

**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  
KAUHALE BEACH COVE  
45-180 Mahalani Place  
Kaneohe, Oahu, Hawaii

REGISTRATION NO. 881

**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: April 14, 1977  
Expires: May 14, 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 purchaser or prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED OCTOBER 5, 1976, AND INFORMATION SUBSEQUENTLY FILED AS OF APRIL 7, 1977. THE DEVELOPER, BY 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 Report on the Kauhale Beach Cove condominium Project, Registration No. 881, dated November 1, 1976, the Developer has submitted additional information and requests a Final Public Report on the Project.

2. Kauhale Beach Cove is a fee-simple condominium project consisting of twenty-one (21) wood frame residential buildings containing forty (40) condominium dwelling units. The Project will have two (2) one-bedroom dwelling units, thirty (30) two-bedroom dwelling units. Sixty-one (61) parking stalls will be available to the owners of the dwelling units, including eighteen (18) tandem parking stalls, in which two cars may be parked, one behind the other. There are an additional six (6) parking stalls available for guest parking. The Project shall also contain a detached single-story wood frame recreational building, a swimming pool, a Jacuzzi, a paddle tennis court, a grass volleyball court, a boat ramp and pier, and sewage pumping station.

3. 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 Final Public Report.

4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of the Association of Dwelling Owners, and a copy of the approved floor plans) have been recorded in the Office of the Assistant Registrar of the Land Court of the State of Hawaii. The Declaration of Horizontal Property Regime for the Project, together with the By-Laws of the Association of Dwelling Owners, was recorded as aforesaid on March 23, 1977, as Document No. 809746, and the condominium plans have been recorded as aforesaid as Condominium Map No. 302.

5. The Developer has advised the Commission that advertising and promotional materials required to be filed pursuant to the rules and regulations promulgated by the Commission will be submitted prior to public exposure.

6. 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.

7. This Final Public Report is made a part of the registration of the KAUAHALE BEACH COVE condominium Project. The Developer is responsible for placing a true copy of this Final Public Report (white paper stock) together with a copy of the Preliminary Public Report (yellow paper stock) in the hands of all purchasers and prospective purchasers. Securing a signed receipt for both reports from all purchasers and prospective purchasers is also the responsibility of the Developer.

8. This Final Public Report automatically expires thirteen (13) months after date of issuance, April 14, 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.

Except for the topical headings hereinbelow, the information under all other headings as recited in the Preliminary Public Report of November 1, 1976 remains unchanged.

LOCATION:

The Developer has been advised that the correct address of the Project is 45-180 Mahalani Place, Kaneohe, Oahu, Hawaii.

COMMON ELEMENTS:

The recorded Declaration states that common elements shall include the following in addition to the common elements set forth in the Preliminary Public Report for the Project: Six (6) guest parking stalls so designated on said Condominium Map as numbers 1 through 6, inclusive.

LIMITED COMMON ELEMENTS:

The limited common elements, as set forth in the Preliminary Public Report covering the Project, have not changed with the exception of the following.

The Declaration provides that the limited common elements set aside and reserved with respect to parking are as follows:

At least one (1) automobile parking space shall be a limited common element appurtenant to each dwelling and shall be for the exclusive use of each dwelling. The particular parking stall(s) appurtenant to each dwelling is indicated below:

<u>Dwelling No.</u>	<u>Parking Stall(s)</u>	<u>Dwelling No.</u>	<u>Parking Stall(s)</u>
1	7, 67	21	41*
2	8, 66	22	44*
3	9, 65	23	45*
4	10, 64	24	46*
5	11, 63	25	39*
6	12, 62	26	40*
7	13, 61	27	49
8	14, 60	28	25, 48
9	15, 59	29	26, 35*
10	16, 58	30	36*
11	17, 57	31	27
12	18, 56	32	29*
13	19, 55	33	28, 47
14	20, 54	34	38*
15	21, 53	35	37*
16	22, 52	36	30*
17	43*	37	31*
18	23, 51	38	32*
19	24, 50	39	33*
20	42*	40	34*

An asterisk (\*) indicates that the parking stall is a tandem parking stall, in which two cars may be parked, one behind the other.

Each dwelling shall always have at least one parking space appurtenant to it, but otherwise any automobile parking easement may be transferred from dwelling to dwelling in the Project, as provided in Chapter 514, Hawaii Revised Statutes, as amended.

As to Dwelling Nos. 1, 2, 5, 8, 14, 17 and 27 which will have appurtenant thereto a private yard area, the owner of each of said dwellings shall be responsible for landscaping and maintaining such private yard area at his sole expense.

ENCUMBRANCES AGAINST TITLE: The Preliminary Title Report dated March 2, 1977 issued by Security Title Corp. reports that title to the land is subject to the following:

1. For any real property taxes that may be due and owing, reference is made to the office of the Tax Assessor, First Division.
2. As to that portion of the land of the Project bordering on the Ocean: The effect of Sections 205-31 to 205-37, inclusive, Hawaii Revised Statutes, as now or hereafter amended pertaining to shoreline setbacks.
3. Any adverse claim of State of Hawaii based upon the contention that some portion of the land of the Project lies seaward of the line of vegetation, pursuant to the ruling in County of Hawaii v. Sotomura, [1973] 55 H. 176, 517 P.2d 57.
4. Delineation of easement for drain purposes, as shown on Maps 9 and 21, as set forth by Land Court Order No. 20756, filed December 14, 1962.
5. Grant dated October 26, 1962, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 300504, in favor of the City and County of Honolulu, granting easement to construct, etc., an open drainage ditch or structure, etc.
6. Grant dated March 10, 1965, filed in said Office of the Assistant Registrar as Document No. 439614, in favor of Hawaiian Electric Company, Inc., and Hawaiian Telephone Company, easement for utilities.
7. Final Order of Condemnation dated May 12, 1969, filed in said Office of the Assistant Registrar as Document No. 473465, in favor of the City and County of Honolulu, under Civil No. 17660. Re: Easements for sewer over portion of Lot 80-B.
8. Mortgage dated December 18, 1975, filed in said Office of the Assistant Registrar as Document No. 748397, made by Trask Development Corp., a Hawaii corporation, as Mortgagor, to State Savings and Loan Association, a Utah corporation, as Mortgagee, to secure the repayment of the sum of \$2,623,500.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor therein referred to.

9. Designation of Easements 1 to 7, inclusive, affecting Lot 91, as shown on Map 35, as set forth by Land Court Order No. 46182, filed December 28, 1976.

10. Undated financing statement covering certain personal property located on the land of the Project, given as security by Trask Development Corp., in favor of State Savings and Loan Association, recorded on December 31, 1975 in the Bureau of Conveyances of the State of Hawaii in Book 11143 Page 86.

MANAGEMENT OF PROJECT:

The By-Laws, which are incorporated in the Declaration, provide that the operation of the Project shall be conducted for the Association by a responsible corporate Managing Agent who shall be appointed by the Association in accordance with the By-Laws, although the Declaration permits the Developer to appoint the initial Managing Agent. The initial Managing Agent shall be Pacific Islands Management, Ltd., 53-567 Kamehameha Highway, Hauula, Hawaii, who is authorized by the Declaration to receive service of legal process in all cases provided in the Horizontal Property Act.

STATUS OF PROJECT:

Construction of the Project is expected to be completed on or about June 30, 1977.

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The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted October 5, 1976, and additional information subsequently filed as of April 7, 1977.

This is a FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT, which is made a part of REGISTRATION NO. 881, filed with the Commission on October 5, 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

Registration No. 881  
Date: April 14, 1977