

# 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

HONOKOWAI SUNRISE  
36-76 Honoapiilani Highway  
Kaanapali, Maui, Hawaii  
REGISTRATION NO. 839

### **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 28, 1977

Expires: March 28, 1978

#### 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 prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED FEBRUARY 5, 1976, and INFORMATION SUBSEQUENTLY FILED AS OF FEBRUARY 23, 1977. THE DEVELOPER IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND SUBMITTING ADDITIONAL INFORMATION, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report of May 20, 1976 and Supplementary Public Report of August 2, 1976, the Developer reports that changes have been made in the plan or setup of the Project. The changes subsequently made are determined to be a material revision to the information disclosed earlier.

2. 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.

3. The Developer advises that the Declaration of Horizontal Property Regime executed November 22, 1976, with Bylaws attached, has been recorded in the Bureau of Conveyances of the State of Hawaii in Liber 11886, Page 120, together with a copy of the approved floor plans which have been recorded as Condominium Map No. 482. A correction to said Declaration reflecting that Libana Furtado Crabb and Phoebe Furtado Gedge each signed same as a trustee was recorded with said Bureau on January 13, 1977 in Liber 11955, Page 376.

4. No advertising or promotional matter has 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 and the condominium rules and regulations which relate to Horizontal Property Regimes.

6. This Final Public Report is made a part of the registration of HONOKOWAI SUNRISE condominium project. The Developer is responsible for placing a true copy of this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers together with a copy of the Preliminary Public Report (yellow paper) and a copy of the Supplementary Public Report (pink paper). Securing a signed copy of the receipt for these reports from each purchaser and prospective purchaser is also the responsibility of the Developer.

7. This Final Public Report automatically expires 13 months after the date of issuance, February 28, 1977, 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 disclosed in the Preliminary and Supplementary Public Reports of May 20, 1976 and August 2, 1976 respectively, in the topical headings hereinafter set forth have been amended. Information disclosed in the remaining topical headings have not been disturbed.

DESCRIPTION: The floor area of each apartment on each floor of the building, number of rooms and its appurtenant individual percentage interest in the common elements are as follows:

<u>Building No.</u>	<u>Floor No.</u>	<u>Apartment No.</u>	<u>Apartment Type</u>	<u>Square Footage</u>	<u>No. of Rooms</u>	<u>Percentage Interest</u>
A	1	101	A	658.58	5	1.0416
	1	102	A	658.58	5	1.0416

<u>Building No.</u>	<u>Floor No.</u>	<u>Apartment No.</u>	<u>Apartment Type</u>	<u>Square Footage</u>	<u>No. of Rooms</u>	<u>Percentage Interest</u>
	1	103	A	658.58	5	1.0416
	2	201	A	658.58	5	1.0416
	2	202	A	658.58	5	1.0416
	2	203	A	658.58	5	1.0416
	3	301	B	658.58	5	1.0416
	3	302	B	658.58	5	1.0416
	3	303	B	658.58	5	1.0416
	3	304	B	658.58	5	1.0416
	3	305	B	658.58	5	1.0416
	3	306	B	658.58	5	1.048
B	1	101	A	658.58	5	1.0416
	1	102	A	658.58	5	1.0416
	1	103	A	658.58	5	1.0416
	2	201	A	658.58	5	1.0416
	2	202	A	658.58	5	1.0416
	2	203	A	658.58	5	1.0416
	3	301	B	658.58	5	1.0416
	3	302	B	658.58	5	1.0416
	3	303	B	658.58	5	1.0416
	3	304	B	658.58	5	1.0416
	3	305	B	658.58	5	1.0416
	3	306	B	658.58	5	1.0416
C	1	101	A	658.58	5	1.0416
	1	102	A	658.58	5	1.0416
	1	103	A	658.58	5	1.0416
	2	201	A	658.58	5	1.0416
	2	202	A	658.58	5	1.0416
	2	203	A	658.58	5	1.0416
	3	301	B	658.58	5	1.0416
	3	302	B	658.58	5	1.0416
	3	303	B	658.58	5	1.0416
	3	304	B	658.58	5	1.0416
	3	305	B	658.58	5	1.0416
	3	306	B	658.58	5	1.0416
D	1	101	A	658.58	5	1.0416
	1	102	A	658.58	5	1.0416
	1	103	A	658.58	5	1.0416
	2	201	A	658.58	5	1.0416
	2	202	A	658.58	5	1.0416
	2	203	A	658.58	5	1.0416
	3	301	B	658.58	5	1.0416
	3	302	B	658.58	5	1.0416
	3	303	B	658.58	5	1.0416
	3	304	B	658.58	5	1.0416
	3	305	B	658.58	5	1.0416
	3	306	B	658.58	5	1.0416

