

# 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  
PUUALII, PHASE I, INCREMENT 3  
Heeia, Koolaupoko, City and County of Honolulu  
State of Hawaii

REGISTRATION NO. 914

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

It was prepared as a supplement to an earlier Report dated June 28, 1977 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: April 7, 1978  
Expires: January 28, 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 or prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED MAY 20, 1977, AND INFORMATION SUBSEQUENTLY FILED AS OF April 3, 1978. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND SUBMITTING INFORMATION AND DATA ON MATERIAL CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514A, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Report dated June 28, 1977, the Developer reports that changes have been made in the information which was presented in the Preliminary Public Report.

The changes subsequently made are determined to be a material revision to the information disclosed earlier.

This Supplementary Public Report (pink stock paper) amends the Preliminary Public Report (yellow stock paper), becoming a part of the PUUALII, PHASE I, INCREMENT 3 registration. The Developer is responsible for placing a true copy of the Supplementary Public Report in the hands of all purchasers and prospective purchasers, along with a copy of the Preliminary Public Report. It is also the responsibility of the Developer to obtain the required receipts signifying that the purchaser has had an opportunity to read the two reports.

2. PUUALII, PHASE I, INCREMENT 3, is a proposed leasehold condominium project consisting of twenty (20) residential apartments, arranged throughout two (2) separate apartment buildings (designated Buildings 6 and 7) with forty-five (45) parking stalls.
3. The Developer has submitted to the Commission for examination all documents deemed necessary for the registration and updating of the information disclosed therein.
4. Promotional and advertising materials have been submitted pursuant to the rules and regulations promulgated by the Commission.
5. The purchaser and prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A, Hawaii Revised Statutes, and the Commission rules and regulations promulgated thereunder which relate to horizontal property regime.
6. This Supplementary Public Report amends the expiration date of the Preliminary Public Report to cause both reports to expire on January 28, 1979 unless the Commission, upon review of the registration, issues an order extending the effective period of the reports.

Except for the topical headings which follow, the information in the topical headings of the Preliminary Report dated June 28, 1977, has not been disturbed.

LOCATION: The area of the Project, which was described in the Preliminary Public Report of June 28, 1977 as containing 2.315 acres, instead will be 1.046 acres.

DEVELOPER: The Developer has advised that the officers for SWIRE-MCCORMACK LTD. are as follows:

JOHN DANIEL SPINK - President  
F. ALAN FOSLER - Vice President  
JOHN LOGAN - Secretary/Treasurer

DESCRIPTION: The Project, which was described in the Preliminary Public Report of June 28, 1977 as containing thirty-six (36) residential apartments arranged throughout four (4) separate buildings situate on 2.315 acres of land, instead will contain

twenty (20) residential apartments arranged throughout two (2) separate buildings situate on 1.046 acres of land. All references to Buildings 18 and 19, the sixteen (16) apartments therein and 1.269 acres of land are deleted from the Project. Instead, there will be a total of four (4) one-story apartments containing two (2) bedrooms, two (2) baths, a kitchen, a living-dining area and a lanai; eight (8) two-story apartments containing two (2) bedrooms, two (2) baths, a kitchen, a living-dining area and a lanai; and eight (8) two-story apartments containing three (3) bedrooms, two (2) baths, a kitchen, a living-dining area and a lanai. Each apartment has two (2) parking spaces assigned to it. There shall be a total of forty-five (45) parking stalls including five (5) guest parking stalls.

The apartment numbers, types of apartment units, approximate living areas, parking stall assignment and the percent of common interest of the various apartments have been revised as follows:

