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
KAHANA MANOR
Lower Honoapiilani Highway
Kahana, Lahaina, Maui

REGISTRATION NO. 1141

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 : December 28, 1979
Expires: *January 28, 1981*

A comprehensive reading of this report by 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 and prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED ON JUNE 14, 1979 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF DECEMBER 18, 1979. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report of July 24, 1979 on KAHANA MANOR, Registration No. 1141, the Developer reports that changes have been made in the plan or setup of the project. The changes subsequently made are determined to be a material revision to the information disclosed earlier.

2. This Final Public Report (white paper stock) amends the KAHANA MANOR Preliminary Public Report (yellow paper stock), becoming a part of this registration. The Developer is responsible for placing a true copy of this Final Public Report, the Preliminary Public Report and the Disclosure Abstract in the hands of all purchasers and prospective purchasers and obtaining a receipt therefor.

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

4. The basic condominium documents have been filed in the Bureau of Conveyances of the State of Hawaii, as follows:

   The Declaration of Horizontal Property Regime of Kahana Manor, with Bylaws of the Association of Apartment Owners, dated November 28, 1979 was recorded in said Bureau in Liber 14262, at Page 196, on December 3, 1979.

   The floor plans of the project have been designated Condominium Map No. 666.

5. Advertising and promotional matter have been submitted to the Commission.

6. 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 regimes.

7. This Final Public Report automatically expires 13 months after date of issuance, December 28, 1979, unless a Supplementary Public Report issues 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 24, 1979 has not been disturbed except that there are certain corrections and clarifications under the topical headings LOCATION, DESCRIPTION, LIMITED COMMON ELEMENTS, ENCUMBRANCES AGAINST TITLE, MANAGEMENT AND OPERATION, RESERVATION TO ADD APARTMENTS and STATUS OF PROJECT.

LOCATION: The land, consisting of one (1) parcel containing 2.302 acres, more or less, is situate at Kahana, Lahaina, County of Maui, State of Hawaii.

DESCRIPTION: The Developer advises that, since issuance of the Preliminary Public Report, the number of parking stalls in the project has been increased from one hundred twenty-three (123) to one hundred fifty (150). The Developer also advises that the window located in the eastern (i.e. mauka) wall of each of Apartment Nos. 216, 316, 416, 516 and 616, as shown on the preliminary plans for the project, has, on the Condominium Map, been deleted and a window has been added to the northern wall of the bedroom in each of said apartments. Except for the foregoing, the matter contained under the topical heading DESCRIPTION in the Preliminary Public Report remains the same.

LIMITED COMMON ELEMENTS: The Declaration of Horizontal Property Regime provides that certain parts of the common elements, herein called the "limited common elements", are designated and set aside for the use of certain apartments, and such apartments shall have appurtenant thereto exclusive easements for the use of such limited common elements as follows:

(a) The walkways adjacent to the front of the Commercial Apartment shall be limited common elements appurtenant to the Commercial Apartment but such walkways shall be subject to the non-exclusive rights of ingress and egress to and from the residential apartments in favor of all residential apartments in the Project.

(b) Seventeen (17) parking stalls designated on the Condominium Map by the letter "C" shall be limited common elements appurtenant to the Commercial Apartment.

(c) Except for the twenty-one (21) parking stalls designated on the Condominium Map by the letter "G", which shall be stalls for the use of guests, the seventeen (17) parking stalls designated by the letter "C", which are appurtenant to the Commercial Apartment, and the two (2) loading stalls for the use of all owners, one hundred twelve (112) parking stalls shall be limited common elements appurtenant to all of the residential apartments and each residential apartment shall have appurtenant thereto a non-exclusive easement for the use of one parking stall on an unassigned basis. The Board of Directors shall have the exclusive control over the one hundred twelve parking stalls not designated on the Condominium Map by the letters "G" or "C", including the right to assign particular parking stalls to particular apartments; provided that at least one parking stall is available for the use of each apartment, including any apartment added pursuant to paragraph T of the Declaration, at all times.

(d) The swimming pool and other recreational facilities, if any, shall be appurtenant to and for the exclusive use of the residential apartments.

(e) The partially open corridors shown on the plans on each floor of the building above the ground floor shall be limited common elements appurtenant to the residential apartments located on the same floor as such corridors.

(f) The elevators, trash chute and central hot water system serving the residential apartments shall be limited common elements appurtenant to the residential apartments.

Expenses incurred in connection with a limited common element appurtenant to the Commercial Apartment shall be borne by the Commercial Apartment and expenses incurred in connection with limited common elements appurtenant to the residential apartments shall be borne by each residential apartment according to the percentage assigned to its type, as follows:

One-Bedroom Unit:	.9445%
Two-Bedroom Unit:	1.3915%
Penthouse Unit:	1.8880%

ENCUMBRANCES AGAINST TITLE: A Preliminary Title Report prepared by Title Guaranty of Hawaii, Incorporated, dated November 9, 1979 shows that the land is subject to the following encumbrances:

1. For any taxes that are due and owing and a lien on the land, reference is hereby made to the Office of the Tax Assessor, Second Division.

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

3. Mortgage dated July 8, 1976, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 11526, at Page 67, from Myron A. Resnick, as Mortgagor, to Quality Pacific, Ltd., as Mortgagee, said Mortgage having been assigned to Bank of Hawaii by instrument dated July 9, 1976, recorded in said Bureau in Liber 11526, at Page 76.

