

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
MAKAKILO HALE II (PHASE II)
Makakilo Drive
Ewa Beach, Hawaii

REGISTRATION NO. 725

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: February 6, 1975
Expires: March 6, 1976

SPECIAL ATTENTION

A comprehensive reading of this report by prospective purchasers is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the purchaser and prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED OCTOBER 2, 1974, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF JANUARY 14, 1975. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report of October 23, 1974, the Developer reports that changes have been made in the plan or setup as presented in the October 2, 1974 notice of intention to sell. The changes subsequently made are determined to be a material revision to the information disclosed earlier.

This Final Public Report (white paper stock) amends the Makakilo Hale II (Phase II) Preliminary Public Report (yellow paper stock), becoming a part of this 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 buyer shall sign the required receipt signifying that he has had an opportunity to read both reports.

2. The Developer has complied with Section 514-15, Hawaii Revised Statutes, and has fulfilled the requirements for the issuance of this Final Public Report prior to completion of construction.
3. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and the issuance of this Final Public Report.
4. The basic documents (Declaration of Horizontal Property Regime of Makakilo Hale II, By-Laws of Association of Apartment Owners of Makakilo Hale II, and a copy of the floor plans) have been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii.

The Declaration of Horizontal Property Regime of Makakilo Hale II, with By-Laws of the Association of Apartment Owners of Makakilo Hale II, dated November 19, 1974 were filed in said Office as Document No. 703182 and noted on Transfer Certificate of Title No. 164,413.

The Assistant Registrar has designated Condominium Map No. 235 to the project.

5. Advertising and promotional matter have been submitted to the Commission.
6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, and the Condominium Rules and Regulations which relate to horizontal property regimes.
7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, February 6, 1975, 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 topical headings of the Preliminary Public Report of October 23, 1974, with the exception of ENCUMBRANCES AGAINST TITLE and STATUS OF THE PROJECT, has not been disturbed.

ENCUMBRANCES AGAINST TITLE: A Lien Letter Report dated July 3, 1974, the First Continuation of Lien Letter Report dated September 3, 1974, the Second Continuation of Lien Letter Report dated November 8, 1974, and the Third Continuation of Lien Letter Report dated January 2, 1975, all prepared by Security Title Corporation, certifies that the land is subject to the following encumbrances:

1. Tax Key: 9-2-3-65
Area Assessed: 16.084 Acres
Taxes for the Fiscal Year 1974-1975 are a lien; payable as follows:

1st Installment	\$1,730.48 OPEN	(Delinquent after 11/30/74)
2nd Installment	\$1,730.48 OPEN	(Delinquent after 5/30/75)

The records at the Tax Office do not reflect that any portion of the 1st Installment has been paid. As of the date of this report the posting of tax payments made to the Tax Office for the 1st Installment for the Fiscal Year 1974-1975 has not been completed.

2. Development Rights dated May 5, 1966, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 391241, made by and between ALAN S. DAVIS, M. L. RANDOLPH AND GEO. M. COLLINS, TRUSTEES UNDER THE WILL AND OF THE ESTATE OF JAMES CAMPBELL, DECEASED, and FINANCE REALTY CO., LTD., a Hawaii corporation, (also affects other property).

Said Development Rights is subject to the following:

a) Mortgage dated July 13, 1972, filed in said Office of the Assistant Registrar as Document No. 589482, made by FINANCE REALTY CO., LTD., a Hawaii corporation, as Mortgagor, to BANK OF HAWAII, a Hawaii corporation, as Mortgagee, to secure the repayment of the sum of \$4,700,000.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor therein referred to. Consent thereto filed as Document No. 589483.

b) Additional Charge Mortgage dated November 14, 1974, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 703186, made by FINANCE REALTY CO., LTD., a Hawaii corporation, as Mortgagor, to BANK OF HAWAII, a Hawaii corporation, as Mortgagee, to secure the repayment of the additional loan of \$4,300,000.00, together with interest thereon in accordance with the terms of that certain promissory note therein referred to. This is an additional charge mortgage to the foregoing mortgage. Consent thereto filed as Document No. 703187.

c) Undated Financing Statement recorded on December 11, 1973 in the Bureau of Conveyances of the State of Hawaii in Book 9638 Page 193.

3. Designation of the following easements:

Easement 727 (10 feet wide) for sewer purposes as shown on Map 233;

Easement 729, for sewer purposes as shown on Map 233;

Easement 740 (10 feet wide) for Drainage purposes, as shown on Map 240; and

Easement 741 (10 feet wide) for Drainage purposes as shown on Map 240, as set forth by Land Court Order No. 38745, filed November 26, 1973.

4. Designation of the following easements:

Easement 777 (10' wide) for drainage purposes as shown on Map 254;

Easement 778 for water purposes as shown on Map 254;

Easement 779 for water purposes as shown on Map 254;

Easement 780 for water purposes as shown on Map 254; and

Easement 781 (10' wide) for drainage purposes as shown on Map 254, as set forth by Land Court Order No. 40686, filed October 1, 1974.

5. Declaration of Horizontal Property Regime of Makakilo Hale II, dated November 19, 1974, filed as Document No. 703182, and the By-Laws attached thereto, the plans thereof being designated as Condominium Map No. 235.

NOTE: The Developer has advised the Commission that the fee simple landowner, the Trustees under the Will and of the Estate of James Campbell, Deceased, has granted to the Developer, for and on behalf of the Association of Apartment Owners of Makakilo Hale II, and for and on behalf of all owners of apartments in Makakilo Hale II, an easement for flowage purposes, the grant of such easement being dated November 19, 1974, and filed in said Office of the Assistant Registrar as Document No. 703183. As the Association of Apartment Owners of Makakilo Hale II and all owners of apartments in Makakilo Hale II are indemnifying the Trustees against all claims and demands for loss or damages, including property damage, personal injury and wrongful death, arising out of or in connection with the use of the drainage facilities, easement areas, and adjacent areas by the said Association and apartment owners or any person claiming by, through or under said Association and apartment owners, purchasers in this project should familiarize themselves with the provisions of the above-mentioned grant.

STATUS OF THE PROJECT: The Developer advises that it has commenced construction of all nineteen of the two-story multi-family buildings in Makakilo Hale II (Phase II), and that completion of construction is scheduled for February, 1975. All construction of Makakilo Hale II (Phase II) has been with funds from a Bank of Hawaii revolving line of credit and without the use of any portion of the purchase money paid by purchasers of the apartments in the project. A condition of the disbursement of escrow funds is the issuance of this Final Public Report.

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 October 2, 1974, and additional information subsequently filed as of January 14, 1975.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 725 filed with the Commission on October 2, 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.


for DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

Department of Taxation
Bureau of Conveyances
Planning Commission, City & County of Honolulu
Department of Housing and Urban Development
Escrow Agent

REGISTRATION NO. 725

February 6, 1975