
Trustees of Alison Mortgage Investment  
Trust

Recorded August 23, 1973 in said Bureau of Conveyances  
in Book 9429 at page 65.

4. MODIFICATION AGREEMENT, Amendment to BUILDING LOAN  
MORTGAGE and Amendment to CONSTRUCTION LOAN AGREEMENT  
Made by and Between: Roger M. Alison, James C. Brace,  
Ernest J. Billman, Malin Burnham,  
Roy Doumani, David B. Heyler,  
Gavin Miller, Forest E. Olson, as  
Trustees of Alison Mortgage  
Investment Trust and Lanvail, Inc.,  
a Colorado corporation

Dated : June 20, 1974  
Recorded in said Bureau of Conveyances in Book 10141 at  
page 484.  
Mortgage dated July 27, 1973, recorded in said Bureau  
in Book 9421, Page 346 is amended to provide that the  
principal amount of \$1,050,000.00 is hereby increased  
to \$1,243,000.00.

5. FINANCING STATEMENT

Debtor(s) : Lanvail, Inc. and American Pacific  
Development Company  
Secured Party : Lester Petersen, Deloris Petersen,  
Bobby C. Hamilton and Betty Jean  
Hamilton

Recorded April 1, 1976 in said Bureau of Conveyances in  
Book 11329 at page 48.

6. Covenants, conditions, restrictions, reservations,  
easements, liens for assessments, options, powers of  
attorney, limitations on title, and all other provi-  
sions, created by the Hawaii Horizontal Property Act, or  
set forth in the Declaration of Horizontal Property  
Regime and By-Laws attached thereto dated July 19, 1974,  
recorded in the Bureau of Conveyances of the State of  
Hawaii in Book 10655 at page 370, as amended by instru-  
ment dated November 13, 1975, recorded in Book 11196 at  
page 550 (Condominium Map No. 412, The Royal Kailuan);  
any instrument creating the estate or interest herein  
set forth; and in any other allied instrument referred  
to in any of the instruments aforesaid.

7. TAXES FOR THE FISCAL YEAR 1975-1976  
 Tax Key : 7-5-9-56  
 Assessed Value of Land : \$ 98,032.00  
 Exemption : -----  
 Assessed Value of  
 Improvements : 525,000.00  
 Exemption : -----  
 Net Value : \$623,032.00

The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted April 17, 1974, and additional information subsequently filed as of May 21, 1976.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 675 filed with the Commission on April 17, 1974.

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

*Ed. K. Young*  
 Member, REAL ESTATE COMMISSION  
 STATE OF HAWAII

Distribution:  
 DEPARTMENT OF TAXATION  
 BUREAU OF CONVEYANCES  
 PLANNING COMMISSION  
 COUNTY OF HAWAII  
 FEDERAL HOUSING ADMINISTRATION  
 ESCROW AGENT

REGISTRATION NO. 675

May 24, 1976