

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII
1010 RICHARDS STREET
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HONOLULU, HAWAII 96801

FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

KONA EASTWIND
Kona Seaview Subdivision
Kona, Hawaii

REGISTRATION NO. 1039

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 28, 1980
Expires: September 28, 1981

SPECIAL ATTENTION

A comprehensive reading of this report by purchasers and prospective purchasers 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 SEPTEMBER 20, 1978, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF AUGUST 17, 1980. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL AND SUBMITTING INFORMATION FOR THIS FINAL PUBLIC REPORT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, CHAPTER 514A, HAWAII REVISED STATUTES.

1. Since the issuance of the Commission's Preliminary Public Report on Kona Eastwind, Registration No. 1039, issued on December 18, 1978, the Developer has prepared and forwarded additional information to that filed in the September 20, 1978 submittal.

2. The Developer of the Project has submitted to the Hawaii Real Estate Commission for examination all documents deemed necessary for the registration of a condominium project and the issuance of this Final Public Report.
3. The Developer advises that the Declaration of Horizontal Property Regime and attached By-Laws were recorded in the Bureau of Conveyances in Liber 14515, Page 690, and that the Condominium File Plan has also been recorded as Condominium File Plan No. 686.
4. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A, Hawaii Revised Statutes, and the Rules and Regulations which relate to Horizontal Property Regimes.
5. This Final Public Report is made part of the Registration of KONA EASTWIND condominium Project. The Developer has the responsibility of placing a true copy of this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers, along with a copy of the Preliminary Public Report (yellow paper stock) and revised Disclosure Statement, and securing a signed copy of the required receipts therefor.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, August 28, 1980, unless a Supplementary Public Report issues, or the Commission, upon review of registration, issues an order extending the effective date of this Report.

The information in the topical headings of the Preliminary Public Report of December 18, 1978, with the exception of DESCRIPTION OF PROJECT, OWNERSHIP OF TITLE, ENCUMBRANCES AGAINST TITLE, FINANCING OF PROJECT AND STATUS OF PROJECT, has not been disturbed.

DESCRIPTION OF PROJECT: Apartment construction will be of wood frame with plywood exterior finish, not stucco exterior finish as previously stated.

The kitchen of each apartment shall contain a micro-wave oven in addition to other listed appliances.

OWNERSHIP OF TITLE: Since the issuance of the Commission's Preliminary Public Report on December 18, 1978, the deed conveying ownership from the individual owners of the lots identified by Tax Key 7-7-15-89 (3) to the Developer, Frank Schwantes has been recorded. The deed was recorded in the Bureau of Conveyances of the State of Hawaii in Liber 14130 on Page 375, November 7, 1979. Evidence of title has been confirmed by Title Guaranty of Hawaii, Inc., dated July 17, 1980.

ENCUMBRANCES AGAINST TITLE: As reflected in the updated Preliminary Title Report issued by Title Guaranty of Hawaii, Inc., dated July 17, 1980, title to the land is subject to the following encumbrances of record:

1. For any taxes that are due and owing, reference is hereby made to the Office of the Tax Assessor, Third Division.
2. Mortgage and Security Agreement dated September 17, 1979, made by Frank F. Schwantes doing business as Schwantes Company, as Mortgagor, in favor of Seafirst Mortgage Corporation, a Washington Corporation, as Mortgagee, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 14388, at Page 655.

By assignment of sales agreements and escrow deposits dated September 17, 1979, recorded in Liber 14388 at Page 674, Frank F. Schwantes, doing business as Schwantes Company, assigns to Seafirst Mortgage Corporation, a Washington Corporation, all of the right, title and interest in and to any sales agreement or agreements, whether now or hereafter executed, etc. as additional security to said above mortgage and security agreement.

3. The restrictions on use and other restrictions and all other covenants, agreements, obligations, conditions, reservations, easements, and other provisions set forth in Declaration of Horizontal Property Regime dated February 15, 1980, recorded in the Office of the Registrar of Conveyances at Honolulu in Liber 14516 at Page 325 and the By-Laws attached thereto, as the same are or may hereafter be amended in accordance with law, said Declaration or said By-Laws. (Project covered by Condominium Map No. 686.)

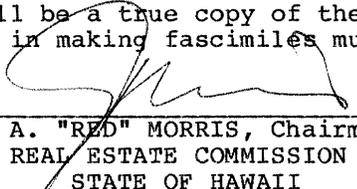
FINANCING OF PROJECT: The Developer has advised the Commission that the interim financing for the project is being handled by Seafirst Mortgage Corporation of Seattle, Washington.

STATUS OF PROJECT: Construction of the project commenced on December 1, 1979 with an anticipated completion date of October 1, 1980.

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 September 20, 1978, and information subsequently filed as of August 11, 1980.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1039, filed with the Commission on September 20, 1978.

The report, when reproduced, shall be a true copy of the Commission's Public Report. Paper stock used in making fascimiles must be white.



G. A. "RED" MORRIS, 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. 1039
DATED: August 28, 1980