

REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
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SUPPLEMENTARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT

ON

KAUMALUMALU KAI
North Kona, Island and State of Hawaii

REGISTRATION NO. 676

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

It was prepared as a supplement to an earlier Report dated June 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: March 18, 1975
Expires: July 14, 1975

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 APRIL 18, 1974 AND ADDITIONAL INFORMATION SUBMITTED AS OF MARCH 6, 1975. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND REPORTING CHANGES TO THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report of June 14, 1974 on KAUMALUMALU KAI, Registration No. 676, the Developer reports that changes have been made in the plan or set-up as presented in the April 18, 1974 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 June 14, 1974 document becoming a part of the Preliminary Public Report on KAUMALUMALU KAI. The Developer is responsible for placing a true copy of this Supplementary Public Report (pink paper stock) in the hands of all purchasers and prospective purchasers, along with a true copy of the Preliminary Public Report (yellow 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 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.

5. This Supplementary Public Report automatically expires on July 14, 1975, unless another Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the period of this report.

The information in the topical headings, LOCATION, DEVELOPER, DESCRIPTION, COMMON ELEMENTS, LIMITED COMMON ELEMENTS, INTEREST TO BE CONVEYED TO PURCHASERS, PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE and PURCHASE MONEY HANDLING have been altered as follows. All other topical headings have not been disturbed.

NAME OF PROJECT: KAUMALUMALU KAI.

LOCATION: The Developer advises that a re-survey of the land to determine the seaward boundary of the project lands in accordance with the laws of the State of Hawaii, determined that the project now comprises 5.572 acres.

DEVELOPER: The Developer advises that the entity developing the project has been changed to KAUMALUMALU ASSOCIATES, a Hawaii limited partnership, whose principal place of business is Suite 1906, Financial Plaza of the Pacific, 130 Merchant Street, Honolulu, Hawaii 96813. The General Partner is Leo S. Wou, and the Limited Partners are Leo S. Wou and Mary F. Wou.

DESCRIPTION: The Developer advises, and the revised Declaration provides that the commercial apartment, the tennis and recreation building and the swimming pool appurtenant to said commercial apartment have been deleted from the project, and

that the two (2) tennis courts which were limited common elements of said commercial apartment are now common elements of the project. Therefore, the Developer advises that the Description of the project contained in the Preliminary Public Report dated June 14, 1974, should be deleted in its entirety and the following description of the project substituted in lieu thereof:

The proposed Declaration of Horizontal Property Regime and plans submitted by the Developer indicate a leasehold condominium project consisting of seven (7) buildings without basements; Building No. 1 contains three (3) stories and twenty-five (25) apartments; Building Nos. 2, 6 and 8 each contains three (3) stories and fifteen (15) apartments; Building Nos. 5 and 7 each contains three (3) stories and sixteen (16) apartments and the community center building. There are 102 apartments designated in the spaces within the perimeter and party walls, floors and ceilings of each of the 102 apartment units of the project, which spaces, together with appurtenant lanais, if any, are referred to herein as "apartments", are designated on said plans and described as follows:

1. Building No. 1

(a) There are ten (10) apartments on the Ground Floor of Building No. 1, being Nos. 11A, 11B, 11C, 11D, 11E, 11F, 11G, 11H, 11J and 11K.

(b) There are five (5) apartments located on the Second Floor of Building No. 1, being Nos. 12B, 12C, 12F, 12H and 12J.

(c) There are ten (10) apartments located on the Third Floor of Building No. 1, being Nos. 13A, 13B, 13C, 13D, 13E, 13F, 13G, 13H, 13J and 13K.

2. Building No. 2

(a) There are six (6) apartments located on the Ground Floor of Building No. 2, being Nos. 21A, 21B, 21C, 21D, 21E and 21F.

(b) There are three (3) apartments located on the Second Floor of Building No. 2, being Nos. 22B, 21C and 21E.

(c) There are six (6) apartments located on the Third Floor of Building No. 2, being Nos. 23A, 23B, 23C, 23D, 23E and 23F.

3. Building No. 5

(a) There are six (6) apartments located on the Ground Floor of Building No. 5, being Nos. 51A, 51B, 51C, 51D, 51E and 51F.

(b) There are four (4) apartments located on the Second Floor of Building No. 5, being Nos. 52A, 52B, 52C and 52D.

(c) There are six (6) apartments located on the Third Floor of Building No. 5, being Nos. 53A, 53B, 53C, 53D, 53E and 53F.

4. Building No. 6

(a) There are six (6) apartments located on the Ground Floor of Building No. 6, being Nos. 61A, 61B, 61C, 61D, 61E and 61F.

(b) There are three (3) apartments located on the Second Floor of Building No. 6, being Nos. 62B, 62D and 62E.

