

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

1010 RICHARDS STREET
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SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

HILO TERRACE
485 Waiianuenue Avenue
Hilo, Hawaii

Registration No. 763

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

It was prepared as a supplement to an earlier Report dated May 19, 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: June 29, 1976
Expires: June 19, 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 4, 1975 AND INFORMATION SUBSEQUENTLY FILED AS OF June 28, 1976. THE DEVELOPER IN NOTIFYING THE COMMISSION OF ITS 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 763, dated May 19, 1975, additional information has been forwarded to reflect material changes which have been made in one of the buildings of the project and in the documents of the project.

2. This Supplementary Report is made a part of the registration of HILO TERRACE 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 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 April 1, 1975, with By-laws attached was recorded in the Bureau of Conveyances of the State of Hawaii on May 7, 1975 in Liber 10618 at page 264 as amended on June 23, 1976 in said Bureau in Liber 11487 at page 119.

The approved Floor Plans showing the layout, location, apartment numbers, etc., have been designated Condominium Map No. 407.

5. No 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 Supplemental Public Report automatically expires on June 19, 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 granted through this Supplementary Public Report, the extension of the Final Public Report dated May 19, 1975 to June 19, 1977.

Information contained in this Supplementary Public Report supplements, and where inconsistent, supercedes the information contained in the Final Public Report of May 19, 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.

DESCRIPTION: Building K: Since the issuance of the Final Public Report Building K of the HILO TERRACE condominium project has been re-roofed by the Developer. The new roof is a dacromastic roof.

All other information contained in the Final Public Report pertaining to Building K remains the same. A letter stating the change in the roof of Building K will be given to each purchaser by the Developer. The Commission is in possession of a copy of the form of letter that will be used and the Commission will also receive copies of any letters given to purchasers.

PURCHASE MONEY HANDLING: A revised and executed copy of the Escrow Agreement dated May 20, 1976 by and between James W. Y. Wong as "Developer" and Long and Melone, Ltd. as "Escrow" has been submitted to the Commission.

Instead of Agreements of Sale, sales will be against new individual apartment purchase money first and second mortgages. Accordingly, Developer has obtained a mortgage commitment from First Federal Savings & Loan in the amount of \$1,000,000.00. This commitment will support the permanent financing of approximately 50% of the 100 apartments in the project. Developer intends that closing occur upon the first sale of 50% of the apartments rather than the present requirement of 80%. Changes have been made to the form of sales contract and the escrow agreement to reflect these changes.

The specimen Sales Contract provides, in part, that if Developer fails to close the first sales of 50% of the apartments by June 19, 1977, the project may be removed from the Horizontal Property Regime and the provisions of Chapter 514 and all sums paid by Purchaser shall be refunded in accordance with the Escrow Agreement. Further, the interest of the Purchaser is subordinate to the liens of the Seller's mortgages.

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 4, 1975, and additional information subsequently filed as of June 28, 1976.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 675 filed with the Commission on May 16, 1975.

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



AH KAU YOUNG, Chairman
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. 763
June 29, 1976