<u>Building No.</u>	<u>Floor No.</u>	<u>Apartment No.</u>	<u>Apartment Type</u>	<u>Square Footage</u>	<u>No. of Rooms</u>	<u>Percentage Interest</u>
E	1	101	A	658.58	5	1.0416
	1	102	A	658.58	5	1.0416
	1	103	A	658.58	5	1.0416
	2	201	A	658.58	5	1.0416
	2	202	A	658.58	5	1.0416
	2	203	A	658.58	5	1.0416
	3	301	B	658.58	5	1.0416
	3	302	B	658.58	5	1.0416
	3	303	B	658.58	5	1.0416
	3	304	B	658.58	5	1.0416
	3	305	B	658.58	5	1.0416
	3	306	B	658.58	5	1.0416
F	1	101	A	658.58	5	1.0416
	1	102	A	658.58	5	1.0416
	1	103	A	658.58	5	1.0416
	2	201	A	658.58	5	1.0416
	2	202	A	658.58	5	1.0416
	2	203	A	658.58	5	1.0416
	3	301	B	658.58	5	1.0416
	3	302	B	658.58	5	1.0416
	3	303	B	658.58	5	1.0416
	3	304	B	658.58	5	1.0416
	3	305	B	658.58	5	1.0416
	3	306	B	658.58	5	1.0416
G	1	101	A	658.58	5	1.0416
	1	102	A	658.58	5	1.0416
	1	103	A	658.58	5	1.0416
	2	201	A	658.58	5	1.0416
	2	202	A	658.58	5	1.0416
	2	203	A	658.58	5	1.0416
	3	301	B	658.58	5	1.0416
	3	302	B	658.58	5	1.0416
	3	303	B	658.58	5	1.0416
	3	304	B	658.58	5	1.0416
	3	305	B	658.58	5	1.0416
	3	306	B	658.58	5	1.0416
H	1	101	A	658.58	5	1.0416
	1	102	A	658.58	5	1.0416
	1	103	A	658.58	5	1.0416
	2	201	A	658.58	5	1.0416
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	3	302	B	658.58	5	1.0416
	3	303	B	658.58	5	1.0416
	3	304	B	658.58	5	1.0416
	3	305	B	658.58	5	1.0416
	3	306	B	658.58	5	1.0416

Except as noted above, the description of the project and apartments as described in the previous reports remains the same.

INTEREST TO BE CONVEYED TO PURCHASER: The Declaration reflects that the undivided interests, referred to above, established and to be conveyed with the respective apartments cannot be changed, that the undivided interests in the common areas and facilities and the leasehold titles to the respective apartments to be conveyed shall not be separated or separately conveyed, and that each said undivided interest shall be deemed to be conveyed or encumbered with its respective apartment even though the description in the instrument or conveyance or encumbrance may refer only to the leasehold title to the apartment. The additional parking spaces may be separately transferred, but only to an owner of any apartment.

Each apartment shall have appurtenant thereto an undivided percentage interest in all common elements of the Project (herein called the "common elements") and the same proportionate share in all common profits and expenses of the Project and for all purposes including voting, according to the plan of such apartment as follows:

Type A apartments: 1.0416

Type B apartments: 1.0416 with the exception of Apartment No. 306 in Building A, which will have a 1.048 undivided percentage interest.

