REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT

ON

KOMO MAI
3019 Kahaloa Drive
Honolulu, Hawaii

Registration No. 896

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 but may only take reservations therefore after

(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: March 7, 1977
Expires: April 7, 1978

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 JANUARY 10, 1977, AND INFORMATION SUBSEQUENTLY FILED AS OF MARCH 1, 1977. THE DEVELOPERS, IN NOTIFYING THE COMMISSION OF THEIR INTENTION TO SELL, ARE COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514, HAWAII REVISED STATUTES.

1. KOMO MAI is a proposed fee simple condominium project consisting of two (2) single-family dwellings.

2. The Developers of the project have filed all documents and materials deemed necessary by the Commission for the registration of this proposed condominium project and the issuance of this Preliminary 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 not yet been filed in the Bureau of Conveyances of the State of Hawaii.

4. No 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 Rules and Regulations which relate to Horizontal Property Regimes.

6. This Preliminary Public Report automatically expires thirteen (13) months after the date of issuance, March 7, 1977, unless a supplementary or Final Public Report issues or the Commission, upon review of the registration, issues an order extending the period of this report.

7. This Preliminary Public Report is made a part of registration on KOMO MAI condominium project. The Developers have the responsibility of placing a true copy of the Preliminary Public Report (yellow paper stock) in the hands of all purchasers. Securing a signed copy of the Receipt for the Preliminary Horizontal Property Regime Public Report from each purchaser is also the responsibility of the Developers.

NAME OF PROJECT: KOMO MAI

LOCATION: The approximate 15,169 square feet of land committed to the regime is situated at 3019 Kahaloa Drive, Honolulu, Hawaii.

TAX MAP KEY: First Division: 2-9-28:42

ZONING: City and County of Honolulu: R-4

DEVELOPERS: Stephen Y. Itoga, Eunice A. Itoga, Ernie Koji Itoga, and Betsy M. Itoga whose residence addresses are [redacted] respectively.

ATTORNEY REPRESENTING DEVELOPERS: Yuklin Aluli, 1720 Ala Moana Honolulu, Hawaii 96815, Phone 941-0188

DESCRIPTIONS: The proposed Declaration provides that the improvements to be constructed on the subject property shall consist of two (2) single family residential buildings, each of which will have appurtenant thereto an attached carport. Each building shall contain one (1) single family residential apartment (hereinafter called "Condominium Unit") consisting of one story or level and no basement, and shall be constructed principally of hollow tile walls; monier roofs; concrete slabs on ground floor, gypsum board, glass and allied building materials.

Two (2) freehold estates are designated in the spaces enclosed by and within the outside surfaces of the exterior walls and roof, and the bottom surfaces of the slabs, footings and foundations of each of the two (2) condominium units of the Project.

(a) The Condominium Units are to be constructed according to two (2) different floor plans. Condominium Unit "A" shall have a net floor area of 2,400 square feet and Condominium "B" shall have a net floor area of 2,100 square feet. Each unit shall consist of four (4) bedrooms, a family room, a living room, a dining room, a kitchen, two bathrooms, and an attached carport.

(b) Each Condominium Unit has immediate access to the grounds of the Project.

(c) The respective Condominium Unit shall not be deemed to include any pipes, wires, conduits, or other utility or service lines running through such Condominium Unit which are utilized for or serve more than one Condominium Unit, the same being deemed common elements. Each Condominium Unit shall be deemed to include the footings or slab on which it is constructed, the exterior walls and roof, all interior walls, ceilings and partitions, and the finished surfaces thereof, and all fixtures originally installed therein in addition to the appurtenant lanai(s) (if applicable), and the appurtenant entry (if applicable). A Condominium Unit shall also be deemed to include its carport, whether detached or undetached, and any roofs or other structures connecting such condominium unit to its carport.

COMMON ELEMENTS: One freehold estate is designated in all remaining portions of the Project, herein called the "common elements" including specifically, but not limited to:

(a) said land in fee simple;

(b) all yards, grounds, landscaped areas and uncovered walkways around and between said buildings;

(c) all roadways, stairways, sidewalks, driveways, and retaining walls;

(d) all central and appurtenant installations for common services, including, power, lights, water, telephone, television, sewer and trash disposal; and

(e) all other elements and facilities rationally in common use or necessary to the existence, upkeep and safety of the Project.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, herein called the "limited common elements", are designated and set aside for the exclusive use of certain condominium units, and such condominium units shall have appurtenant thereto exclusive easements for the use of such limited common elements. The limited common elements so set aside and reserved are as follows:

(a) The front, side, and back yards adjoining each condominium unit shall be appurtenant to and for the exclusive use of such respective condominium unit, being designated on said condominium plan as follows:

Condominium Unit "A": Front yard A, Side yard A, Back yard A
Condominium Unit "B": Front yard B, Side yard B, Back yard B

7. A 5-foot wide drain easement (area 1,335 square feet) situate along the Easterly side boundary of the land.

8. A Grant in favor of the City and County of Honolulu, dated August 19, 1964, recorded in Liber 4838 at Page 135; granting an easement for underground sewer pipe line or pipe lines through, under and across that certain parcel of land designated as parcel 15, containing an area of 2,602 square feet.

PURCHASE MONEY HANDLING: The executed escrow agreement dated February 23, 1977, identifies First Hawaiian Bank as "Escrowee" and provides in part that purchaser shall be entitled to a refund of his funds, without interest, if any of the following has occurred:

1. The seller has requested the Escrowee in writing to return to the buyer the funds of the buyer then being held hereunder by Escrowee; or

2. The seller has notified the escrowee of Seller's exercise of the option to rescind the sales contract pursuant to any right of rescission stated therein or otherwise available to the seller; or

3. Either the seller or the buyer has notified the Escrowee that the buyer's funds were obtained prior to the issuance of a final public report for the project and either (a) such final public report differs in any material respect from the Preliminary Public Report (as defined in Chapter 514, H.R.S.) for the project, or (b) there is any change in the condominium building plans for the buyers apartment or the common elements of the project subsequent to the execution of the sales contract requiring approval of a county officer having jurisdiction over issuance of permits for construction of buildings, unless in either case the buyer has given written approval or acceptance of the specific change; or

4. The seller has not delivered to the Escrowee a Final Public Report issued within one (1) year of the date of the issuance of such Preliminary Public Report.

Upon examination, the specimen sales contract and the executed escrow agreement are found to be in compliance with Chapter 514, Hawaii Revised Statutes, and particularly with sections 514-35 through 514-40, Hawaii Revised Statutes. A prospective purchaser should carefully read and examine the specimen sales contract and executed escrow agreement regarding the disbursement of funds received.

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 of Apartment Owners under the direction of the Board of Directors. There will be no managing agent.

NOTE: Every unit owner shall at his own expense at all times repair, maintain, amend and keep his unit and the limited common elements appurtenant thereto including without limitation all exterior walls and roof and landscaping in good order and condition.

STATUS OF PROJECT: The Developers advise that they estimate construction of the project will commence in March, 1977.

The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developers in the required Notice of Intention submitted January 10, 1977, and information sbusequently filed as of March 1, 1977.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 896 filed with the Commission on January 10, 1977. This report when reproduced shall be a true copy of the Commission's Public Report. The paper stock used in making facsimiles must be yellow.

AH KAU YOUNG, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:
- DEPARTMENT OF TAXATION
- BUREAU OF CONVEYANCES
- PLANNING COMMISSION, COUNTY OF HONOLULU
- ESCROW AGENT
- FEDERAL HOUSING ADMINISTRATION

REGISTRATION NO. 896

March 7, 1977