

# 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  
MAHELE ILI AINA  
2817, 2819, 2821-A, and 2821-B Manoa Road  
Honolulu, Hawaii

REGISTRATION NO. 841

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

It was prepared as a supplement to an earlier Report dated March 1, 1976 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: December 22, 1976  
Expires: April 1, 1977

### SPECIAL ATTENTION

A comprehensive reading of this report is urged so that the personal requirements and expectations to be derived from the property can be ascertained. The attention of the buyer and prospective buyer is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED ON FEBRUARY 11, 1976 AND INFORMATION SUBSEQUENTLY FILED AS OF DECEMBER 17, 1976. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF THE INTENTION TO SELL AND SUBMITTING INFORMATION ON MATERIAL CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Final Public Report of March 1, 1976, the Developer reports that changes have been made in the plan or setup as presented in the February 11, 1976 notice of intention to sell. The original project was planned as a leasehold project and the Owners have converted said project to a fee simple project.

2. The Developer has submitted a First Amendment to Declaration of Horizontal Property Regime indicating that MAHELE ILI AINA is a fee simple project. Buyers will receive a fee simple interest in the project by way of an apartment deed issued directly by the owners. A copy of the form of apartment deed has also been submitted by the Developer.
3. The Developer has filed all documents and materials deemed necessary by the Commission for the registration of this fee simple condominium project and updating information disclosed in the Final Public Report.
4. The Developer reports that the Declaration of Horizontal Property Regime dated February 4, 1976, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 11230 at Page 93, and filed with Condominium Map No. 448, has been amended by First Amendment to Declaration dated December 14, 1976, recorded in said Bureau of Conveyances in Liber 11881 at Page 309.
5. The Developer has advised the Commission that advertising and promotional matter required to be filed pursuant to the rules and regulations promulgated by the Commission will be submitted prior to public dissemination.
6. The prospective buyer is advised to acquaint himself with the provisions of the Horizontal Property Act, Chapter 514, Hawaii Revised Statutes, as amended, and with the rules and regulations promulgated pursuant thereto.
7. This Supplementary Public Report amends the Final Public Report (white paper stock), becoming a part of the registration of MAHELE ILI AINA. The Developer has the responsibility of placing a true copy of this Supplementary Public Report, (pink paper stock) along with a copy of the Final Public Report, (white paper stock) in the hands of all buyers and prospective buyers and obtaining a receipt therefor.
8. This Supplementary Public Report automatically expires on April 1, 1977, unless another Supplementary Public Report issues or the Commission upon review of this registration issues an order extending the effective period of this report.

The information in the topical headings of the Final Public Report of March 1, 1976, with the exception of ATTORNEY REPRESENTING DEVELOPER, DESCRIPTION, LIMITED COMMON ELEMENTS, COMMON INTEREST TO BE CONVEYED TO BUYER, CLUSTER DEVELOPMENT, ENCUMBRANCES AGAINST TITLE, and STATUS OF PROJECT, has not been disturbed.

ATTORNEY REPRESENTING DEVELOPER: OKUMURA TAKUSHI FUNAKI & WEE, ATTORNEYS AT LAW, A LAW CORPORATION (Alfred M. K. Wong), Suite 500 Alexander Young Building, 1015 Bishop Street, Honolulu, Hawaii 96813, Telephone No. 536-1791.

DESCRIPTION: Paragraph (c) of this section appearing on page 3 of The Final Public Report of March 1, 1976 is hereby amended to read as follows:

(c) Each of the apartments is numbered and located as shown on said Condominium Map. Each of Apartments A and A<sup>1</sup> contains an approximate area of 2,520 square feet, including 1,696 square feet of enclosed area, 161 square feet of attic storage area, 275 square feet of lanai area, 322 square feet of carport area, and 66 square feet of carport storage area, and ten rooms, including three bedrooms, two bathrooms, a living room, dining room, sitting room, kitchen, and storage. Each of Apartments B and B<sup>1</sup> located in the two one-family dwellings contains an approximate area of 3,628 square feet, including 2,459 square feet of enclosed area, 707 square feet of lanai area, 410 square feet of carport area, and 52 square feet of carport storage area, and 14-1/2 rooms, including three bedrooms, two and one-half bathrooms, a dressing room, living room, dining room, entry, studio, family room, sitting room, kitchen, and breakfast room.