(c) There are six (6) apartments located on the Third Floor of Building No. 6, being Nos. 63A, 63B, 63C, 63D, 63E and 63F.

5. Building No. 7

(a) There are six (6) apartments located on the Ground Floor of Building No. 7, being Nos. 71A, 71B, 71C, 71D, 71E and 71F.

(b) There are four (4) apartments located on the Second Floor of Building No. 7, being Nos. 72A, 72B, 72C and 72D.

(c) There are six (6) apartments located on the Third Floor of Building No. 7, being Nos. 73A, 73B, 73C, 73D, 73E and 73F.

6. Building No. 8

(a) There are six (6) apartments located on the Ground Floor of Building No. 8, being Nos. 81A, 81B, 81C, 81D, 81E and 81F.

(b) There are three (3) apartments located on the Second Floor of Building No. 8, being Nos. 82B, 82C and 82E.

(c) There are six (6) apartments located on the Third Floor of Building No. 8, being Nos. 83A, 83B, 83C, 83D, 83E and 83F.

7. A description of each of the apartments designating the layout, number of rooms and approximate area thereof is as follows:

(a) TYPE "A" - Six (6) apartments being Nos. 51B, 51C, 51D, 71B, 71C and 71D each consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai; each of these apartments contains a floor area of approximately 796 square feet, including the lanai of approximately 85 square feet.

(b) TYPE "A-1" - One (1) apartment being No. 51A consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai; this apartment contains a floor area of approximately 809 square feet, including the lanai of approximately 88 square feet.

(c) TYPE "A-9" - One (1) apartment being No. 71A consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai; this apartment contains a floor area of approximately 837 square feet, including the lanai of approximately 88 square feet.

(d) TYPE "B" - Twenty (20) apartments, being Nos. 12B, 12C, 12F, 12H, 12J, 22B, 22C, 22E, 52B, 52C, 52D, 62B, 62D, 62E, 72B, 72C, 72D, 82B, 82C and 82E, each consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai; each of these apartments contains a floor area of approximately 728 square feet, including the lanai of approximately 85 square feet.

(e) TYPE "B-1" - One (1) apartment, being No. 52A consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai. This apartment contains a floor area of approximately 745 square feet, including the lanai of approximately 85 square feet.

(f) TYPE "B-9" - One (1) apartment, being No. 72A consists of four (4) rooms, including a bedroom, a bathroom, a living room, a kitchen and a lanai. This apartment contains a floor area of approximately 773 square feet, including the lanai of approximately 85 square feet.

(g) TYPE "C" - Two (2) apartments, being Nos. 51E and 71E, each consists of seven (7) rooms, including three (3) bedrooms, two (2) bathrooms, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 1,373 square feet, including the lanai of approximately 85 square feet.

(h) TYPE "C-7 & 8" - Two (2) apartments, being Nos. 51F and 71F, each consists of seven (7) rooms, including three (3) bedrooms, two (2) bathrooms, a living room, a kitchen and a lanai. Each of these apartments contains a floor area of approximately 1,459 square feet, including the lanai of approximately 88 square feet.

(i) TYPE "D" - Fourteen (14) apartments, being Nos. 11B, 11C, 11F, 11H, 11J, 21B, 21C, 21E, 61B, 61D, 61E, 81B, 81C and 81E, each consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen and a lanai; each of these apartments contains a floor area of approximately 1,041 square feet, including the lanai of approximately 85 square feet.

(j) TYPE "E" - Six (6) apartments, being Nos. 11D, 11E, 11G, 21D, 61C and 81D, each consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen and a lanai; each of these apartments contains a floor area of approximately 1,121 square feet, including the lanai of approximately 85 square feet.

(k) TYPE "E-1" - Two (2) apartments, being Nos. 61F and 81A, each consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen and a lanai; each of these apartments contains a floor area of approximately 1,151 square feet, including the lanai of approximately 88 square feet.

(l) TYPE "E-4 & 5" - One (1) apartment, being No. 21A consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen and a lanai. This apartment contains a floor area of approximately 1,202 square feet, including the lanai of approximately 78 square feet.

(m) TYPE "E-7 & 8" - Three (3) apartments, being Nos. 11K, 21F and 81F, each consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen and a lanai; each of these apartments contains a floor area of approximately 1,207 square feet, including the lanai of approximately 88 square feet.

(n) TYPE "E-9 & 10" - Two (2) apartments, being Nos. 11A and 61A, each consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen and a lanai; each of these apartments contains a floor area of approximately 1,207 square feet, including the lanai of approximately 88 square feet.

(o) TYPE "F" - Twenty-eight (28) apartments being Nos. 13B, 13C, 13D, 13E, 13F, 13G, 13H, 13J, 23B, 23C, 23D, 23E, 53B, 53C, 53D, 53E, 63B, 63C, 63D, 63E, 73B, 73C, 73D, 73E, 83B, 83C, 83D and 83E, each consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen, a lanai and a roof court; each of these apartments has a floor area of approximately 1,096 square feet, including the lanai and the roof court of approximately 186 square feet combined.