Apt. No.	Parking Space Nos.	Unit Type	No. of Rms.	No. of Flrs.	Sq. Ft. Living Area	Sq. Ft. Garage (G)/ Carport (C)	Sq. Ft. Lanai	Total Square Feet	% of Common Interest
621	78 & 79*	H5E	6	1	977	200(G)	84	1,261	4.4718
622	84 & 85*	H3	7	2	1,277	200(G)	84	1,561	5.8449
623	86 & 87*	H3	7	2	1,277	200(G)	84	1,561	5.8449
624	92 & 93*	H5E	6	1	977	200(G)	84	1,261	4.4718
611	80 & 81*	H1E	6	2	983	200(G)	84	1,267	4.4993
612	82 & 83*	H1	6	2	974	200(G)	84	1,258	4.4581
613	88 & 89*	H1	6	2	974	200(G)	84	1,258	4.4581
614	90 & 91*	H1E	6	2	983	200(G)	84	1,267	4.4993
721	112* & 113*	H5SE	6	1	936	0	84	1,020	4.2841
722	97 & 115*	H3	7	2	1,277	200(G)	84	1,561	5.8449
723	98 & 116*	H3	7	2	1,277	200(G)	84	1,561	5.8449
724	103 & 117*	H3	7	2	1,277	200(G)	84	1,561	5.8449
725	104 & 118*	H3	7	2	1,277	200(G)	84	1,561	5.8449
726	120* & 121*	H5SE	6	1	936	0	84	1,020	4.2841
711	94 & 114*	H2SE	7	2	1,275	192(C)	84	1,551	5.8358
712	95 & 96*	H1	6	2	974	200(G)	84	1,258	4.4581
713	99 & 100*	H1	6	2	974	200(G)	84	1,258	4.4581
714	101 & 102*	H1	6	2	974	200(G)	84	1,258	4.4581
715	105 & 106*	H1	6	2	974	200(G)	84	1,258	4.4581
716	107 & 119*	H2SE	7	2	1,275	192(C)	84	1,551	5.8358

NOTE: \* represents open parking stall.

(G) represents garage.

(C) represents carport.

\*\* Apartment numbers 621 through 624 inclusive and 611 through 614 inclusive are located at 46-024 Puulena Street. Apartment numbers 721 through 726 inclusive and 711 through 716 inclusive are located at 64-034 Puulena Street.

Type H1, H1E and H5E units consist of two (2) bedrooms, two (2) baths, a kitchen, a living-dining area and a lanai. Type H2SE and H3 units consist of three (3) bedrooms, two (2) baths, a kitchen, a living-dining area and a lanai.

COMMON ELEMENTS: Only Subsection (f) in this topical heading of the Preliminary Report of June 28, 1977 is amended as follows:

(f) Five (5) guest automobile parking spaces designated on the proposed Condominium Map as Parking Space Numbers 108, 109, 110, 111 and 122.

ENCUMBRANCES AGAINST TITLE: The Lien Letter Report issued on February 27, 1978 by Security Title Corporation identifies that the title to the land is encumbered as follows:

1. The terms and provisions of that certain Bishop Estate Lease No. 24,620 dated June 3, 1976, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 768125, made by and between Trustees of the Estate of Bernice Pauahi Bishop, as Lessors, and Thomas Francis McCormack, husband of Hilda Frances McCormack, as Lessee; as amended by instrument dated June 3, 1977 filed in said Office of the Assistant Registrar as Document No. 838309.
2. The terms and provisions of that certain Bishop Estate Sublease No. 24,620-A dated June 6, 1976, filed in said Office of the Assistant Registrar as Document No. 768126, made by and between Trustees of the Estate of Bernice Pauahi Bishop, "Owners", and Thomas Francis McCormack, husband of Hilda Frances McCormack, "Tenant", holder of Master Lease dated June 7, 1976, filed in said Office of the Assistant Registrar as Document No. 768125, as Lessors, and Swire-McCormack Ltd., a Hawaii corporation, as Lessee; as amended by instrument dated June 6, 1977 filed in said Office of the Assistant Registrar as Document No. 838310.
3. Mortgage dated January 13, 1978, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 861,372 made by Swire-McCormack Ltd., a Hawaii corporation, as Mortgagor, to Bank of Hawaii, a Hawaii banking corporation, as Mortgagee, to secure the repayment of the sum of \$2,000,000, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said Mortgagor therein referred to.
4. Mortgage dated June 9, 1976 filed in the Office of the Assistant Registrar as Document No. 768534 made by Swire-McCormack Ltd. as Mortgagor to Swire Properties (Netherlands) B.V. as Mortgagee to secure the repayment of the sum of \$1,000,000.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor therein referred to.
5. Mortgage dated December 2, 1976 filed in the Office of the Assistant Registrar as Document No. 793973 made by Swire-McCormack Ltd. as Mortgagor to Swire Properties (Netherlands) B.V. as Mortgagee to secure the repayment of the sum of \$2,400,000.00, any additional advances and

other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor therein referred to.

