

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
PANILOLO CLUB I
Waikoloa Village, South Kohala, Hawaii
Registration No. 968

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.
- (4) The Buyer has signed an "Agreement to Purchase Apartment" letter.

Issued: March 1, 1979
Expires: April 1, 1980

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 JANUARY 10, 1978 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF FEBRUARY 27, 1979. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND SUBMITTING ADDITIONAL INFORMATION, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514A, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report dated May 8, 1978 on PANILOLO CLUB I, Registration No. 968, the Developer has prepared, assembled and forwarded additional information as of February 27, 1979.

2. This Final Public Report is made a part of the registration of PANILOLO CLUB I condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers receiving the Preliminary Public Report (yellow paper stock), and for securing a signed copy of the Receipt for both Public Reports from each purchaser and prospective purchaser.

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 Developer reports that the Declaration of Horizontal Property Regime and attached By-Laws of the Association of Apartment Owners have been filed in the Bureau of Conveyances of the State of Hawaii in Liber 13453 Page 188.

The Approved Floor Plans showing the layout, location and numbers of apartments have been designated as Condominium Map No. 593.

5. Advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.

6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of the Horizontal Property Act, Chapter 514A of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.

7. This Final Public Report automatically expires thirteen (13) months after date of issuance, March 1, 1979, unless a supplementary public report is issued, or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information under the topical headings in the Preliminary Public Report dated May 8, 1978, has not been changed except for DESCRIPTION OF PROJECT, INTEREST TO BE CONVEYED PURCHASER, OWNERSHIP, ENCUMBRANCES AGAINST TITLE, DEVELOPER'S RIGHT TO MERGE, and STATUS OF PROJECT, and the addition of FINANCING.

DESCRIPTION OF PROJECT: The Developer has informed the Commission that the Waikoloa Village Association, in which each apartment owner is required to be a member, has increased its annual assessment to \$121.96, which assessment is in addition to the apartment owner's proportionate share of the common expenses of the project.

INTEREST TO BE CONVEYED PURCHASER: The Percentage Interest for Apartment 211, a Plan Type "B" apartment, shall be 4.1491%.

OWNERSHIP: The Preliminary Report issued by Long & Melone, Ltd., dated January 30, 1979, states that the fee simple in the premises is now vested in the Developer.

ENCUMBRANCES AGAINST TITLE: The Preliminary title dated January 30, 1979, lists the following encumbrances:

1. Title to all mineral and metallic mines reserved to the State of Hawaii;

2. Easement D-1 (area 1,119 square feet) as shown on File Plan 1556 for drainage purposes;

3. Easement S-1 (15 feet wide) as shown on File Plan 1556 for sanitary sewer purposes;

4. Declaration of Protective Covenants dated May 26, 1971, recorded in the Bureau of Conveyances in Book 7577, Page 66; Supplemental Protective Covenants dated May 27, 1971, recorded in Book 7577, Page 94; and further supplemented by instruments recorded in Book 8026, Page 291, Book 8306, Page 196, Book 9360, Page 369, Book 9794, Page 32, Book 9956, Page 597, Book 10701, Page 5, Book 10706, Page 490, Book 13453, Page 142, and Book 13453, Page 147.

5. Mortgage in favor of Transcontinental Development Company, recorded in the Bureau of Conveyances in the State of Hawaii in Book 13453, Page 156;

6. Declaration of Horizontal Property Regime of Paniolo Club recorded in the Bureau of Conveyances of the State of Hawaii in Book 13453, Page 188; Condominium Map No. 593 has been assigned to the project;

7. For any taxes that may be due and owing, reference is made to the Office of the Tax Assessor, Third Division.

DEVELOPER'S RIGHT TO MERGE: The Developer advises that by reason of creation of the Paniolo Club Subdivision, descriptions of parcels for PANIOLO CLUB II AND PANIOLO CLUB III as noted in the Declaration were changed and, therefore, the two paragraphs read as follows:

PANIOLO CLUB II, consisting of thirty-six (36) residential apartments substantially similar in form and design to this Project and located on an adjoining 118,499 square foot parcel, identified as Lot 2, Paniolo Club Subdivision File Plan 1556, and designated as PANIOLO CLUB II. Upon such merger the combined Project shall be known as "PANIOLO CLUB".

And, subsequently, PANIOLO CLUB III, consisting of sixteen (16) residential apartments substantially similar in form and design and located on an adjoining 51,003 square foot parcel, identified as Lot 3, Paniolo Club Subdivision File Plan 1556, and designated as PANIOLO CLUB III. Upon such merger the combined three-phase development Project of seventy-six (76) residential apartments and common elements shall be known as "PANIOLO CLUB".

STATUS OF PROJECT: The Developer has advised the Commission of final approval by the County for construction of all three phases of the condominium development.

The Construction Contract has been executed with W. Ray Hamilton, Contractor; construction to commence within thirty (30) days after date of issuance of Final Public Report with a projected completion on or before eight (8) months after commencement of construction.

The Developer estimates completion of construction of the project to be September 1979.

FINANCING: The Developer has provided the Commission with a statement of total development cost and copies of the following Letters of Commitment:

Permanent Mortgage Financing, letter dated August 24, 1978, from Hawaiian Federal Savings & Loan for permanent mortgage loans for the Buyers.

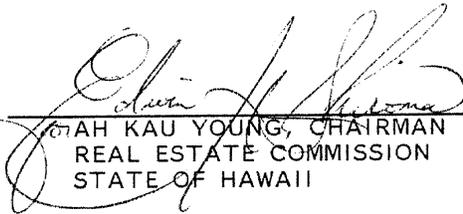
Interim Mortgage Financing, letter dated December 7, 1978, from American Security Bank for the construction money.

The balance of the development cost will be paid from Buyer's deposits and sales proceeds realized from sales of the apartments in the Project.

The purchaser or prospective purchaser should be cognizant of the fact that this Public Report represents information disclosed by the Developer in the required Notice of Intention submitted January 10, 1978, and information subsequently filed as of February 27, 1979.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION No. 968 filed with the Commission on January 10, 1978.

The report, when reproduced, shall be a true copy of the Commission's public report. The paper used in making facsimilies must be white.


JOHN H. YOUNG, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

DISTRIBUTION:

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

REGISTRATION NO. 968

Dated: March 1, 1979