

# 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

PUUALII, PHASE I, INCREMENT 4  
Heeia, Koolaupoko, City and County of Honolulu  
State of Hawaii

REGISTRATION NO. 976

### **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: May 14, 1979  
Expires: June 14, 1980

#### SPECIAL ATTENTION

A comprehensive reading of this report 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:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED FEBRUARY 7, 1978, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF MAY 9, 1979. THE DEVELOPER IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report on PUUALII, PHASE I, INCREMENT 4 condominium apartment project, Registration No. 976, dated March 3, 1978, the Developer has prepared, assembled and forwarded additional information.

2. The Developer of the project has submitted to the Commission for examination all documents necessary for the registration of a condominium project and issuance of this Final 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 been filed with the Assistant Registrar of the Land Court of the State of Hawaii. The Declaration is filed as Document No. 917732. The Floor Plans are filed as Land Court Condominium Map No. 355.
4. This Final Public Report (white paper stock) is made a part of the registration on the PUUALII, PHASE I, INCREMENT 4 condominium project, a copy of which the Developer is required to provide all purchasers or prospective purchasers of apartments along with the Preliminary Public Report (yellow paper stock). Securing a signed copy of the receipt for the two public reports from each purchaser and prospective purchaser is also the responsibility of the Developer.
5. Advertising and 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 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, May 14, 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 DESCRIPTION, ENCUMBRANCES AGAINST TITLE, MANAGEMENT AND OPERATIONS, and STATUS OF PROJECT, have been changed. A new topical heading PROGRAM OF FINANCING has been added. Information under all other headings as recited in the Preliminary Public Report of March 3, 1978 remain unchanged.

DESCRIPTION: The information contained under this topical heading in the Preliminary Public Report dated March 3, 1978, is amended as follows:

1. The second paragraph under this topical heading is amended in its entirety to read as follows:  
  
"The principal materials of which the apartment buildings shall be constructed are either wood with concrete footings or wood on concrete slab."
2. The area of each garage, which was described in the Preliminary Public Report of March 3, 1978 as containing 200 square feet, instead will contain 183 square feet, as more particularly set forth in the table below. In connection therewith, the approximate total area of each apartment and its appurtenant lanai and garage will be reduced by 17 square feet, as more particularly set forth in said table below. This change is with respect to a limited common element only and does not

effect the percent of common interest of each apartment in the common elements.

3. The table contained in this topical heading describing the apartments is revised to show the change of apartment number of each apartment, designation of street address of each apartment, the changes of the approximate areas of each garage and each apartment and its appurtenant lanai and garage, and clarification as to which parking space of each apartment is an open parking stall. The revised table reads as follows:

