

# 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  
KULANUI  
2726 Waiaka Road  
Honolulu, Hawaii

REGISTRATION NO. 743

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

It was prepared as a supplement to an earlier Report dated January 13, 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 21, 1975  
Expires: February 13, 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 JANUARY 3, 1975 AND INFORMATION SUBSEQUENTLY FILED AS OF MAY 20, 1975. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF CHANGES IN 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 Final Public Report of January 13, 1975 on KULANUI, Registration No. 743, the Developer reports that changes have been made in the plan or setup as presented in the January 3, 1975 notice of intention to sell. The changes subsequently made are determined to be a material revision to the information disclosed earlier causing the Commission to publish this Supplementary Public Report.

This Supplementary Public Report (pink paper stock) amends the Final Public Report (white paper stock), becoming a part of the KULANUI 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 a copy of the Final Public Report. The buyer shall sign the required receipt signifying that he has had an opportunity to read both 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 basic documents (Declaration of Horizontal Property Regime, Bylaws of the Association of Apartment Owners) were executed on December 19, 1974, and recorded in the Bureau of Conveyances at Honolulu, State of Hawaii in Liber 10345 at Page 84. A copy of the floor plans has been filed as Condominium Map No. 393 in said Bureau of Conveyances.

The amended Declaration was executed on May 19, 1975, and recorded in the Bureau of Conveyances at Honolulu, State of Hawaii in Liber 10650 at Page 477.

4. Advertising and promotional matter has been filed pursuant to the Rules and Regulations promulgated by the Commission.
5. The purchaser and 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.
6. This Supplementary Public Report automatically expires on February 13, 1976, unless another Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the period of this report.

THE FOLLOWING TOPICAL SECTIONS HAVE BEEN AMENDED OR ADDED TO WHAT IS CONTAINED IN THE FINAL PUBLIC REPORT. ALL OTHER TOPICAL SECTIONS OF THE FINAL PUBLIC REPORT ARE UNCHANGED.

NAME OF PROJECT: A conflict has arisen over the use of the name KULANUI and it may be necessary to change the name of the project to avoid further conflict and/or litigation. The Declaration of Horizontal Property Regimes has been amended to reserve to the Lessor and the Developer the right to change the project name for the purpose of avoiding conflicts which may now exist or which may hereafter arise and to amend any related documents accordingly, including but not limited to, the Bylaws of the Association of Apartment Owners and the Apartment Deed and Ground Sublease.

DESCRIPTION OF PARKING STALLS: There are 180 parking stalls located on the first three levels of the building. The parking area located on the ground level contains 53 full-size parking stalls and 12 compact stalls. On the second floor there is a parking area containing

44 full-size stalls and 13 compact stalls and on the third floor the parking area contains 40 full-size stalls and 18 compact stalls. Compact parking stalls on the first floor are numbered 103, 104, 106, 107, 109, 110, 115, 116, 118, 119, 121 and 122. Parking stalls on the second floor are numbered 201 through 257 inclusive with compact stalls being those numbered 220 through and including 223, and 226, 228, 229, 234, 235, 237, 238, 240 and 241. Parking stalls located on the third floor are numbered 301 through 358 inclusive with compact stalls being those numbered 315 through and including 318, and 321, 323, 324, 329, 330, 332, 333, 335, 336, 340, 341 and 351 through 353 inclusive.

Each of the parking stalls located on the various levels will have immediate access to the driveways which lead to the entryway and exits of the parking structure which leads into the public streets.

Since the issuance of the Real Estate Commission's Final Public Report for the project, the Developer and Master Lessor have amended the Declaration to assign individual parking stalls to their respective apartments. The apartment number of each apartment, and the number of the parking stall, if any, assigned to it, are as follows:

<u>Unit No.</u>	<u>Parking Stall No.</u>	<u>Unit No.</u>	<u>Parking Stall No.</u>
401	110	801	342
402	224	802	228
403	208	803	226
404	None	804	301
		805	339
501	345	806	201
502	126	807	165
503	334	808	336
504	329		
505	324	901	338
506	331	902	164
507	322	903	163
508	None	904	314
		905	302
601	344	906	162
602	320	907	161
603	319	908	358
604	340		
605	315	1001	337
606	244	1002	160
607	241	1003	159
608	None	1004	357
		1005	356
701	343	1006	158
702	240	1007	157
703	238	1008	355
704	341		
705	317		
706	237		
707	235		
708	316		

