

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

KA'EO KAI
Wyllie Avenue
Princeville, Kauai, Hawaii

REGISTRATION NO. 1059

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 17, 1979
Expires: June 17, 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION FILED NOVEMBER 21, 1978, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF MAY 14, 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.

1. Since the issuance of the Commission's Preliminary Public Report on Registration No. 1059, dated December 21, 1978, the Developer has forwarded additional information reflecting certain material changes that have been made in the documents for the project.

2. The Developer of the project has filed all documents and materials deemed necessary by the Commission for the registration of this condominium project and the 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 recorded in the Bureau of Conveyances of the State of Hawaii.

The Declaration of Horizontal Property Regime dated April 26, 1979, with By-Laws attached was recorded as aforesaid in Liber 13648, Page 191.

The approved Floor Plans showing the layout, location, apartment numbers, etc., have been designated Condominium Map No. 607.

4. Advertising or promotional matter has been filed pursuant to the rules and regulations promulgated by the Commission.

5. 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.

6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, May 17, 1979, unless a Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the period of this report.

7. This Final Public Report amends the Commission's Preliminary Public Report, and is made a part of registration on KA'EO KAI condominium project. The Developer has the responsibility of placing a true copy of this Final Public Report (white paper stock) and a true copy of the Preliminary Public Report (yellow paper stock) in the hands of all purchasers. Securing a signed copy of the Receipt for both Horizontal Property Regime Public Reports from each purchaser is also the responsibility of the Developer.

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

DESCRIPTION: The Declaration of Horizontal Property Regime and plans submitted by the Developer indicate a fee simple condominium project consisting of twenty (20) apartments contained in five (5) two-story buildings, without basements, constructed principally of wood, with post and beam construction.

The location and description of the various apartments are as follows:

There are five (5) fourplex structures of this type within the project, without basements. This type of fourplex structure is constructed principally of wood, with post and beam construction. Each fourplex structure is two floors in height and contains four apartments. Each of the ten (10) apartments located on the first floors of their respective buildings, being Apartment Nos. 1-A, 2-A, 3-A, 4-A, 5-A, 6-A, 7-A, 8-A, 9-A and 10-A, is built according to a floor plan, or its mirror image, consisting of approximately 2,146 square feet, including approximately 643 square feet of covered decking, and two (2) bedrooms, two (2) bathrooms, a kitchen, a dining room and a living room; in addition, each of these apartments also have an outdoor hot tub located on their decking. Eight apartments located on the second floor of their respective buildings, being Apartment Nos. 1-B, 2-B, 4-B, 5-B, 6-B, 8-B, 9-B and 10-B, are built according to a floor plan, or its mirror image, consisting of approximately 2,327 square feet, including approximately 824 square feet of covered decking, and two (2) bedrooms, two (2) bathrooms, a kitchen, a dining room and a living room. Two apartments located on the second floor of their respective buildings, being Apartment Nos. 3-B and 7-B, are built according to a floor plan, or its mirror image, consisting of approximately 2,503 square feet, including approximately 176 square feet of loft space, approximately 554 square feet of enclosed decking and approximately 270 square feet of covered decking, and two (2) bedrooms, two (2) bathrooms, a kitchen, a dining room and a living room; in addition, each of these apartments also have a hot tub located on their decking. (Note: In accordance with local practice, the approximate gross floor area of each apartment as set forth in this paragraph includes all of the walls and partitions within its perimeter walls, the entirety of its perimeter non-party walls and the interior half of its perimeter party walls, whether load bearing or non-load bearing). Apartment Nos. 1-A and 2-A are located on the first floor of Building XI. Apartment Nos. 1-B and 2-B are located on the second floor of Building XI. Apartment Nos. 3-A and 4-A are located on the first floor of Building XII. Apartment Nos. 3-B and 4-B are located on the second floor of Building XII. Apartment Nos. 5-A and 6-A are located on the first floor of Building XIII. Apartment Nos. 5-B and 6-B are located on the second floor of Building XIII. Apartment Nos. 7-A and 8-A are located on the first floor of Building XIV. Apartment Nos. 7-B and 8-B are located on the second floor of Building XIV. Apartment Nos. 9-A and 10-A are located on the first

floor of Building XV. Apartment Nos. 9-B and 10-B are located on the second floor of Building XV.

The apartments have immediate access to a stairway which leads to the grounds of the project.

The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load bearing walls, the roofs or any pipes, wires, conduits or other utility lines running through such apartment which are utilized for or serve more than one apartment, the same being deemed common elements as hereinafter provided. Each apartment shall be deemed to include all the walls and partitions which are not load bearing within its perimeter walls, and the inner decorated or finished surfaces of all walls, floors and ceilings, and all fixtures originally installed therein.

OWNERSHIP OF TITLE: A Preliminary Report issued on March 30, 1979 by Hawaii Escrow & Title, Inc., as submitted to the Commission, indicates that the Developer is the fee simple owner of the property submitted to the regime.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Report issued on March 30, 1979 by Hawaii Escrow & Title, Inc. and other documents supplied to the Commission provide that the following are encumbrances against title to the property.

1. For any taxes that may be due and owing and a lien on the land, reference is hereby made to the Office of the Tax Assessor of the Fourth Division, County of Kauai, Hawaii.
2. Assessments or charges levied by Municipal or Governmental Authority imposed by any other lawfully constituted body authorized by Statute to assess, levy and collect the same, if any.
3. Title to all minerals and metallic mines reserved to the State of Hawaii.
4. Declaration of Restrictions, Covenants and Conditions dated March 1, 1971, and recorded in the Bureau of Conveyances of the State of Hawaii in Liber 7444, Page 93, as amended.

NOTE: All apartment owners are subject to, bound by, and shall comply with the provisions of the Declaration of Restrictions, Covenants and Conditions and to become a member of the Princeville at Hanalei Community Association and subject to a monthly assessment of association dues.

5. Water and Sanitation Assessment and Lien dated April 7, 1971, and recorded in the Bureau of Conveyances of the State of Hawaii in Liber 7486, Page 292, as supplemented and amended.
6. Mortgage dated November 1, 1978, recorded as aforesaid in Liber 13332, Page 304, in favor of Consolidated Oil & Gas,

Inc., successor in interest, by reason of merger, to Princeville Corporation, a Colorado corporation, as contained in Deed dated November 1, 1978, recorded as aforesaid in Liber 13332, Page 294.

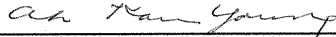
NOTE: The Developer advises it plans to grant utility easements over portions of the lands of the project.

STATUS OF PROJECT: The Developer advises that it estimates the construction of the project will begin on June 1, 1979.

The estimated date for completion of the same is April 30, 1980.

The purchaser or prospective purchaser should be cognizant of the fact that this Report represents information disclosed by the Seller in the required Notice of Intention submitted November 21, 1978, and information subsequently filed as of May 14, 1979.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1059 filed with the Commission on November 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, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING COMMISSION, COUNTY OF KAUAI
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

REGISTRATION NO. 1059

May 17, 1979