(p) TYPE "F-1" - Three (3) apartments, being Nos. 53A, 63F and 83A, each consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen, a lanai and a roof court; each of these apartments has a floor area of approximately 1,123 square feet, including the lanai and the roof court of approximately 191 square feet combined.

(q) TYPE "F-6" - One (1) apartment, being No. 23A, consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen, a lanai and a roof court. This apartment has a floor area of approximately 1,098 square feet, including the lanai and the roof court of approximately 140 square feet combined.

(r) TYPE "F-8" - Five (5) apartments being Nos. 13K, 23F, 53F, 73F and 83F, each consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen, a lanai and a roof court; each of these apartments has a floor area of approximately 1,151 square feet, including the lanai and the roof court of approximately 191 square feet combined.

(s) TYPE "F-10" - Three (3) apartments being Nos. 13A, 63A and 73A, each consists of six (6) rooms, including two (2) bedrooms, two (2) bathrooms, a living room, a kitchen, a lanai and a roof court; each of these apartments has a floor area of approximately 1,151 square feet, including the lanai and the roof court of approximately 191 square feet combined.

8. In each building, each apartment on the Ground Floor has immediate access to the grounds of the project. Each apartment on the second and third floors thereof has immediately access to a stairway or to a corridor which leads to multiple stairways; each stairway leading to the grounds of the project.

9. The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits or other utility or service lines running through such apartment which are utilized for or serve any other apartment, the same being deemed common elements as herein-after provided. Each apartment shall be deemed to include all the walls and partitions which are not load bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings and all fixtures originally installed therein.

COMMON ELEMENTS: The Developer advises and the revised Declaration provides that the following are now common elements of the project:

1. Community center building and its appurtenant facilities.

2. Two (2) tennis courts with appurtenant facilities including a viewing stand, wet bar and men's and women's bathroom.

LIMITED COMMON ELEMENTS: The Developer advises that due to the deletion of the commercial apartment the two (2) elevated tennis courts which were listed as a limited common element of the commercial apartment in the Preliminary Public Report dated June 14, 1974, have been made common elements of the project, and that the swimming pool with adjacent deck area has been deleted from the project.

INTEREST TO BE CONVEYED TO PURCHASERS: The Developer advises, and the revised Declaration provides that due to the deletion of the commercial apartment, that the undivided interest in all common elements of the project (herein called the "common interest") appurtenant to the respective apartments in the project has been revised as follows:

Type "A"	0.77%	Type "E"	1.09%
Type "A-1"	0.78%	Type "E-1"	1.12%
Type "A-9"	0.80%	Types "E-4 & 5";	
Type "B"	0.70%	"E-7 & 8"; and	
Type "B-1"	0.72%	"E-9 & 10"	1.17%
Type "B-10"	0.75%	Type "F"; "F-6"	1.06%
Type "C"	1.33%	Type "F-1"	1.09%
Type "C-7 & 8"	1.42%	Type "F-8"; "F-10"	1.11%
Type "D"	1.01%		

The Developer further advises that the common interest appurtenant to each apartment after the addition of the Second Increment described in said Preliminary Public Report dated June 14, 1974, has been revised as follows:

<u>Apartment Type</u>	<u>Common Interest</u>
Type "A"	.44%
Type "A-1"	.45%
Type "A-9"	.46%
Type "B"	.40%
Type "B-1"	.40%
Type "B-10"	.42%
Type "C"	.75%
Type "C-7 & 8" and "C-9 & 10"	.81%
Type "D"	.56%
Type "E"	.62%
Type "E-1"; "F-8"; and "F-10"	.64%
Type "E-4 & 5"	.67%
Type "E-7 & 8" and "E-9 & 10"	.67%
Type "F" and "F-6"	.61%
Type "F-1"	.62%

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The revised Declaration provides that the apartments shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, domestic servants and personal guests. The apartments may also be used for hotel or transient purposes. The apartments may not be used for any other purpose unless consent of the Board of Directors is secured. The owners of the respective apartments shall have the absolute right to lease the same subject to the limitations, restrictions, covenants and conditions of the Declaration.

PURCHASE MONEY HANDLING: The Developer advises that the Condominium Reservation Agreement Deposit, Receipt & Contract has been revised so that it now states that in the event less than sixty-seven (67) apartment units are sold prior to December 15, 1975, the Developer may at its sole option cancel this agreement and refund all moneys to Buyers without interest.

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 April 18, 1974 and additional information subsequently filed as of March 6, 1975.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 676 filed with the Commission on April 18, 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. SODETANI, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

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REGISTRATION NO. 676

March 18, 1975