6. Subordination Agreement dated January 24, 1978, filed in said Office of the Assistant Registrar as Document No. 861,373, certain mortgages dated June 9, 1976 and December 2, 1976, respectively filed in the Office of the Assistant Registrar as Document Nos. 768534 and 793973, respectively, were subordinated to the lien of that certain mortgage referred to in Paragraph 3 hereinabove.
7. Declaration of Merger dated May 12, 1977, filed in said Office of the Assistant Registrar as Document No. 838311, by the Trustees of the Estate of Bernice Pauahi Bishop, Deceased, Thomas Francis McCormack, husband of Hilda Frances McCormack and Swire-McCormack Ltd., a Hawaii corporation.
8. Declaration of Perpetual Covenants, Conditions and Restrictions dated May 12, 1977, filed in said Office of the Assistant Registrar as Document No. 838312.
9. Grant dated September 30, 1977, filed in said Office of the Assistant Registrar as Document No. 839449, made by the Trustees of the Estate of Bernice Pauahi Bishop, as Grantors, and the City and County of Honolulu, a municipal corporation of the State of Hawaii, as Grantee, and the Board of Water Supply, City and County of Honolulu, as Board, granting forever, the right, in the nature of an easement, to be exercised and enjoyed by the Board, to construct, etc., an underground water pipeline or pipelines, etc., as the Board shall deem necessary to properly measure and control water conveyed to consumers through the pipeline or pipelines, or to provide a proper water fixture for fire fighting purposes, over, under, across and through Lot 1642. Consents thereto filed as Document Nos. 839450, 839451 and 839452.
10. Easement 582 affecting Lot 1642, as shown on Map 173, as set forth by Land Court Order No. 46715, filed March 3, 1977.
11. For any taxes that may be due and owing, reference is made to the Office of the Tax Assessor, First Division.
12. Declaration of Protective Provisions for Alii Shores Yacht Club dated June 1, 1973 filed in the Office of the Assistant Registrar as Document No. 639983.

MERGER OF INCREMENTS; RESTRICTIVE COVENANTS: Subsequent to the issuance of the Commission's Preliminary Public Report of June 28, 1977, the Developer has filed in the office of the recording officer a Declaration as to Merger of Increments in a Condominium Project and Declaration of Covenants, Conditions and Restrictions for PuuAlii and copies of the same are available for public inspection at the office of the Real Estate Commission.

The information contained in this topical heading of the Preliminary Public Report dated June 28, 1977 has not been disturbed except as follows:

1. The said Declaration as to Merger of Increments in a Condominium Project will affect the Project and approximately 11.861 (instead of 10.592) acres of additional property.
2. The said Declaration of Covenants, Conditions and Restrictions for PuuAlii provides, among other things, for mandatory membership of each purchaser in the PuuAlii Community Association, which will be created primarily to provide for the management, maintenance, protection, preservation, architectural control and development of "Association Property" [consisting of this Project and 11.861 (instead of 10.592) additional acres], a 3.638 acre "Recreation Property", and any additional adjacent properties added to either category.

STATUS OF THE PROJECT: The Developer has advised that Developer has entered into a Construction Contract with Gem Construction Co., a Hawaii corporation, for the construction of said buildings and apartments.

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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 on May 20, 1977, and information subsequently filed as of \_\_\_\_\_ April 3 \_\_\_\_\_, 1978.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 914 filed with the Commission on June 28, 1977.

The report, when reproduced, shall be a true copy of the Commission's Public Report. In making facsimiles the paper stock shall be pink in color.

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

Distribution:

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CITY AND COUNTY OF HONOLULU  
FEDERAL HOUSING ADMINISTRATION  
ESCROW AGENT

\_\_\_\_\_  
April 7 \_\_\_\_\_, 1978.

REGISTRATION NO. 914