

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

KAMO A VIEWS
2124 Awihi Place
Kihei, Maui, Hawaii

REGISTRATION NO. 1073

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: April 14, 1980
Expires: May 14, 1981

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 DECEMBER 29, 1978 AND INFORMATION SUBSEQUENTLY FILED AS OF APRIL 9, 1980. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND SUBMITTING INFORMATION OF MATERIAL CHANGES IN THE PROJECT 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 KAMO A VIEWS, Registration No. 1073, dated May 17, 1979, the Developer has submitted additional information material to the project.

This Final Public Report amends the Preliminary Public Report, becoming a part of the registration on the KAMOA VIEWS 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.

2. The Developer has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and issuance of this Final Public Report.

The Declaration and By-Laws dated February 12, 1980, have been recorded in the Bureau of Conveyances of Hawaii in Liber 14567 at Page 692. The approved floor plans have been recorded and designated as Condominium Map No. 695.

3. No advertising and promotional matter has been filed pursuant to the rules and regulations promulgated by the Commission.
4. The purchaser and prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A, Hawaii Revised Statutes, as amended, and the rules and regulations promulgated thereunder which relate to the Horizontal Property Act.
5. This Final Public Report automatically expires thirteen months after the date of issuance, April 14, 1980, 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.

With the exception of PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE, OWNERSHIP OF TITLE, ENCUMBRANCES AGAINST TITLE, PROGRAM OF FINANCING and STATUS OF PROJECT, the information under the topical headings of the Preliminary Public Report of May 17, 1979 has not been disturbed.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: To this Topical heading is added: the Declaration of Horizontal Property Regime restricts the Ownership of the apartments from any form of time-sharing or time-interval ownership.

OWNERSHIP OF TITLE: The Policy of Title Insurance dated January 29, 1980, issued by Title Guaranty of Hawaii Incorporated, reflects that title is now vested in United Realty, Inc., a Hawaii corporation.

ENCUMBRANCES AGAINST TITLE: The Policy of Title Insurance dated January 29, 1980, issued by Title Guaranty of Hawaii Incorporated reveals that title to the land committed to the regime is encumbered with the following encumbrances:

1. Any taxes that may be due and owing and a lien on the land; reference is made to the Office of the Tax Assessor of the Second Division, County of Maui, State of Hawaii.
2. Easement "B" (5 feet wide) for electric and telephone purposes situated in the western portion of premises and shown on "Kalama Heights Apartment Subdivision" map, being File Plan No. 986. Granted to Maui Electric Company, Ltd., by grant of easement dated June 3, 1966 and recorded in Liber 5385 at Page 142.
3. Easement (19.38 feet wide) in favor of the Department of Water Supply of the County of Maui for waterline and maintenance purposes situated in western portion of the premises as shown on map prepared by Warren S. Unemori, Surveyor, dated April 8, 1974.
4. A 22-foot proposed master planned road setback line along easterly boundary of the premises as shown on the map prepared by Warren S. Unemori, Surveyor, dated July 23, 1974.
5. The restrictive covenants contained in Deed dated September 24, 1968, recorded in said Bureau in Liber 6233, Page 461.
6. Agreement dated January 15, 1979, recorded in Liber 13422 at Page 567, by and between the County of Maui, Department of Water Supply, "County" and Paradise Developers, Inc., "Applicant".
7. Mortgage And Financing Statement made by United Realty, Inc., a Hawaii corporation, in favor of Honolulu Federal Savings And Loan Association, a federal savings and loan association, dated January 21, 1980, and recorded in said Bureau in Liber 14449, Page 605.
8. Unrecorded Developer/Agent Agreement dated June 4, 1978, by and between United Realty, Inc., a Hawaii corporation, and Paradise Developers Inc., a Hawaii corporation.

By Subordination dated January 21, 1980, recorded in Liber 14449 at Page 605, Paradise Developers Inc., a Hawaii corporation, subordinates all of its right, title and interest in said above unrecorded Developer/ Agent Agreement to the lien of the Mortgage referred to in paragraph 7 above.

NOTE: Since the issuance of the above title report by Title Guaranty of Hawaii, Inc., the Developer has submitted to the Commission the Declaration of Horizontal Property Regime of Kamoia Views, executed and recorded in the Bureau of Conveyances of the State of Hawaii in Liber 14567 at Page 692, with File Plan designated as No. 695. This Declaration and Condominium File Plan are therefore an encumbrance against title.

PROGRAM OF FINANCING: The Developer has received a commitment for interim and permanent financing from Honolulu Federal Savings And Loan Association. The mortgage documents have been forwarded to the Commission. The Developer has also forwarded to the Commission a verified statement of the estimated costs to complete the project.

STATUS OF PROJECT: The Developer has executed a contract dated January 14, 1980 for construction of the project with Harold Y. Ishii Contracting Co., Inc. The Developer estimates completion of the project by January, 1981. A performance bond for the construction dated January 24, 1980, has been issued by Seaboard Surety Company in the amount of not less than 100% of the construction contract price.

The purchaser or prospective purchaser shall be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted December 29, 1978, and additional information subsequently filed as of April 9, 1980.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1073 filed with the Commission on December 29, 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.

 (for)

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. 1073

APRIL 14, 1980