

# 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

HALE MAHINA BEACH RESORT  
3875 Lower Honoapiilani Road, Mahinahina, Kaanapali,  
Maui, Hawaii

REGISTRATION NO. 1005

### **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: December 12, 1979  
Expires: January 12, 1981

#### 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION FILED MAY 11, 1978, AND INFORMATION SUBSEQUENTLY FILED AS OF DECEMBER 3, 1979. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report on Registration No. 1005, dated July 11, 1979, the Developer has forwarded additional information reflecting changes that have been made in the documents for the project.

2. HALE MAHINA BEACH RESORT is a leasehold condominium project consisting of two (2) four-loft-story buildings and one (1) two-story building, without basements, and fifty-three (53) apartments and seventy-one (71) unassigned parking stalls of which thirteen (13) are for compact cars.

3. The Developer of the project has filed all documents and materials deemed necessary by the Commission for the registration of the condominium project and the issuance of this Final Public Report.

4. 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 recorded in the Bureau of Conveyances of the State of Hawaii.

The Declaration of Horizontal Property Regime dated May 21, 1979, with By-Laws attached, was recorded in the Bureau of Conveyances of the State of Hawaii in Liber 13703, Page 375, as amended by amendments dated August 2, 1979, September 14, 1979 and November 26, 1979, recorded as aforesaid in Liber 13896, Page 493 and Liber 14000, Page 150 and Liber 14246, Page 137, respectively.

The approved Floor Plans showing the layout, location, apartments numbers, etc. have been designated Condominium File Plan No. 616.

5. Advertising or promotional matter has been filed 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 the date of issuance, December 12, 1979, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the period of this report.

8. This Final Public Report amends the Commission's Preliminary Public Report, and is made a part of registration on HALE MAHINA BEACH RESORT condominium project. The Developer has the responsibility of placing true copies of this Final Public Report (white paper stock), the Preliminary Public Report (yellow paper stock) and the Disclosure Abstract in the hands of all purchasers. Securing a signed copy of the Receipt therefor from each purchaser is also the responsibility of Developer.

The information in the topical headings, DESCRIPTION, COMMON ELEMENTS, ENCUMBRANCES AGAINST TITLE, MANAGEMENT OF THE PROJECT and STATUS OF PROJECT has been altered as follows. All other topical headings have not been disturbed.

DESCRIPTION: The description of Apartment No. C has been revised to read as follows (the balance of the information in this topical heading has not been disturbed):

"21. One (1) apartment, being No. C, is built according to a floor plan consisting of fourteen (14) rooms, including a studio, kitchen, two (2) bathrooms, a storage room, a utility room, a den, a carport, a porch, and a lanai located on the first floor of Building "C", and three (3) bedrooms, two (2) bathrooms, a kitchen, a living/dining room, and two (2) lanais located on the second floor of Building "C". This apartment contains a floor area of approximately 3,513 square feet, including the carport of approximately 410 square feet and the lanais of approximately 885 square feet, and this apartment shall have an appurtenant common interest of 3.5311%."

COMMON ELEMENTS: One freehold estate is designated in all remaining portions of the project, herein called the "common elements", including specifically but not limited to:

1. The land in fee simple;
2. All foundations, floor slabs, columns, girders, beams, supports, unfinished perimeter, party and load-bearing walls, roofs, entries, stairways, elevators, walkways, entrances and exits of said buildings;
3. All yards, grounds and landscaping;
4. All parking areas, including without limitation, all of the parking stalls depicted on said Condominium File Plan;
5. Cabana and pool;
6. Private sewage treatment plant;
7. All pipes, cables, conduits, ducts, electrical equipment, wiring and other central and appurtenant transmission facilities and installations over, under and across the project which serve more than one apartment for services such as power, light, gas, water, sewer, telephone and television signal distribution, if any;
8. Any and all other apparatus and installations of common use and all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

ENCUMBRANCES AGAINST TITLE: A preliminary title report dated November 2, 1979, issued by Hawaii Escrow & Title Inc., and other documents supplied to the Commission, indicate that additional encumbrances have been made on the land as follows (the balance of the information in this topical heading has not been disturbed):

1. That certain Grant of Electrical Easement dated July 19, 1979, recorded as aforesaid in Liber 13927, Page 481, in favor of Maui Electric Company, Limited.

2. That certain nonexclusive three (3) foot wide beach access trail in favor of the County of Maui, for public pedestrian ingress and egress to and from the seashore from Honoapiilani Highway, located along the north (Napili) boundary of the lands of the project as shown on the Condominium File Plan of the project.

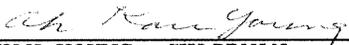
3. That certain agreement dated June 5, 1979, recorded as aforesaid in Liber 13785, Page 349, by and between the County of Maui, Department of Water Supply and Inland Marine Builders Ltd.

MANAGEMENT OF THE PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the project shall be conducted for the Association of Apartment Owners under the direction of the Board of Directors by a responsible managing agent. The Developer advises that it has appointed as initial managing agent: Management Consultants of Hawaii, Inc.

STATUS OF PROJECT: The Developer advises that it estimates construction of the project will commence December 1, 1979 and will be completed October 31, 1980.

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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 May 11, 1978 and information subsequently filed on December 3, 1979.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1005 filed with the Commission on May 11, 1978. This report when reproduced shall be a true copy of the Commission's Public Report. The paper stock used in making facsimiles must be white.

  
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AH KAU YOUNG, CHAIRMAN  
REAL ESTATE COMMISSION  
STATE OF HAWAII

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

REGISTRATION NO. 1005

December 12, 1979