

# 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

HALE KUPONO

46-260 to 46-280 Kahuhipa Street  
Kaneohe, Hawaii

REGISTRATION NO. 768

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

It was prepared as a supplement to an earlier Report dated May 5, 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: October 30, 1979

Expires: November 30, 1980

### 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 MARCH 31, 1975, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF OCTOBER 24, 1979. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND SUBMITTING ADDITIONAL INFORMATION, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514A, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Final Public Report on Registration No. 768, dated May 5, 1975, the Developer reports that changes have been made in the information which was presented in the Final Public Report.

This Supplementary Public Report is made a part of the registration for the Hale Kuponono Condominium Project, and the Developer is held responsible for placing a true copy of this Supplementary Public Report (pink paper stock) in the hands of all purchasers who have received the Final Public Report and all purchasers subsequent to the date of issuance of the Final Public Report. It is also the responsibility of the Developer to obtain the required receipt signifying that the purchaser has had an opportunity to read this report.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the condominium project and the issuance of this Supplementary Public Report.

An amended Declaration of Horizontal Property Regime, executed October 19, 1979, was filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 973010 and noted on Transfer Certificate of Title No. 142,849.

An amendment to Condominium Map No. 245 was filed in said Office of the Assistant Registrar on October 23, 1979.

3. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A, Hawaii Revised Statutes, and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.

4. This Supplementary Public Report automatically expires November 30, 1980, unless another Supplementary Public Report issues or the Commission upon review of the registration issues an order extending the effective period of this report.

Only certain information contained in the Final Public Report issued May 5, 1975 under the topical headings DEVELOPER, ATTORNEY REPRESENTING DEVELOPER, COMMON ELEMENTS, OWNERSHIP, ENCUMBRANCES AGAINST TITLE, PURCHASE MONEY HANDLING, MANAGEMENT AND OPERATIONS and STATUS OF PROJECT has been altered and only to the extent indicated below.

DEVELOPER: Kuponono Associates, a Hawaii limited partnership, whose mailing address is 841 Bishop Street, Suite 1617, Honolulu, Hawaii 96813, Phone 524-5291. The general partners are J. M. Ariyoshi, Inc., a Hawaii corporation whose principal place of business and post office address is 841 Bishop Street, Suite 1617, Honolulu, Hawaii 96813, and Holiday Development Corporation, a Hawaii corporation whose principal place of business and post office address is 1152 Bishop Street, 8th Floor, Honolulu, Hawaii 96813. The present developer purchased all of the apartment leases in the project from the previous developer, C and I Associates, a joint venture.

ATTORNEY REPRESENTING DEVELOPER: Norman H. Suzuki, 1270 Queen Emma Street, Suite 607, Honolulu, Hawaii 96813. Phone 521-2661.

COMMON ELEMENTS: Additional "common elements" will be constructed. These include a paddle tennis court, one half basketball court, saunas, bathroom and shower facilities, barbecue and picnic areas.

10. Any and all easements encumbering the apartment herein mentioned, and/or the common interest appurtenant thereto, as created by or mentioned in said Declaration, as amended, and/or in said Apartment Lease, and/or as delineated on said Condominium Map.
  
11. A Mortgage dated June 14, 1976, by and between C and I Associates, duly registered Hawaii joint venture consisting of Chitom Associates, a Hawaii limited partnership, and Philip Ing, husband of Toshiko Ing, and Toshiko Ing, wife of Philip Ing, as mortgagor, and Liberty Bank, as mortgagee, and filed and recorded as Document No. 768687 in the Office of the Assistant Registrar of the Land Court, and in Liber 11466, Page 178, in the Bureau of Conveyances, which said mortgage was assigned to Gibraltar Savings and Loan Association, a California corporation, by instrument dated June 14, 1976, and filed and recorded as Document No. 768689, in said Office of the Assistant Registrar of the Land Court, and in Liber 11466, Page 197, in said Bureau of Conveyances.

Consent thereto by Kihalani Investment, Inc., a Hawaii corporation, dated October 11, 1979, filed October 15, 1979, as Document No. 971284, in said Office.

12. A Mortgage dated October 5, 1979, by and between J. M. Ariyoshi, Inc. and Holiday Development Corporation, sole General Partners of and in behalf of Kupono Associates, a Hawaii registered limited partnership, as Mortgagor, and C and I Associates, a duly registered Hawaii joint venture, as Mortgagee, and filed October 15, 1979, as Document No. 971283 in the Office of the Assistant Registrar of the Land Court.

Consent thereto by Gibraltar Savings and Loan Association, a California corporation, dated October 9, 1979, filed and recorded October 15, 1979, in said Office as Document No. 971285, and in said Bureau in Liber 14066, Page 1.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated October 18, 1979, identifies Hawaii Escrow & Title, Inc., as "Escrow". On examination, the specimen Sales Contract and executed Escrow Agreement are found to be in compliance with Chapter 514A, Hawaii Revised Statutes.

It is incumbent upon the purchaser and prospective purchaser that he reads with care the Sales Contract and the Escrow Agreement. The Escrow Agreement establishes that the proceeds from the sale of condominium units are placed in trust and sets forth the procedure for retention and disbursement of the trust funds.

MANAGEMENT AND OPERATIONS: The By-Laws of the Association of Owners vest in the Board of Directors the powers and duties to employ a management agent to perform such duties as the Board shall authorize, including the collection of all assessments from the owners. The Developer has filed with the Commission a Management Agreement naming Loyalty Enterprises, Ltd., doing business as Loyalty Property Management, as the initial managing agent. The agreement terminates January 30, 1981, unless sooner terminated according to its terms.

STATUS OF PROJECT: The developer advised the Commission that the construction was completed in August, 1975. The renovation and recreational improvements are scheduled to commence on November 15, 1979, with estimated date of completion in February, 1980.

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The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the prior Developer in the required Notice of Intention submitted March 31, 1975, and information subsequently filed by the present Developer as of October 24, 1979.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 768 filed with the Commission on March 31, 1975.

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

  
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(for) AH HUI YOUNG, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

Distribution:

DEPARTMENT OF TAXATION  
BUREAU OF CONVEYANCES  
PLANNING DEPARTMENT, CITY AND COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION

REGISTRATION NO. 768

October 30, 1979