<u>Unit No.</u>	<u>Parking Stall No.</u>	<u>Unit No.</u>	<u>Parking Stall No.</u>
1101	255	1801	249
1102	156	1802	128
1103	155	1803	127
1104	354	1804	330
1105	350	1805	323
1106	154	1806	125
1107	153	1807	115
1108	349	1808	328
1201	254	1901	248
1202	152	1902	243
1203	151	1903	242
1204	348	1904	327
1205	347	1905	326
1206	150	1906	239
1207	149	1907	236
1208	346	1908	325
1401	253	2001	247
1402	148	2002	233
1403	143	2003	232
1404	313	2004	318
1405	312	2005	257
1406	142	2006	231
1407	141	2007	230
1408	311	2008	256
1501	252	2101	246
1502	140	2102	227
1503	139	2103	225
1504	310	2104	245
1505	309	2105	234
1506	138	2106	147
1507	137	2107	146
1508	308	2108	219
1601	251	2201	229
1602	136	2202	145
1603	135	2203	144
1604	307	2204	207
1605	306	2205	206
1606	134	2206	124
1607	133	2207	123
1608	305	2208	205
1701	250	2301	223
1702	132	2302	122
1703	131	2303	121
1704	304	2304	204
1705	303	2305	203
1706	130	2306	120
1707	129	2307	119
1708	335	2308	202

<u>Unit No.</u>	<u>Parking Stall No.</u>	<u>Unit No.</u>	<u>Parking Stall No.</u>
2401	212	2601	210
2402	118	2602	108
2403	117	2603	107
2404	333	2604	218
2405	332	2605	217
2406	116	2606	106
2407	114	2607	105
2408	321	2608	216
2501	211	2701	209
2502	113	2702	104
2503	112	2703	103
2504	222	2704	215
2505	221	2705	214
2506	111	2706	102
2507	109	2707	101
2508	220	2708	213

RESPONSIBILITY FOR MAINTENANCE OF STRUCTURAL ELEMENTS: The Amendment to the Declaration amends Section L, Subsection (2) of the Declaration to provide that the expense of maintaining, repairing, replacing or restoring any load-bearing walls or other structural elements located within an apartment shall be a common expense of the Project, assessable in the manner provided for other common expenses of the operation of the Project; provided, however, that the expense of repainting, wallpapering or otherwise decorating or maintaining the interior surface or surfaces of any load-bearing walls or other structural elements located within an apartment shall be the expense only of the owner of such apartment.

BYLAWS: The Amendment of the Declaration filed with the Commission discloses that Article V, Section 6 of the Bylaws has been amended by deleting so much of that section as formerly allowed the Board of Directors of the Association of Apartment Owners to terminate the interest of an apartment owner in his apartment for failure to cure or repeated violations of the Declaration, Bylaws, House Rules, Master Lease or Apartment Sublease. As originally filed with the Commission, the Bylaws provided that the Board could obtain in court an injunction either prohibiting an apartment owner who was guilty of such violations from continuing such violations or terminating such owner's interest in his apartment and ordering the sale of the apartment. As amended, the section permits the Board only to enjoin, abate or remedy by appropriate legal proceedings any continuing or repeated breach.

STATUS OF PROJECT: The Developer advises the Real Estate Commission that the construction of the project commenced on April 1, 1974 and is scheduled for completion on May 31, 1975.

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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 January 3, 1975, and information subsequently filed as of May 20, 1975.

This SUPPLEMENTAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 743 filed with the Commission on January 3, 1975.

The 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 B. SODEVANI, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

Distribution:

Department of Taxation  
Bureau of Conveyances  
Planning Department, City & County of Honolulu  
Federal Housing Administration  
Escrow Agent

May 21, 1975

Registration No. 743