NOTE: The undivided percentage interest assigned to the respective apartments has changed from the previous reports.

OWNERSHIP OF TITLE: The Preliminary Report dated December 2, 1976, and issued by American Abstract & Escrow, Inc. reflects that title to the land committed to the project is vested in Gertrude Furtado Berger, wife of Harry Berger, Libana Furtado Crabb, as Trustee, wife of Charles K. Crabb, Richard Dias Furtado, husband of Juliette Furtado, Phoebe Furtado Gedge, as Trustee, wife of G. Donald Gedge and Dolores Furtado Martin, wife of Watters O. Martin, each as to an undivided one-fifth interest, respectively.

ENCUMBRANCES AGAINST TITLE: Said report prepared December 2, 1976, by American Abstract & Escrow, Inc. certifies that there are no liens or encumbrances of whatever kind or nature of record against the title to the land, except the following:

a. For any taxes that may be due and owing and a lien on the land, reference is made to the Office of the Tax Assessor of the County of Maui.

b. As to Parcel First:

Reserving to the State of Hawaii, its successors and assigns, in perpetuity, all minerals and surface and ground waters appurtenant to the land described,

together with the right to enter, sever, prospect for, mine and remove such minerals by deep mining, strip mining, drilling and any other means whatsoever, and to occupy and use so much of the surface as may be required therefor or to capture, divert, or impound water; provided, that the State shall pay just compensation to the surface owner for improvements taken as a condition precedent to the exercise of such reserved rights.

The Patentee, for herself, her heirs and assigns, covenants that the use and enjoyment of the land herein granted shall not be in support of any policy which discriminates against anyone based upon race, creed or color or national origin, as shown in Land Patent Grant No. S-14,703 issued to Lucy N. Furtado, widow.

c. As to Parcel Second:

Reserving unto the Hawaiian Government all mineral and metallic mines of every description, as reserved in Royal Patent No. 2153.

d. As to Parcels First and Second:

Lease executed by GERTRUDE FURTADO BERGER, wife of Harry Berger; LIBANA FURTADO CRABB, wife of Charles K. Crabb; RICHARD DIAS FURTADO, husband of Juliette Furtado; PHOEBE FURTADO GEDGE, wife of G. Donald Gedge; and DOLORES FURTADO MARTIN, wife of Watters O. Martin, to ANDERSON ASSOCIATES, a registered Hawaii limited partnership, consisting of JAMES ANDERSON, as the general partner, and WOLMART, INC., a Hawaii corporation and Valerie Jette, as limited partners, dated October 1, 1975, recorded December 5, 1975 in Liber 11070, Page 390; for a term of 75 years from October 1, 1975.

In addition to the foregoing encumbrances, the Developer has advised the Commission that the Declaration of Horizontal Property Regime with By-Laws attached has been recorded in the Bureau of Conveyances of the State of Hawaii in Liber 11886, Page 120. A Correction of Lease and Declaration was recorded in said Bureau in Liber 11955, Page 376, on January 13, 1977.

MANAGEMENT AND OPERATIONS: The Developer has advised the Commission that Ronald A. Kawahara will be its initial Managing Agent.

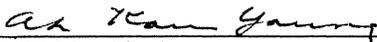
STATUS OF THE PROJECT: The Developer has entered into a construction contract for the construction of the apartments with Service Contracting Company, P. O. Box 260, Kahului, Maui, Hawaii, on April 15, 1976. Construction financing will be provided by AMFAC FINANCIAL CORP. which loan will be secured by a mortgage of the Developer's leasehold interest and the guaranty of Mr. and Mrs. Watters O. Martin. The Developer estimates the project will

commence before March 1, 1977 and be completed by, on or before March 1, 1978.

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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 February 5, 1976, and information subsequently filed as of February 23, 1977.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of record, REGISTRATION NO. 839 filed with the Commission on February 5, 1976.

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

  
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AH KAU YOUNG, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

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ESCROW AGENT

REGISTRATION NO. 839

February 28, 1977