

# 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  
HAIKU GARDENS  
46-318 Haiku Road  
Kaneohe, Hawaii

REGISTRATION NO. 693

### **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: September 9, 1974  
Expires: October 9, 1975

#### SPECIAL ATTENTION

A comprehensive reading of this report is urged in order that the 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 MAY 30, 1974, AND INFORMATION SUBSEQUENTLY FILED AS OF SEPTEMBER 6, 1974. DEVELOPER IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES ACT, CHAPTER 514, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report of June 6, 1974, on HAIKU GARDENS, Registration No. 693, the Developer reports that certain changes have been made in the project. This Final Public Report (white paper stock) amends the Preliminary Public Report (yellow paper stock),

becoming a part of HAIKU GARDENS registration. The Developer is responsible for placing a true copy of this Final Public Report in the hands of all purchasers and prospective purchasers, along with a copy of the Preliminary Public Report. The Developer is responsible for securing from each purchaser or prospective purchaser a signed receipt signifying that he has had an opportunity to read both Reports.

2. The Developer has submitted to the Commission for examination all documents deemed necessary for the registration of the condominium project and the issuance of this Final Public Report.
3. The Developer advises that the Declaration of Horizontal Property Regime and attached Bylaws are filed in the Office of the Assistant Registrar of the Land Court, State of Hawaii, as Document No. 690449 and recorded in the Bureau of Conveyances in Book 10045, Page 283. The Condominium Map has been filed with the Assistant Registrar as Map No. 224 and recorded in the Bureau as Map No. 372.
4. Advertising and promotional materials have been submitted pursuant to the rules and regulations promulgated by the Commission.
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.
6. This Final Public Report automatically expires thirteen (13) months after date of issuance September 9, 1974, unless a Supplementary Public Report issues, or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information in the Preliminary Public Report of June 6, 1974, under the topical headings ENCUMBRANCES and STATUS OF PROJECT has been changed; the Developer reports that no other information in the Preliminary Public Report has changed.

ENCUMBRANCES: A Preliminary Report issued by Security Title Corporation states that as of the date of the search, August 15, 1974, title to the land is subject to:

1. Real Property Taxes;
2. The reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patents Numbered 1003, 1006, 3629 and 1664;
3. Abutter's rights of access into and from Kehekili Highway and Slope Easement designated as Parcel E-21 in favor of the City and County of Honolulu, as condemned by Final Order

of Condemnation dated June 1, 1966, filed in the Circuit Court of the First Circuit in Civil No. 12502, a certified copy of which was recorded in the Bureau of Conveyances of the State of Hawaii in Book 5354, Page 106;

4. The terms and provisions of that certain Agreement dated November 1, 1965, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 380523, made by and between the Trustees under the Will and of the Estate of Bernice Pauahi Bishop, Deceased, George Mitsuji Hasegawa and Mitsuyuki Kido, affecting Lot 1046;

5. That certain Grant dated December 18, 1963, in favor of the Hawaiian Electric Company, Inc. and Hawaiian Telephone Company, filed in said Office of the Assistant Registrar as Document No. 406557, granting an easement for utility purposes under Lots 1045 and 1046;

6. Designation of Easement 327 for roadway purposes over and across Lot 1046; Easements 328 and 329 for underground cable purposes over and across Lot 1046, all as shown on Map 67, as set forth by Land Court Order No. 28505, filed May 14, 1968;

7. Restriction of Access Rights affecting Lot 1044, as shown on Maps 37 and 67, as set forth by Land Court Order No. 21891, filed November 4, 1963;

8. Abutter's rights of vehicle access into and from Kahaluu Cutoff Road which may accrue and become appurtenant to Lot 1044, in favor of the City and County of Honolulu, as set forth in Deed dated August 1, 1963, filed in said Office of the Assistant Registrar as Document No. 318993;

9. Designation of Easements 328 and 329 for underground cable purposes over and across Lot 1045, as shown on Map 67, as set forth by Land Court Order No. 28505, filed May 14, 1968;

10. That certain Grant dated September 18, 1968, in favor of the City and County of Honolulu, recorded in said Bureau of Conveyances in Book 7246, Page 60, granting a perpetual easement to discharge storm and surface waters upon and across a portion of the land herein described;

