

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
AUHANA KULEANA
Auhana Street
Kihei, Maui, Hawaii

REGISTRATION NO. 911

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: January 12, 1978
Expires: February 12, 1979

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 and prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION FILED WITH THE REAL ESTATE COMMISSION ON May 9, 1977 AND INFORMATION SUBSEQUENTLY FILED AS OF DECEMBER 20, 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 Public Report on Auhana Kuleana Registration No. 911, dated June 21, 1977, the Developer has prepared, assembled and forwarded additional information as of December 20, 1977. This Final Public Report is made a part of the registration on the AUHANA KULEANA condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers along with a copy of the Preliminary Public Report (yellow paper stock). The Developer is also responsible for securing from each purchaser and prospective purchaser a signed receipt, signifying that the purchaser or prospective purchaser has had an opportunity to read both reports.

2. The Developer has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and issuance of this Final Public Report.
3. The Developer advises that the Declaration of Horizontal Property Regime and attached By-Laws dated November 17, 1977 have been recorded in the Bureau of Conveyances of the State of Hawaii in Liber 12593 at page 240. The Condominium Map has been filed and designated as Condominium Map No. 524.
4. 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 relates to Horizontal Property Regimes.
5. Advertising and promotional matter have been submitted to the Commission pursuant to the rules and regulations promulgated by the Commission.
6. This Final Public Report expires thirteen (13) months from the date of issuance, January 12, 1978, unless a supplementary report is published, or the Commission upon review of the registration issues an order extending the effective period of this report.

The information in the topical headings of the Preliminary Public Report issued June 21, 1977 has not changed except for OWNERSHIP OF TITLE, ENCUMBRANCES AGAINST TITLE, PROGRAM OF FINANCING, and STATUS OF PROJECT.

OWNERSHIP OF TITLE: The Preliminary Report dated December 12, 1977, prepared by Security Title Corporation, certifies that AUHANA ENT., a Hawaii general partnership, has title to the land committed to the project.

ENCUMBRANCES AGAINST TITLE: Said preliminary report certifies that there are no liens or encumbrances of whatever kind or nature of record against the title, save and except the following:

- (1) Real Property Taxes for the second half of fiscal year July 1, 1977 to June 30, 1978. Reference is hereby made to the Tax Office of the Island of Maui (Office of the Tax Assessor of the Second Division) for subsequent taxes which may be due and owing and a lien on said land.
- (2) Mortgage and Security Agreement dated November 23, 1977, recorded on November 28, 1977, in the Bureau of Conveyances of the State of Hawaii in Book 12572, Page 580, made by Auhana Ent., a Hawaii registered general partnership, comprised of Bernice Flood, Manfred Simson, and Gerardine Simson, as mortgagor, to Amfac Financial Corp., a Hawaii corporation, as mortgagee, to secure the repayment of the sum of \$623,000, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of mortgagors therein referred to.

That certain instrument attached to said mortgage recorded in said Bureau in Book 12572, page 589.

- (3) Undated financing statement covering certain fixtures located on the real property, given as security by Auhana Ent., in favor of Amfac Financial Corp., recorded in said Bureau in Book 12572, Page 573.
- (4) The covenants, agreements, obligations, conditions and other provisions set forth in that certain Auhana Kuleana Declaration of Horizontal Property Regime, dated November 17, 1977,

recorded on December 7, 1977, in said Bureau in Book 12593, Page 240, and the By-Laws attached thereto, to which reference is hereby made. (Project covered by Condominium Map No. 524.)

PROGRAM OF FINANCING: The Developer has complied with the provisions of §514-40 of the Hawaii Revised Statutes by filing with the Commission the following:

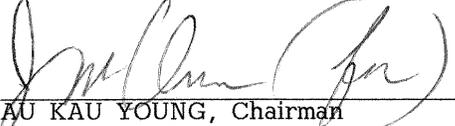
1. Developer's verified statement of total development cost.
2. Copies or satisfactory evidence of executed construction contracts and bonds therefor as follows:
 - (a) Agreement dated September 6, 1977, by and between Auhana Ent., as developer, and Oren Wilson dba O. Wilson Construction Co., as contractor, for construction of a 10 unit townhouse condominium.
 - (b) A performance bond and a labor and material payment bond in an amount not less than 100% of the construction contract price, dated November 2, 1977, issued by Oren Wilson dba O. Wilson Construction Co., as principal, and Industrial Indemnity Company, as surety.
 - (c) The commitment letters state that Island Federal Savings and Loan Association shall provide the permanent financing in the amount of \$660,000, and Amfac Financial Corp. shall provide the construction loan in the amount of \$623,000.

STATUS OF PROJECT: The Developer reports that the contractor has commenced construction and that the estimated date of completion is seven months after issuance of this Final Public Report.

A 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 May 9, 1977 and information subsequently filed as of December 20, 1977.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 911 filed with the Commission on May 9, 1977.

This report when reproduced shall be a true copy of the Commission's Final Public Report. The paper stock used in making facsimiles must be white.

(for) 
AU KAU YOUNG, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

DISTRIBUTION:

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

REGISTRATION NO. 911
January 12, 1978