

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

CROWN KINAU
747 & 751 Kinau Street
Honolulu, Hawaii

REGISTRATION NO. 1023

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: March 16, 1979
Expires: April 16, 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 JULY 21, 1978 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF MARCH 6, 1979. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514A, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report on CROWN KINAU CONDOMINIUM, Registration No. 1023 dated October 26, 1978, the Developer has forwarded additional information reflecting the fact that material changes have been made in the documents and plans for the project.

This Final Public Report is made a part of the registration on the CROWN KINAU condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers along with the Preliminary Public Report (yellow paper stock). Securing a signed copy of the Receipts for both Horizontal Property Regime Public Reports from each purchaser and prospective purchaser is also the responsibility of the Developer.

2. 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.

The Developer reports that the basic documents (Declaration of Horizontal Property Regime, with 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, executed with By-Laws attached, was recorded as aforesaid in Liber 13474, Page 333.

The approved Floor Plans showing the layout, location, apartment numbers, etc. have been designated Condominium File Plan No. 596 in said Bureau of Conveyances.

3. No advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.

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

5. This Final Public Report expires thirteen months from the date of issuance, March 16, 1979, unless a Supplementary Public Report is published or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information contained under the topical headings in the Preliminary Public Report of October 26, 1978, with the exception of OWNERSHIP OF TITLE, ENCUMBRANCES AGAINST TITLE, MANAGEMENT AND OPERATIONS and STATUS OF PROJECT, has not been disturbed.

OWNERSHIP OF TITLE: According to a Supplemental Commitment For Title Insurance issued by First American Title Insurance Company on February 8, 1979, title to the land committed to the project is vested in the Developer.

ENCUMBRANCES AGAINST TITLE: Said Commitment Title also reflects that the following encumber the apartments and common elements:

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

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

3. Condominium Map No. 596, recorded in the Bureau of Conveyances of the State of Hawaii.

4. The restrictions, covenants, agreements, obligations, conditions, easements and other provisions set forth in Declaration of Horizontal Property Regime dated January 29, 1979, recorded on February 8, 1979 in said Bureau of Conveyances in Liber 13474, Page 333, and the By-Laws attached thereto.

5. Mortgage and Guaranty

Mortgagor:	Devland Partners-Kinau, a Hawaii limited partnership
Guarantor:	Vernon Koike and Lorraine Koike
Mortgagee:	Finance Factors, Limited, a Hawaii corporation
Dated:	January 19, 1979
Recorded:	January 22, 1979
Liber:	13433
Page:	379
To secure:	\$750,000.00

MANAGEMENT AND OPERATIONS: A Management Agreement executed March 1, 1979 identifies IND-COMM MANAGEMENT, INC., Suite 1172 Pacific Trade Center, Honolulu, Hawaii, as the project's initial Managing Agent.

STATUS OF PROJECT: As the buildings of the project were completed a number of years prior to the enactment of the existing Comprehensive Zoning Code (CZC), the buildings are probably nonconforming structures under the CZC. Section 21-107(d) of the CZC provides in part:

"Non-conforming structure. A non-conforming structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

(1) Enlargement or alteration. No non-conforming structure may be enlarged or altered in any way which increases its nonconformity.

(2) Damage or destruction. If a non-conforming structure is destroyed by any means to an extent of more than 50% of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Chapter."

Also, the buildings of the project may be built upon a lot that may be now non-conforming under the CZC. Section

21-107(e) of CZC provides in part:

"Non-conforming lots.

(1) A non-conforming lot shall not be reduced in area or width.

(2) Any conforming use or conforming structure on a non-conforming lot may be enlarged, extended, constructed, or moved so long as other requirements of this Chapter are met.

. . .

(4) Any provision to the contrary notwithstanding, a single-family dwelling and customary accessory buildings may be erected on any non-conforming lot in any district in which single-family dwellings are permitted."

Also, in the future if an approval for a subdivision, or a building permit, for all or any part of the project is sought, compliance with City and County of Honolulu Ordinance 4621 (being the "Park Lands Dedication Ordinance") may be required.

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 July 21, 1978 and information subsequently filed as of March 6, 1979.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1023 filed with the Commission on July 21, 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

AH KAU YOUNG, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING COMMISSION,
CITY AND COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

REGISTRATION NO. 1023

March 16, 1979