

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
The Ridge
Kapalua, Maui, Hawaii

REGISTRATION NO. 1013

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: August 24, 1979

Expires: September 24, 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 JUNE 2, 1978 AND INFORMATION SUBSEQUENTLY FILED AS OF AUGUST 22, 1979. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514A, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report on THE RIDGE, Registration No. 1013,

dated June 29, 1978, the Developer has prepared and forwarded additional information to that filed in the preliminary submittal. Said Preliminary Report was extended for 60 days at the request of the Developer.

2. This Final Public Report is made a part of the registration of THE RIDGE. The Developer is responsible for placing this Final Public Report (white paper stock), the Preliminary Public Report (yellow paper stock), and the disclosure abstract in the hands of all purchasers and prospective purchasers.

Securing a signed copy of the Receipt therefor from each purchaser and prospective purchaser is also the responsibility of the Developer.

3. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the issuance of this Final Public Report.
4. Advertising and promotional matter have been submitted pursuant to the rules and regulations promulgated by the Commission.
5. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners, and a copy of the approved Floor Plans) have been filed in the office of the recording officer.

The Declaration of Horizontal Property Regime, together with the By-Laws of the Association of Apartment Owners attached thereto, were recorded in the Bureau of Conveyances of the State of Hawaii in Liber 13797 at Page 1, and Condominium Map No. 622 has been designated to the project by said Bureau.

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, August 24, 1979, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information in the topical headings of the Preliminary Public Report has not changed, except for LOCATION, OWNERSHIP OF TITLE, ENCUMBRANCES AGAINST TITLE, STATEMENT OF FINANCING and STATUS OF PROJECT.

LOCATION: The land submitted to the Regime, approximately 22.068 acres, is located in Kapalua, Lahaina, Maui.

OWNERSHIP TO TITLE: Title to the land is vested in Maui Land & Pineapple Company, Inc. and leased to Kapalua Land Co. Ltd., the Developer.

ENCUMBRANCES AGAINST TITLE: A Preliminary Report prepared by Long & Melone, Ltd. dated June 26, 1979 states that title to the land committed to the regime is subject to the following:

(a) Reservation in favor of the State of Hawaii of all mineral and metallic mines.

(b) The terms, covenants and restrictions contained in that certain Declaration of Covenants and Restrictions dated December 29, 1976, made by Maui Land & Pineapple Company, Inc. and recorded in Liber 11922, at Page 26 ("Kapalua Protective Provisions"). The Developer advises that a third Supplemental Declaration was recorded on June 26, 1979 and that a copy has been submitted to the Commission.

(c) That certain Mortgage and Security Agreement dated April 24, 1975, made by Kapalua Land Company, Ltd., a Hawaii corporation, as Mortgagor, and Bank of Hawaii, a Hawaii corporation, as Mortgagee, recorded in the said Bureau in Liber 10667, at Page 1. Financing Statement recorded in Liber 10667, at Page 44. (Affects the land described above besides other land.)

(d) That certain Additional Security Mortgage dated June 30, 1976, made by Maui Land & Pineapple Company, Inc., a Hawaii corporation, as Mortgagor, and Bank of Hawaii, a Hawaii corporation, as Mortgagee, recorded in said Bureau in Liber 11515, at Page 358, as additional security to that certain Mortgage dated June 30, 1976, recorded in Liber 11515, Page 309.

(e) That certain Additional Charge Mortgage, Security Agreement and Financing Statement and Amendment of Original Mortgages dated January 4, 1978, made by Maui Land & Pineapple Company, Inc., a Hawaii corporation, as Mortgagor, and Bank of Hawaii, a Hawaii corporation, as Mortgagee, recorded in said Bureau in Liber 12654 at Page 550, as additional charge to original Mortgages recorded in Liber 10667, Page 62, and in Liber 11515, at Page 358.

(f) Additional Charge Mortgage, Security Agreement and Financing Statement and Amendment of Original Mortgages, dated January 4, 1978, made by Kapalua Land Company, Ltd., a Hawaii corporation, as Mortgagor, and Bank of Hawaii, a Hawaii corporation, as Mortgagee, and recorded in said Bureau in Liber 12654, at Page 584, as additional charge to original Mortgages recorded in Liber 10667, Page 1, as amended; in Liber 10667, Page 62; and in Liber 11515, Page 309.

