

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
KANOELANI APARTMENTS
2065 Kanoe Street
Kihei, Maui, Hawaii

REGISTRATION NO. 942

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: February 2, 1978
Expires: March 2, 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED OCTOBER 17, 1977, AND INFORMATION SUBSEQUENTLY FILED ON DECEMBER 28, 1977. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAWS, HAWAII REVISED STATUTES, CHAPTER 514.

1. KANOELANI APARTMENTS is a proposed fee simple condominium project containing 6 apartments located in one two-story building, consisting of 6 two-bedroom types. There will be a total of 8 parking stalls; 6 apartments will have one parking stall appurtenant to the apartment as a limited common element. Two parking stalls will be a common elements exclusively for use specified by the Board of Directors.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and the issuance of this Preliminary Public Report.
3. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners, and a copy of the approved Floor Plans) have not been recorded in the office of the recording officer.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514 of the Hawaii Revised Statutes and the condominium rules and regulations which relate to horizontal property regimes.
6. This Preliminary Public Report automatically expires thirteen (13) months after the date of issuance, February 2, 1978, unless a Supplementary or Final Public Report issues, or the Commission, upon review of the registration, issues an order extending the effective period of this report.

NAME OF PROJECT: KANOELANI APARTMENTS

LOCATION: The project is located at 2065 Kanoë Street, Kihei, Maui, Hawaii, and consists of approximately 9,273 square feet of land.

TAX KEY: Second Division 3-9-17-22

ZONING: A-1, Apartment District

DEVELOPER: KANOE PARTNERSHIP, a Hawaii partnership, is the developer of the project and has its principal place of business and postal address at Suite 211-A, 1993 S. Kihei Road, Kihei, Maui, Hawaii 96753. The partners are ROBERT L. GRIFFITH, FRANK CARAVALHO, EASTSIDE BUILDERS, INC. and ERNEST HOKANSON.

ATTORNEY REPRESENTING DEVELOPER: LAWRENCE N. C. ING, 2180 Main Street, Suite 419, Wailuku, Maui, Hawaii 96793; telephone 244-7975.

DESCRIPTION OF PROJECT:

1. General Description. The project will consist of one two (2) story building consisting of six (6) residential apartment units, 8 paved parking stalls, situate upon the 9,273 sq. ft. of land hereinbefore described. Each unit shall consist of the space measured horizontally by the distances between the interior surfaces of the perimeter walls of each unit, and the space measured by the area of the lanai of each unit; and measured vertically by the distances between the topside surface of the concrete floor and the underside of the ceiling.
2. Materials. The principal materials of which the said buildings shall be constructed are as follows:
 - a. the ground floor slab be of poured reinforced concrete;
 - b. the floor above the ground floor shall be of wood with a reinforced concrete topping;
 - c. the structural system shall be of standard wood platform framing with gypsum board and plaster on studs;
 - d. the interior partitions within each apartment shall be of wood studs with gypsum board and plaster;
 - e. the stairs shall be of wood;
 - f. the roof shall be of wood, with concrete tiles covering;
 - g. the floors within each unit shall be covered with carpet or Vinyl Asbestos tile.
3. Limits of Apartment and Inclusions. Each apartment shall include all the walls and partitions within its perimeter walls; all glass windows or panels along the perimeters; the entirety of perimeter non-party walls except for the exterior decorated surfaces; the interior half of perimeter party walls; the inner decorated or finished surfaces of the floors and ceilings; the adjacent lanai to the exterior edge of the concrete floor slabs; the built-in fixtures including the range, refrigerator, garbage disposal, dishwasher, washer/dryer, water heater, sinks, bathroom fixtures, carpets and drapes; and all air space encompassed within the apartment; provided, however that the portion of each party wall and of each load bearing wall (whether or not a party wall) which is included in any apartment is a common element (except for the inner decorated surface of said wall within said apartment, which is not a common element) and that the exterior decorated surface of each perimeter non-party wall is a common element; and provided further that any ventilation duct shafts within an apartment as shown on said condominium map is a common element.

4. Numbering of units. Each apartment, has been given a alphabetical and numerical designation by which its location in the building can be determined. The ground floor units shall be either A, B or C. The second floor units shall be either A-1, B-1 or C-1.
5. Types of Apartment. Each apartment has also been given a designation indicating what type of apartment it is. There are six types of apartments, Types "A", "B", "C", "A-1", "B-1" and "C-1":
 - (a) Type "A" includes a living-dining room, kitchen, two bedrooms, one bath and lanai. It includes a floor area of approximately 781 square feet (including 80 of lanai);
 - (b) Type "B" includes a living-dining room, kitchen, two bedrooms, one bath and lanai. It includes a floor area of 750 square feet (including 90 of lanai);
 - (c) Type "C" includes a living-dining room, kitchen, two bedrooms, two baths and lanai. It includes a floor area of 761 square feet (including 90 of lanai);
 - (d) Type "A-1" includes a living-dining room, kitchen, two bedrooms, one bath and lanai. It includes a floor area of 761 square feet (including 60 of lanai);
 - (e) Type "B-1" includes a living-dining room, kitchen, two bedrooms, one bath and lanai. It includes a floor area of 722 square feet (including 62 of lanai);
 - (f) Type "C-1" includes a living-dining room, kitchen, two bedrooms, two baths, and lanai. It includes a floor area of 733 square feet (including 62 of lanai).