Apt.** No.	Parking Space Nos.	Unit Type	No. of Rms.	No. of Flrs.	Sq. Ft. Living Area	Sq. Ft. Garage	Sq. Ft. Lanai	Total Square Feet	% of Common Interest
1421	271* & 275	H4E	7	1	981	183	84	1,248	2.1637
1422	272* & 280	H4	7	1	964	183	84	1,231	2.1262
1423	273* & 281	H4	7	1	964	183	84	1,231	2.1262
1424	274* & 286	H4	7	1	964	183	84	1,231	2.1262
1425	287 & 293*	H4	7	1	964	183	84	1,231	2.1262
1426	292 & 294*	H4E	7	1	981	183	84	1,248	2.1637
1411	276 & 277*	H1E	6	2	983	183	84	1,250	2.1681
1412	278 & 279*	H1	6	2	974	183	84	1,241	2.1482
1413	282 & 283*	H1	6	2	974	183	84	1,241	2.1482
1414	284 & 285*	H1	6	2	974	183	84	1,241	2.1482
1415	288 & 289*	H1	6	2	974	183	84	1,241	2.1482
1416	290 & 291*	H1E	6	2	983	183	84	1,250	2.1681
1521	303* & 305	H4E	7	1	981	183	84	1,248	2.1637
1522	304* & 310	H4	7	1	964	183	84	1,231	2.1262
1523	311 & 323*	H4	7	1	964	183	84	1,231	2.1262
1524	316 & 324*	H4	7	1	964	183	84	1,231	2.1262
1525	317 & 325*	H4	7	1	964	183	84	1,231	2.1262
1526	322 & 326*	H4E	7	1	981	183	84	1,248	2.1637
1511	306 & 307*	H1E	6	2	983	183	84	1,250	2.1681
1512	308 & 309*	H1	6	2	974	183	84	1,241	2.1482
1513	312 & 313*	H1	6	2	974	183	84	1,241	2.1482
1514	314 & 315*	H1	6	2	974	183	84	1,241	2.1482
1515	318 & 319*	H1	6	2	974	183	84	1,241	2.1482
1516	320 & 321*	H1E	6	2	983	183	84	1,250	2.1681
1621	327 & 328*	H5E	6	1	977	183	84	1,244	2.1548
1622	333 & 334*	H3	7	2	1,277	183	84	1,544	2.8165
1623	335 & 336*	H3	7	2	1,277	183	84	1,544	2.8165
1624	341 & 342*	H5E	6	1	977	183	84	1,244	2.1548
1611	329 & 330*	H1E	6	2	983	183	84	1,250	2.1681
1612	331 & 332*	H1	6	2	974	183	84	1,241	2.1482
1613	337 & 338*	H1	6	2	974	183	84	1,241	2.1482
1614	339 & 340*	H1E	6	2	983	183	84	1,250	2.1681
1721	352 & 353*	H3E	7	2	1,294	183	84	1,561	2.8537
1722	358 & 359*	H3	7	2	1,277	183	84	1,544	2.8165
1723	360 & 361*	H3	7	2	1,277	183	84	1,544	2.8165
1724	366 & 367*	H3	7	2	1,277	183	84	1,544	2.8165
1725	368 & 369*	H3	7	2	1,277	183	84	1,544	2.8165
1726	374 & 375*	H3E	7	2	1,294	183	84	1,561	2.8537
1711	354 & 355*	H1E	6	2	983	183	84	1,250	2.1681
1712	356 & 357*	H1	6	2	974	183	84	1,241	2.1482
1713	362 & 363*	H1	6	2	974	183	84	1,241	2.1482
1714	364 & 365*	H1	6	2	974	183	84	1,241	2.1482
1715	370 & 371*	H1	6	2	974	183	84	1,241	2.1482
1716	372 & 373*	H1E	6	2	983	183	84	1,250	2.1681

NOTE: \* represents open parking stall

\*\* Apartment numbers 1411 through 1416 inclusive and 1421 through 1426 inclusive are located at 46-075 Aliipapa Place. Apartment numbers 1511 through 1516 inclusive and 1521 through 1526 inclusive are located at 46-065 Aliipapa Place. Apartment numbers 1611 through 1614 inclusive and 1621 through 1624 inclusive are located at 46-057 Aliianela Place. Apartment numbers 1711 through 1716 inclusive and 1721 and 1726 inclusive are located at 46-049 Aliianela Place.

NOTE: Purchaser's attention is directed to the fact that six (6) open parking stalls designated in the aforesaid table as Parking Space Nos. 357, 359, 361, 363, 373 and 375 are compact stalls and the remaining open parking stalls as shown in the aforesaid table are regular stalls.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report dated January 9, 1979 and updated as of April 30, 1979 issued 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 7, 1976, filed in said Office of the Assistant Registrar as Document No. 768125, made by and between TRUSTEES OF THE ESTATE OF BERNICE PAUAAHI BISHOP, as Lessors, and THOMAS FRANCIS McCORMACK, husband of Hilda Frances McCormack, as Lessee, for a term commencing from the first day of January, 1976; as amended by instrument dated June 3, 1977, filed in said Office of the Assistant Registrar as Document No. 838309; and as further amended by instrument dated March 6, 1978, filed in said Office of the Assistant Registrar as Document No. 872979.
2. The terms and provisions of that certain Bishop Estate Lease No. 24,620-A dated June 7, 1976, filed in said Office of the Assistant Registrar as Document No. 768126, made by and between TRUSTEES OF THE ESTATE OF BERNICE PAUAAHI BISHOP, "Owners", and THOMAS FRANCIS McCORMACK, husband of Hilda Frances McCormack, "Tenant", holder of the 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, for a term of 61 years commencing from the first day of January, 1976; as amended by instrument dated June 6, 1977, filed in said Office of the Assistant Registrar as Document No. 838310; and as further amended by instrument dated March 6, 1978, filed in said Office of the Assistant Registrar as Document No. 872980. Consent thereto filed as Document No. 872981.