(g) Amendment to Mortgages made by and between Bank of Hawaii and Maui Land & Pineapple Company, Inc., and Kapalua Land Company, Ltd. dated June 14, 1978, recorded in said Bureau in Liber 12961, at Page 392, amending Additional Charge Mortgage dated January 4, 1978, recorded in Liber 12654, Page 550, and in Liber 12654, Page 584, respectively.

(h) Additional Charge Mortgage dated February 26, 1979, made by Maui Land & Pineapple Company, Inc., a Hawaii

corporation, as Mortgagor, and Bank of Hawaii, a Hawaii corporation, as Mortgagee, recorded in said Bureau in Liber 13553, at Page 141, as Additional Charge Mortgage to Mortgage dated April 24, 1975, recorded in Liber 10667, Page 1.

(i) The terms and conditions contained in that certain Lease dated June 21, 1979, entered into by and between Maui Land & Pineapple Company, Inc., as Lessor, and Kapalua Land Company, Ltd., as Lessee, recorded in Liber 13796, at Page 758.

(j) The terms, covenants, conditions and restrictions of the Declaration of Horizontal Property Regime for The Ridge dated June 21, 1979, made by Maui Land & Pineapple Company, Inc. and Kapalua Land Company, Ltd., and recorded in Liber 13797, Page 1 (Condominium Map No. 622).

(k) Any real property taxes and assessments that may be due and owing. This can be verified at the tax office of the 2d division.

NOTE 1. The Developer advises that the following reservations and exceptions are contained in the Declaration mentioned in item (j) above:

(a) Reservation in favor of Maui Land & Pineapple Company, Inc., of the right, at its expense and for the benefit of the land described above or adjacent property (including without limiting the generality of the foregoing, the Hawea Lighthouse Lot owned by the United States of America) or other Kapalua Resort property (i) to grant over, across and under the easements described above and the common elements, easements for utilities, sanitary and storm sewers, cable television, walkways, ingress and egress for vehicular and pedestrian traffic, and rights of way, and (ii) to relocate or realign any existing easements and rights of way over, across, and under the land described above, including without limitation, any existing utilities, sanitary and sewer lines and cable television and connect same, over, across and under the land described above, provided that such easements and such relocations and connections of lines shall not materially impair or interfere with the use of the land described above.

(b) Reserving and excepting to MAUI LAND & PINEAPPLE COMPANY, INC., its successors and assigns (collectively the "Reservant"), forever, as appurtenant to lands of Reservant, located in the District of Lahaina, Island and County of Maui, State of Hawaii, now owned and used or hereinafter acquired and used by Reservant (whether in fee, lease, or otherwise), in its pineapple plantation and other agricultural operations, the perpetual right and easement over and upon the lands described above and/or submitted to the Kapalua Protective Provisions, to discharge and emit, diffuse and inflict, noise, smoke, soot, dust, lights, noxious vapors, odors, and other minor nuisances of every description created by and resulting from the operations of Reservant in burning, harvesting, fertilizing, watering, growing, planting, generating power, trucking, hauling,

milling, and all other activities incidental to the operation of a pineapple plantation and all other agricultural activities of Reservant.

NOTE 2. The Developer has informed the Commission that at the time of the first conveyance or lease of each apartment, every mortgage and other lien, except any improvement district or utility assessment, affecting the apartment being conveyed or leased and its common interest shall be released therefrom by partial release duly recorded.

STATEMENT OF FINANCING: The Statement of Program of Financing submitted by the Developer reflects that the Developer's costs will be \$24,757,000. Of this sum, a maximum of \$19,796,000 will be available through a construction loan from Bank of Hawaii, and the balance through Developer's own resources. Costs will be paid from sales proceeds realized from sales of the apartments in the project. The Statement of Financing also reflects that the Developer has obtained a commitment for permanent financing from American Savings and Loan Association, to a maximum of \$21,000,000.

STATUS OF PROJECT: The Developer advises that construction of the project commenced in October, 1978, and estimates that construction will be completed about June 1980.

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 June 2, 1978, and information subsequently filed as of August 22, 1979. The information disclosed in the Commission's Preliminary Public Report of June 29, 1978 should be carefully reviewed by purchasers and prospective purchasers.

THIS FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1013 filed with the Commission June 2, 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.



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

Registration No. 1013

August 24, 1979