COMMON ELEMENTS: The common elements include:

- a. The land.
- b. The foundations, floor slabs, columns, girders, beams, supports, bearing walls, roofs, corridors, stairways, fire escapes, entrances and exits of the buildings.
- c. The roof.
- d. The mailbox, refuse and collection and swimming pool.
- e. The driveways, loading areas, unassigned parking areas and two parking stalls that are unassigned.

- f. The central and appurtenant installations for services such as power, light, gas, hot and cold water and like utilities.
- g. All of the parts of the project existing for the common use and are necessary to the existence, maintenance and safety of the project.

LIMITED COMMON ELEMENTS: The limited common elements are the parking stalls set aside with the same member and reserved for the exclusive use of the particular apartment as shown on the Condominium Map.

INTEREST TO BE CONVEYED TO PURCHASERS: The undivided percentage interest ownership in the common elements ("common interest") appertaining to each apartment unit and for all purposes including voting is as follows:

<u>Unit</u>	<u>% of Common Elements</u>
A	17.325
B	16.637
C	16.881
A-1	16.881
B-1	16.016
C-1	16.260
	<u>100.000%</u>

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Declaration provides that all apartments shall be occupied and used as a living accommodations for permanent or transitory use and may be leased or rented from time to time for transient occupancy by the respective owners thereof, their tenants, families, domestic servants and social guests subject to such limitation as may be contained in the Declaration or in the By-Laws and House Rules which may be adopted from time to time governing the use of the apartments.

OWNERSHIP TO TITLE: The Preliminary Title Report by Title Guaranty of Hawaii, Inc., dated September 21, 1977, reflects that title is vested in JIRO TOBA and CHIYEKO TOBA, husband and wife.

ENCUMBRANCES AGAINST TITLE: The above Preliminary Title Report also reflects the following encumbrances (1) Taxes - information pending; and (2) Agreement of Sale from JIRO TOBA and CHIYEKO TOBA, husband and wife, to ROBERT GRIFFITH and LINDA K. GRIFFITH, husband and wife, dated May 21, 1976, recorded in Liber 11443, Page 510, which was assigned to KANOE PARTNERSHIP, a Hawaii partnership by Assignment dated September 7, 1977, recorded in Liber 12445, Page 35, with consent from JIRO TOBA and CHIYEKO TOBA, husband and wife, dated September 8, 1977, recorded in Liber 12445, Page 40.

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated September 1, 1977, identifies Title Guaranty Escrow Services, Inc., as Escrow Agent. On examination the specimen Condominium Deposit Receipt and Sales Contract and the executed Escrow Agreement are found to be in compliance with Hawaii Revised Statutes, Chapter 514, and particularly Sections 514-35 and Section 514-36 through Section 514-40.

The specimen Condominium Deposit, Receipt and Sales Contract provides in part, that the purchaser should be aware that the Seller's mortgage loan (interim, renewals and extensions) used for the construction of the project shall be and remain at all times a superior lien on the project, and the purchaser intentionally waives and subordinates the priority of any lien under the sales contract in favor of the mortgage loan.

It is incumbent upon the purchaser and the prospective purchaser that he reads with care the Condominium Deposit, Receipt and Sales Contract and the executed Escrow Agreement. The latter establishes how the proceeds from the sale of apartments are placed in trust, as well as the retention and disbursement of said trust fund. The Condominium Deposit, Receipt and Sales Contract establishes the grounds for the retention of the sale proceeds.

HOUSE RULES: The purchasers or prospective purchasers are advised to read with care the proposed House Rules and it provides in part: (1) Occupancy limited to seven persons to each apartment; (2) No dogs, cats or other domestic pets are allowed in the premises.

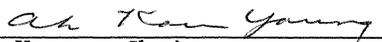
STATUS OF PROJECT: As of this date no construction contract has been finalized by the developer.

PROGRAM OF FINANCING: As of this date no financing program has been finalized by the developer.

The purchaser or prospective purchase should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted October 17, 1977, and subsequent information filed as of December 28, 1977.

This PRELIMINARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of the REGISTRATION NO. 942 filed with the Commission on October 17, 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 Department, County of Maui
Federal Housing Administration
Escrow Agent

Date: February 2, 1978

Registration No. 942