Said Sublease is subject to the following:

- a) 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. 861372, made by SWIRE-McCORMACK LTD., a Hawaii corporation, as Mortgagor(s), to BANK OF HAWAII, a Hawaii banking corporation, as Mortgagee(s), to secure the repayment of the sum of \$2,000,000.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor(s) therein referred to.

- b) Mortgage dated June 9, 1976, filed in said 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.

By instrument dated January 24, 1978, filed in said Office of the Assistant Registrar as Document No. 861373, the foregoing mortgage was subordinated to the lien of that certain mortgage referred to as Encumbrance No. 2a hereof.

- c) Mortgage dated December 2, 1976, filed in said Office of the Assistant Registrar as Document No. 793973, and 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.

By instrument dated January 24, 1978, filed in said Office of the Assistant Registrar as Document No. 861373, the foregoing mortgages referred to as Encumbrances Nos. 2b and 2c were subordinated to the lien of that certain mortgage referred to as Encumbrance No. 2a hereof.

3. Declaration as to Merger of Increments in a Condominium Project dated May 12, 1977, filed in said Office of the Assistant Registrar as Document No. 838311, made 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, "Developer".
4. Declaration of Covenants, Conditions and Restrictions for PuuAlii dated May 12, 1977, filed in said Office of the Assistant Registrar as Document No. 838312.
5. 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 1431-G. Consents thereto filed as Document Nos. 839450, 839451 and 839452.
6. Designation of Easements 593 and 594 affecting Lot 1431-G, as shown on Map 184, as set forth by Land Court Order No. 49233, filed January 20, 1978.

7. Grant dated March 9, 1978, filed in said Office of the Assistant Registrar as Document No. 870766, made by the Trustees of the Estate of Bernice Pauahi Bishop, as Grantors, and Hawaiian Electric Company, Inc., a Hawaii corporation, as Grantee, granting a right and easement to build, etc., as may be necessary for the transmission and distribution of electricity to be used for light and power and/or communications and control circuits, etc., over, under, upon, across, through and within Lot 1431-G. Consents thereto filed as Document Nos. 870767 and 870768.
8. Declaration of Horizontal Property Regime of PuuAlii, Phase I, Increment 4 dated May 26, 1978, filed in said Office of the Assistant Registrar as Document No. 917732.
9. Condominium Map No. 355 filed in said Office of the Assistant Registrar on January 9, 1979.
10. For any taxes that may be due and owing, reference is made to the Office of the Tax Assessor, First Division.

NOTE: The Developer has advised the Commission that at the time the first apartment lease is entered into between the Trustees of the Estate of Bernice Pauahi Bishop and Thomas Francis McCormack, as Lessors, and an apartment purchaser, as Lessee, every mortgage and other lien affecting both such apartment and any other apartment shall be paid and satisfied of record, or the apartment being leased shall be released therefrom by partial release duly recorded.

The Developer has advised the Commission that appropriate easements will be granted to public utilities and others for the construction, installation, operation, maintenance, repair and replacement of lines and other transmission facilities and appurtenances for electricity, gas, telephone, radio and television signal distribution and other services and utilities which may be necessary in order to serve the property.

MANAGEMENT AND OPERATIONS: The Developer has advised that it has entered into an Agency and Property Management Agreement with Certified Management, a division of A R Corporation, a Hawaii corporation, whose principal place of business and post office address is 98-1238 Kaahumanu Street, Suite 404, P. O. Box 547, Pearl City, Hawaii 96782.

STATUS OF PROJECT: The Developer has advised the Commission that the estimated time of substantial completion of construction of the total project is on or about August 1, 1979.

PROGRAM OF FINANCING: The Developer has received loan commitments from SWIRE PROPERTIES (NETHERLANDS) B.V. and from Bank of Hawaii. The documents for the aforesaid loan and the Developer's Statement of Financing for the completion of the Project have been forwarded to the Commission and may be reviewed.

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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 February 7, 1978, and additional material subsequently filed as of May 9, 1979.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 976 filed with the Commission on February 7, 1978. The report, when reproduced, shall be a true copy of the Commission's public report. The paper stock used in making facsimiles must be white.

*Ah Kau Young*  
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AH KAU YOUNG, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

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ESCROW AGENT

REGISTRATION NO. 976

May 14, 1979.