

# 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  
WAIAU GARDEN COURT, PHASE VI  
Kamahao Street  
Waiiau, Ewa, Hawaii

REGISTRATION NO. 1140

### 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 13, 1979  
Expires: December 13, 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 and prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JUNE 15, 1979 AND INFORMATION SUBSEQUENTLY FILED AS OF OCTOBER 24, 1979. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report of July 13, 1979 on WAIAU GARDEN COURT, PHASE VI, the Developer reports that changes have been made in the plan and certain documentation as presented in the June 15, 1979 notice of intention to sell.

2. The Developer of the project has submitted to the Commission for examination all documents and exhibits deemed necessary for the issuance of this Final Public Report.
3. The basic documents (Declaration of Horizontal Property Regime, with By-Laws of Association of Apartment Owners attached, and a copy of approved floor plans) have been recorded in the office of the recording officer. The Declaration and attached By-Laws dated September 10, 1979 have been recorded in the Bureau of Conveyances of the State of Hawaii in Liber 14066 at Page 159. Condominium Map No. 652 has been assigned to the project. The Regulatory Agreement between the Developer and the Federal Housing Administration dated September 10, 1979 has been recorded in said Bureau of Conveyances in Liber 14066 at Page 209.
4. Advertising and promotional matter required to be filed pursuant to the rules and regulations promulgated by the Commission have not been submitted but the Developer represents that such matter will be submitted prior to public dissemination.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A, Hawaii Revised Statutes, as amended, and the Condominium Rules and Regulations which relate to Horizontal Property Regime.
6. This Final Public Report is made a part of the registration on WAI'AU GARDEN COURT, PHASE VI condominium project. The Developer has the responsibility of placing a true copy of this Final Public Report (white paper stock) along with a copy of the Preliminary Public Report (yellow paper stock) and Amended Disclosure Abstract in the hands of all purchasers and prospective purchasers and securing a signed receipt therefor.
7. This Final Public Report automatically expires thirteen (13) months from the date of issuance, November 13, 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.

The information under the topical headings of the Preliminary Public Report of July 13, 1979, with the exception of ENCUMBRANCES AGAINST TITLE and STATUS OF PROJECT, remains unchanged.

ENCUMBRANCES AGAINST TITLE: The Developer has filed with the Commission an updated Preliminary Report by Title Guaranty of Hawaii, Incorporated dated October 16, 1979. Said Preliminary Title Report reports that title to the land is subject to the following:

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

2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

3. Terms, agreements, reservations, covenants, conditions and provisions contained in Lease No. 22,870 between TRUSTEES OF THE ESTATE OF BERNICE PAUHI BISHOP, as Lessor, and CENTRAL OAHU LAND CORPORATION, a Hawaii corporation, and LEAR SIEGLER PROPERTIES, INC., a Delaware corporation authorized to do business in Hawaii, which corporations are associated in a joint venture known as CENTRAL-TROUSDALE, as Lessee, dated December 7, 1973, recorded in the Bureau of Conveyances of Hawaii in Liber 9652 at Page 367.

4. Agreement for Issuance of Special Use Permit Under Ordinance No. 4451, Bill No. 40 (1975) dated August 23, 1978, recorded in said Bureau of Conveyances in Liber 13199 at Page 223.

5. Declaration of Protective Provisions dated December 5, 1974, recorded in said Bureau of Conveyances in Liber 10299 at Page 1.

6. Declaration of Restrictive Covenants dated April 12, 1979, recorded in said Bureau of Conveyances in Liber 13657 at Page 732.

7. Covenants, conditions, restrictions, easements, reservations and all other provisions set forth in Declaration of Horizontal Property Regime dated September 10, 1979, recorded in said Bureau of Conveyances in Liber 14066 at Page 159, and the By-Laws attached thereto, as the same are or may hereafter be amended in accordance with law, said Declaration or By-Laws. (Project covered by Condominium Map No. 652.)

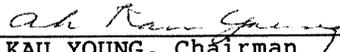
8. Regulatory Agreement dated September 10, 1979, recorded in said Bureau of Conveyances in Liber 14066 at Page 209, by and between the Association of Apartment Owners of Waiiau Garden Court, Phase VI, and Lawrence B. Simons, as Federal Housing Commissioner acting pursuant to authority granted to him by the National Housing Act, as amended.

STATUS OF PROJECT: The Developer advises that the estimated date of completion of all apartments in the project is on or about March 1, 1980.

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The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted June 15, 1979 and information subsequently filed as of October 24, 1979.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1140 filed on June 15, 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 in color.

  
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AH KAU YOUNG, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

Distribution:

Department of Taxation  
Bureau of Conveyances  
Department of Planning, City and  
County of Honolulu  
Federal Housing Administration  
Escrow Agent

Registration No. 1140

Dated: November 13, 1979