4. Unrecorded Development Lease Agreement dated January 19, 1979, by and between Myron A. Resnick, "Owner", and Hugh Menefee Development Corporation, "Developer", of which a short form Development Lease Agreement is recorded in Liber 13423, at Page 13, commencing on January 19, 1979 and terminating upon the execution and recordation of all of the apartment leases, or upon the execution and recordation of all

apartment leases except those apartments which Owner may contract to purchase, whichever first occurs. Said Development Lease Agreement was assigned to Kahana Manor Company, a registered Hawaii partnership, by instrument dated January 19, 1979, recorded in Liber 13756, at Page 701; Consent thereto given by Myron A. Resnick, dated June 4, 1979.

5. Vehicle access shall not be permitted into and from Honoapiilani Highway, Federal Aid Project No. RF-030-1(5), over and across Course No. 8 of the premises described in Schedule C.

6. Unrecorded Right-of-Entry Agreement in favor of the State of Hawaii, as mentioned in Deed dated January 20, 1978 and recorded in Liber 13023, at Page 325.

7. That certain Section IVg Agreement for West Maui areas dated May 31, 1979 and recorded in Liber 13804, at Page 738, made by and between the County of Maui, Department of Water Supply, "County", and Myron A. Resnick, unmarried, "Applicant".

8. That certain Elevation Agreement dated August 6, 1979 and recorded in Liber 13950, at Page 270, made by and between Meyer M. Ueoka, "Owner", and the County of Maui through its Department of Water Supply, a political subdivision of the State of Hawaii, "County".

9. That certain Declaration dated July 2, 1979 and recorded in Liber 13972, at Page 698, entered into by and between Hyades B. Kiesel, wife of Herbert Kiesel, "Owner", and Myron A. Resnick, unmarried, "Developer" or "Lessee".

10. That certain Subdivision Agreement (three lots or less) dated September 19, 1979 and recorded in Liber 14037, at Page 464, made by and between Myron A. Resnick, single, Insurance Concepts, Inc., a Hawaii corporation, and Glenn Orr Hay, Jr., husband of Carol Ann Hay, "Owner", and the County of Maui, a body politic and corporate, and a political subdivision of the State of Hawaii, "County".

11. That certain Subdivision Agreement (large lots) dated May 4, 1979 and recorded in Liber 14037, at Page 470, made by and between Myron A. Resnick, single, Insurance Concepts, Inc., a Hawaii corporation, and Glenn Orr Hay, Jr., husband of Carol Ann Hay, "Owner", and the County of Maui, a body politic and corporate, and a political subdivision of the State of Hawaii, "County".

The Developer advises that, since issuance of said Preliminary Title Report dated November 9, 1979:

1. Said Mortgage dated July 8, 1976 in favor of Quality Pacific, Ltd., was released by instrument dated November 30, 1979, and recorded in said Bureau in Liber 14266, at Page 798.

2. The following encumbrances were recorded: Mortgage and Security Agreement dated November 20, 1979, by and between Kahana Manor Company, as Mortgagor, and Bank of Hawaii, as Mortgagee, and recorded in said Bureau in Liber 14252, at Page 439; and Additional Security Mortgage and Security Agreement dated November 20, 1979, by and between Myron A. Resnick, as Assignor, and Bank of Hawaii, as Mortgagee, and recorded in said Bureau in Liber 14252, at Page 473.

3. Said Declaration, Bylaws and Condominium Map were recorded.

Copies of said instruments have been provided to the Commission. The Developer further advises that, prior to the first conveyance of an apartment, such apartment and the common interest appurtenant thereto shall be released from said Mortgage and Security Agreement dated November 20, 1979, and said Additional Security Mortgage and Security Agreement of like date.

MANAGEMENT AND OPERATION: The Developer reports that the Molokai office of Menefee Management Corporation, the initial managing agent for the project, is in Kaunakakai and that the Molokai mailing address of Menefee Management Corporation is P. O. Box 1076, Kaunakakai, Hawaii 96748.

RESERVATION TO ADD APARTMENTS: The Declaration reserves to the Developer the right at its sole discretion at any time up to, but not later than December 31, 1982, unless such time is extended by all apartment owners in the project, to develop, construct and add to the project up to 20 additional apartments, together with such supporting and servicing common elements which the Developer determines in its sole discretion are beneficial to the project, in the areas designated as "Future Addition" on Sheet A-1A of the Condominium Map. Said additional apartments and common elements shall become a part of the project by amendment of the Declaration.

In connection with, and only to the extent necessary for the creation of the apartments and common elements, as aforesaid, the Developer shall have the right up to December 31, 1982, to remove, amend or add common elements; to remove, amend or add parking stalls; to enter upon the project premises with employees, agents and contractors for all purposes reasonably necessary for or useful to constructing and completing the apartments and common elements according to plans and specifications or amended plans and specifications approved by the

officer of the County of Maui having jurisdiction over the issuance of building permits; to connect the apartments and common elements to utilities of the project; to file amendments to the Declaration; to amend any prior instrument of conveyance of an apartment to conform the same to the Declaration, as amended pursuant to the provisions of paragraph T of the Declaration; and to sell the apartments.

STATUS OF PROJECT: The Developer advises that construction of the project is scheduled to commence upon issuance of this report and that the estimated date of completion of the project is December 31, 1980.

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 14, 1979 and information subsequently filed as of December 18, 1979.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1141, filed with the Commission on June 14, 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.

(for)
AH KAU 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. 1141

December 28, 1979