

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

PALIULI
Hanalei, Kauai, Hawaii

REGISTRATION NO. 857

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: October 7, 1976
Expires: November 7, 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 FILED APRIL 30, 1976, AND INFORMATION SUBSEQUENTLY FILED AS OF OCTOBER 1, 1976. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, 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 on Registration No. 857, dated May 28, 1976, the Developer has forwarded additional information reflecting no material changes have been made in the documents for the project.

2. The Developer of the project has filed all documents and materials deemed necessary by the Commission for the registration of this condominium project and the issuance of this Final Public Report.

3. 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 recorded in the Bureau of Conveyances of the State of Hawaii.

The Declaration of Horizontal Property Regime executed April 21, 1976, with By-Laws attached was recorded as aforesaid in Liber 11369, Page 1.

The approved Floor Plans showing the layout, location, apartment numbers, etc., have been designated Condominium File Plan No. 456.

4. Advertising or promotional matter has been filed 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 the Horizontal Property Act, Chapter 514 of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.

6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, October 7, 1976, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the period of this report.

7. This Final Public Report is made a part of registration on PALIULI condominium project. The Developer has the responsibility of placing a true copy of this Final Public Report (white paper stock) in the hands of all purchasers. Securing a signed copy of the Receipt for the Final Horizontal Property Regime Public Report from each purchaser is also the responsibility of the Developer.

The information in the topical headings ENCUMBRANCES AGAINST TITLE and STATUS OF PROJECT has been altered as follows. All other topical headings have not been disturbed.

ENCUMBRANCES AGAINST TITLE: A Preliminary Title Report issued August 31, 1976, by Long & Melone, Ltd. and documents submitted to the Commission provide that the following are encumbrances against title to the property:

1. For any taxes that may be due and owing and a lien on the land, reference is hereby made to the Office of the Tax Assessor of the Fourth Division, Island of Kauai, Hawaii.

2. Declaration of Restrictions, Covenants and Conditions by Eagle County Development Corporation, a Colorado corporation, dated March 1, 1971, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 7444, Page 93, as amended by instrument dated September 28, 1973, recorded as aforesaid in Liber 9546, Page 324.

NOTE: The Declaration provides that all apartment owners and any other persons or entities having a fee simple title to or a leasehold interest in any apartment, including contract purchasers, but excluding those having such interest merely as security for the performance of an obligation, are subject to, bound by, and shall comply strictly with the provisions of said Declaration of Restrictions, Covenants and Conditions.

3. Water and Sanitation Assessment Lien Agreement dated April 7, 1971, by and between Eagle County Development Corporation and Kauai County Public Improvement Corporation, recorded as aforesaid in Liber 7486, Page 292, as supplemented and amended.

4. Reservation in favor of Princeville Corporation of easements for electrical, telephone, communication, gas, sewer, water and drainage facilities over, under, across, along and through any easement area shown on File Plan No. 1350, together with the right to enter on the lot for the maintenance, repair and replacement of the facilities, together also with the right to grant to the State of Hawaii, County of Kauai, or any other governmental authority, or to any public utility corporation, Princeville at Hanalei Community Association, Kauai County Public Improvement Corporation or to any person, persons or corporation, easements for such purposes under such terms and conditions required by the Grantee or Grantees of such easements.

5. Reservation in favor of Princeville Corporation of easements for ingress and egress over and across the above described lot for the maintenance, repair and replacement of any drainage, water, sewer and utility facilities over, under, across, along and through any easement area shown on File Plan No. 1350 and affecting the lot, together with the right to grant to the State of Hawaii,

County of Kauai or any other appropriate governmental authority, or to any public utility corporation, Princeville at Hanalei Community Association, Kauai County Public Improvement Corporation or to any person, persons or corporation, easements for such purposes and under such terms and conditions required by the Grantee or Grantees of such easements.

6. Reservation in favor of Princeville Corporation of the right to grant roadway easements over and across any and all roadway lots shown on File Plan Nos. 1179, 1350 and 1360 to the purchaser, purchasers, lessee, lessees, owner or owners of each of the lots within Princeville at Hanalei and to any purchaser, purchasers, lessee, lessees, owner or owners of lots hereinafter created within Princeville at Hanalei.

7. All easements shown on File Plan No. 1350, if any, affecting the land of the project.

8. Terms, covenants, conditions, restrictions, agreements and reservations contained in deed dated October 19, 1973, recorded as aforesaid in Liber 9560, Page 147.

9. That certain mortgage dated October 19, 1973, recorded as aforesaid in Liber 9562, Page 243, in favor of Princeville Corporation to secure \$88,000.00.

10. That certain second mortgage dated May 12, 1976, recorded as aforesaid in Liber 11406, Page 380, in favor of Bank of Hawaii to secure \$56,000.00.

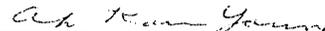
11. Declaration of Horizontal Property Regime executed April 21, 1976, with By-Laws attached was recorded as aforesaid in Liber 11369, Page 1. (The approved Floor Plans have been designated Condominium File Plan No. 456.)

NOTE: The Developer advises that it proposes to grant a utility easement over certain portions of the project in favor of Kauai Electric Division of Citizens Utilities Company.

STATUS OF PROJECT: The Developer advises that the project, with the exception of Cabin Nos. 4 and 8, has been completed, as evidenced by Certificates of Occupancy issued by the County of Kauai and filed with the Commission. The construction contract dated September 2, 1976, covering Cabins 4 and 8 as filed with the Commission sets forth a completion date of January 30, 1977.

The purchaser or prospective purchaser should be cognizant of the fact that this Report represents information disclosed by the Seller in the required Notice of Intention submitted April 30, 1976, and information subsequently filed on October 1, 1976.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 857 filed with the Commission April 30, 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.



AH KAU YOUNG, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING COMMISSION, COUNTY OF KAUAI
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

REGISTRATION NO. 857
October 7, 1976