LIMITED COMMON ELEMENTS: Paragraph (c) of this section appearing on page 4 of the Final Public Report of March 1, 1976 is hereby amended to read as follows:

(c) The common walls between Apartments A and A<sup>1</sup> shall be limited common elements appurtenant to and reserved for the exclusive use of such apartments.

COMMON INTEREST TO BE CONVEYED TO BUYER: All of the language in this section pertaining to Owners' reserved rights is deleted so that this section, as amended, reads as follows:

Each of the four apartments shall have appurtenant thereto an undivided 25.0% interest, or common interest, in the common elements, in all profits and expenses of the project, and for all other purposes, including voting.

CLUSTER DEVELOPMENT: The words "and specimen Ground Lease" appearing in the second and third lines of this section are hereby deleted.

ENCUMBRANCES AGAINST TITLE: The Developer has filed an updated Preliminary Report dated December 15, 1976 by Title Guaranty of Hawaii Incorporated. Said report states that the land is subject to the following encumbrances:

1. Any and all real property taxes that may be due and owing. Reference is made to the Office of the Tax Assessor, First Division.

2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

3. Grants dated July 18, 1968 recorded in the Bureau of Conveyances of the State of Hawaii in Liber 6180 at Page 65, (as amended by instrument dated September 18, 1969 recorded in Liber 6732 at Page 142); and dated August 9, 1968, so recorded in Liber 6189 at Page 242; and Final

Order of Condemnation dated August 31, 1970 filed in the First Circuit, State of Hawaii, in Civil No. 26207 so recorded in Liber 7167 at Page 222, all in favor of the City and County of Honolulu; and granting or condemning an easement for sewer purposes over and across a portion of said parcel of land.

4. A grant dated September 12, 1975 in favor of Hawaiian Electric Co., Inc., so recorded in Liber 10911 at Page 14, granting a perpetual easement for utility purposes over, under across and through a portion of said parcel of land.

5. A grant dated February 4, 1976 in favor of Samuel A. Cooke and Mary M. Cooke, as grantees, so recorded in Liber 11230 at Page 80, granting a perpetual unexclusive easement for sewer purposes over, under and across a portion of said parcel of land.

6. Mortgage dated May 22, 1975, in favor of Bank of Hawaii, as mortgagee, so recorded in Liber 10663 at Page 79 to secure the repayment of the sum of \$440,000.

7. Covenants, conditions, restrictions, easements, reservations and all other provisions set forth in Declaration of Horizontal Property Regime dated February 4, 1976 recorded in Liber 11230 at Page 93 and the By-Laws attached thereto; as amended by instrument dated December 14, 1976 recorded in Liber 11881 at Page 309. (Project covered by Condominium Map No. 448)

STATUS OF PROJECT: The Owners' Notice of Completion filed with the Circuit Court of the First Circuit, State of Hawaii, on July 13, 1976 reveals that the project has been completed.

-----  
The buyer or prospective buyer should be cognizant of the fact that this report represents information disclosed by the Developer in the required Notice of Intention submitted on February 11, 1976 and information subsequently filed as of December 17, 1976.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 841 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 pink in color.

*Ah Kau Young*  
\_\_\_\_\_  
Ah Kau Young, Chairman  
Real Estate Commission  
State of Hawaii

Distribution:

DEPARTMENT OF TAXATION  
BUREAU OF CONVEYANCES  
PLANNING DEPARTMENT, CITY & COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION  
BANK OF HAWAII, ESCROW AGENT

Registration No. 841

December 22, 1976