11. Leasehold Mortgage dated April 22, 1974, filed in said Office of the Assistant Registrar as Document No. 678339, and also recorded in said Bureau of Conveyances in Book 9873, Page 410, made by Robert H. Grant & Company, Inc., a Hawaii corporation, as Mortgagor, to Union Bank, a California corporation, as Mortgagee;

12. Undated Financing Statement recorded in said Bureau of Conveyances in Book 9878, Page 562.

13. Leasehold Mortgage, dated April 22, 1974, filed in said Office of the Assistant Registrar as Document No. 678340, and also recorded in said Bureau of Conveyances in Book 9873, Page 419 on May 2, 1974, made by Robert H. Grant & Company, Inc., a Hawaii corporation, as Mortgagor, to Union Bank, a California corporation, as Mortgagee.

14. The terms and provisions of that certain Bishop Estate Lease No. 23,330-A, dated April 23, 1974, filed in said Office of the Assistant Registrar as Document No. 678337, and also recorded on May 2, 1974 in said Bureau of Conveyances in Book 9873, Page 351, made by and between the Trustees of the Estate of Bernice Pauahi Bishop, "Owners", and Kihalani Investment, Inc., a Hawaii corporation, "Tenant", holder of that certain Master Lease dated April 22, 1974, filed in said Office of the Assistant Registrar as Document No. 677215, and also recorded on April 24, 1974 in said Bureau of Conveyances in Book 9856, Page 440, as Lessors, and Robert H. Grant & Company, Inc., a Hawaii corporation, as Lessee, for the term of 57 years from April 1, 1974 (affects Parcels First and Second).

15. The terms and provisions of that certain Indenture of Lease, dated April 24, 1974, filed in said Office of the Assistant Registrar as Document No. 678338, and also recorded on May 2, 1974 in said Bureau of Conveyances in Book 9873, Page 379, made by Haiku Realty, Ltd., a Hawaii corporation, as Lessor, and Robert H. Grant & Company, Inc., a Hawaii corporation, as Lessee, for a term of 57 years from April 1, 1974 (affects Parcels Third and Fourth).

16. Condominium Map No. 224, filed in said Office of the Assistant Registrar on July 23, 1974.

17. Condominium Map No. 372, filed in said Bureau of Conveyances on July 23, 1974.

18. The covenants, agreements, obligations, conditions, and other provisions as set forth in that certain Declaration of Horizontal Property Regime, dated July 5, 1974, filed in said Office of the Assistant Registrar as Document No. 690449, and also recorded on July 23, 1974 in said Bureau of Conveyances in Book 10045, Page 283, and the By-Laws attached thereto, to which reference is hereby made.

19. Power of Attorney dated July 5, 1974, filed in said Office of the Assistant Registrar as Document No. 690450, and also recorded on July 23, 1974 in said Bureau of Conveyances in Book 10045, Page 299, made by the Trustees of the Estate of Bernice Pauahi Bishop, to Haiku Realty, Ltd., granting special powers.

20. Power of Attorney dated July 5, 1974, filed in said Office of the Assistant Registrar as Document No. 690451, and also recorded on July 23, 1974 in said Bureau of Conveyances in Book 10045, Page 299, made by Haiku Realty, Ltd., to the Trustees of the Estate of Bernice Pauahi Bishop, granting special powers.

The Developer has advised the Commission that the lien of the Mortgages and the Financing Statement, identified in items 11, 12 and 13 above, upon an Apartment will be released prior to the conveyance of such Apartment.

STATUS OF PROJECT: The Developer advises that construction of the Project commenced in the fall of 1973, and that construction of 13 of the Apartments has been completed. Construction of the remaining 100 is currently scheduled for completion during the period ending in June, 1975.

The Developer reports that construction financing has been obtained from Union Bank of California and Bank of Hawaii.

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A 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 May 30, 1974, and additional information filed as of September 6, 1974.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 693 filed with the Commission on May 30, 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 white.

*D. R. Sodevani*  
(for) DOUGLAS R. SODEVANI, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

Distribution:  
DEPARTMENT OF TAXATION  
BUREAU OF CONVEYANCES  
PLANNING DEPARTMENT, CITY  
AND COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION  
MARINER'S ESCROW CORPORATION

September 9, 1974  
REGISTRATION NO. 693