

# 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

CARMEL APARTMENTS  
1743 Nana Street  
Wailuku, Maui, Hawaii

REGISTRATION NO. 1078

### **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: November 23, 1979  
Expires: December 23, 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 JANUARY 18, 1979 AND INFORMATION SUBSEQUENTLY FILED AS OF NOVEMBER 7, 1979. 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 CARMEL APARTMENTS, Registration No. 1078, dated February 22, 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 CARMEL APARTMENTS condominium project. The Developer is responsible for placing a true copy of this Final Public Report (white paper stock) in the hands of purchasers and prospective purchasers along with a copy of the Preliminary Public Report (yellow paper stock) together with the Disclosure Statement. It is also the responsibility of the Developer to secure a signed copy of the receipt for same from each purchaser or prospective purchaser, signifying that he has had an opportunity to read such reports.

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 September 6, 1979, have been recorded in the Bureau of Conveyances of Hawaii in Liber 13999 at Page 22. The approved floor plans have been recorded and designated as Condominium Map No. 645.

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, November 23, 1979, unless a supplementary 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 DESCRIPTION OF PROJECT, ENCUMBRANCES AGAINST TITLE and STATUS OF PROJECT, the information under the topical headings of the Preliminary Public Report of February 22, 1979 has not been disturbed.

DESCRIPTION OF PROJECT: Paragraph 5 has been revised to read as follows:

5. Type of Apartments.
  - (a) Type "1" includes a living-dining room, kitchen, one bedroom, one bath and lanai. It includes a floor area of approximately 637 square feet (including 54 square feet of lanai);
  - (b) Type "2" includes a living-dining room, kitchen, two bedrooms, one and one-half bath and lanai. It includes a floor area of approximately 835 square feet (including 57 square feet of lanai).

The remaining paragraphs within the topical heading DESCRIPTION OF PROJECT remains unchanged.

ENCUMBRANCES AGAINST TITLE: The Preliminary Title Report dated September 19, 1979 issued by Title Guaranty of Hawaii Incorporated reveals that title to the land committed to the regime is encumbered with the following encumbrances:

1. For any real property taxes which may be due and owing and a lien on the property, reference is made to the Office of the Tax Assessor of the Second Division.
2. Reservation in favor of the State of Hawaii of all mineral and metallic rights.
3. The restrictions, covenants, agreements, obligations, conditions, easements and other provisions set forth in Declaration of Horizontal Property Regime dated September 6, 1979, recorded in said Bureau of Conveyances in Liber 13999 at Page 22. Condominium Map No. 645 has been assigned to the project.
4. Restrictive covenants contained in Deed dated January 21, 1963 recorded in Liber 4447 at Page 492.
5. Agreement dated October 6, 1978 recorded in Liber 13201 at Page 82 by and between the County of Maui, Department of Water Supply and Carmel, Inc., a Hawaii corporation.
6. A 15-foot building setback line along Pio Place and Nana Street, as shown on File Plan No. 709.
7. Mortgage dated August 25, 1977 by and between Carmel, Inc., a Hawaii corporation (mortgagor) and James H. Ouye and Isami Ouye (mortgagees), co-partners doing business as Service Contracting Co., recorded in Liber 12399, Page 231.

STATUS OF PROJECT: The construction of the project was completed in September, 1979. Affidavit for publication of Owners' Notice of Completion, dated September 19 & 26, 1979, is filed with the Commission.

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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 January 18, 1979, and additional information subsequently filed as of November 7, 1979.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1078 filed with the Commission on January 18, 1979.

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 KAO YOUNG, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

Distribution:

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

REGISTRATION NO. 1078

November 23, 1979