

# 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  
OPUA HALE PATIO HOMES  
Mililani Town  
Oahu, Hawaii

REGISTRATION NO. 840

### **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: November 8, 1976  
Expires: December 8, 1977

#### SPECIAL ATTENTION

A comprehensive reading of this report is urged in order that the 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED FEBRUARY 11, 1976, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF NOVEMBER 1, 1976. THE DEVELOPER BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, HAWAII REVISED STATUTES, CHAPTER 514, AS AMENDED.

1. The Developer has fulfilled all the requirements of Chapter 514, Hawaii Revised Statutes, as amended, for the issuance of a Final Public Report.

2. Since the issuance of the Commission's Preliminary Report of March 12, 1976 on OPUA HALE PATIO HOMES, Registration No. 840, the Developer reports that certain changes have been made in the project. This Final Public Report (white paper stock) amends the Preliminary Public Report (yellow paper stock) becoming a part of OPUA HALE PATIO HOMES 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 Report. The purchaser shall sign the required receipts signifying that he has had an opportunity to read both reports.
3. The Developer has submitted to the Commission for examination all documents deemed necessary for the registration of the Condominium Project and the issuance of this Final Public Report.
4. The Developer advises that the Declaration of Horizontal Property Regime and attached Bylaws are filed in the Office of the Assistant Registrar of the Land Court as Land Court Document No. 778927 and that the Condominium Map has been filed with the Assistant Registrar as Map No. 288.
5. Advertising and promotional materials have been submitted 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 Chapter 514, Hawaii Revised Statutes, as amended, 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 November 8, 1976, unless a Supplementary Report issues or the Commission upon review of the registration issues an order extending the effective date of this report.

Information in the Preliminary Report of March 12, 1976, under the topical headings DESCRIPTION OF PROJECT, OWNERSHIP OF TITLE, ENCUMBRANCES, PURCHASE MONEY HANDLING, MANAGEMENT AND OPERATION and STATUS OF PROJECT has been changed. The Developer reports that no other information in the Preliminary Public Report has changed.

DESCRIPTION OF PROJECT: The Developer advises the Commission that it is not presently offering the option of a trash compactor.

OWNERSHIP OF TITLE: The Developer has filed with the Commission a Preliminary Report dated July 21, 1976, prepared by Title Guaranty of Hawaii, Inc. which states that title to the land committed to this regime is still vested in Developer.

ENCUMBRANCES: The Preliminary Report prepared by Title Guaranty of Hawaii, Inc. states that as of the date of the search (July 21, 1976) title to the land is subject to:

1. Easement 430 (20 feet wide) roadway purposes as shown on Maps 245 and 417 of Land Court Application No. 1000 as set forth by Land Court Order No. 27816 filed December 5, 1967, and granted to Mililani Town, Inc. appurtenant to Lot 85-A by instrument dated July 10, 1968, filed as Land Court Document No. 448534;
2. Easements 1920, 1921 and 1922 as shown on Map 460 and as set forth by Land Court Order No. 44958 filed July 19, 1976;
3. Additional Security Mortgage dated April 11, 1974 filed as Land Court Document No. 676262 as amended by instrument dated January 16, 1975 filed as Land Court Document No. 709882; further amended by instrument dated April 12, 1976, filed as Land Court Document No. 761337, also recorded in Liber 11361 at Page 78;
4. By instrument dated April 11, 1974 and filed as Document No. 676263, Castle & Cooke, Inc. agrees that all rights it has or may acquire shall be subordinate to the lien of additional security mortgage Document No. 676262, as amended;
5. Mortgage dated April 11, 1974, filed as Land Court Document No. 676264, made by Mililani Town, Inc. to Castle & Cooke, Inc.;
6. By instrument dated January 16, 1975 and filed as Document No. 709882-A, Castle & Cooke, Inc. agrees that all rights it has or may acquire shall be subordinate to the lien of additional security mortgage Document No. 676262, as amended;
7. By instrument dated April 12, 1976 and filed as Document No. 761338, Castle & Cooke, Inc. agrees that all rights it has or may acquire shall be subordinate to the lien of additional security mortgage Document No. 676262, as amended;
8. Real Property Taxes for the second half of the fiscal year 1975-6 as a possible lien and taxes for the fiscal year 1976-7 as a lien.

PURCHASE MONEY HANDLING: Developer has filed with the Commission an alternative specimen Sales Contract providing for purchase by Agreement of Sale. Upon examination the alternative Sales Contract is found to be in compliance with Chapter 514, Hawaii Revised Statutes and particularly with Section 514-35 and Section 514-40, Hawaii Revised Statutes. Developer advises the Commission that it has waived the right to cancel Sales Contracts if less than 70% are sold prior to October 1, 1976.

NOTE: The Sales Contract for Agreement of Sale will also be used as the agreement of sale document.

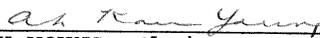
MANAGEMENT AND OPERATION: Developer has filed with the Commission a revised Condominium Management Agreement dated September 17, 1976. The management fee is \$7.75 per apartment per month, has a term of one year and may be terminated at any time by the Association on thirty days' written notice or after the first year by the Agent upon sixty days' written notice.

STATUS OF PROJECT: The Developer advises that construction of the Project has commenced, completion of the first buildings is estimated to be October 1976 and final completion January 1977.

NOTE: Certain revisions were made to the Bylaws to comply with the requirements of the 1976 amendments to Chapter 514, Hawaii Revised Statutes. In addition, the Bylaws now provide that the term of Directors will be three years not two.

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A 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 11, 1976 and additional information subsequently filed with the Commission as of November 1, 1976. This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 840 filed with the Commission on February 11, 1976.

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.

  
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AH KAU 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  
Escrow Agent

November 8, 1976  
REGISTRATION NO. 840