

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII  
1010 RICHARDS STREET  
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HONOLULU, HAWAII 96801

## SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

KAWAIHAU SPORTS VILLA  
Kapaa, Kauai, Hawaii

REGISTRATION NO. 1161

### **This Report Is Not an Approval or Disapproval of This Condominium Project**

It was prepared as a supplement to ~~the~~ earlier Reports dated September 13, 1979 and April 30, 1980 issued by the Real Estate Commission on the above 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: February 16, 1982

Expires: November 30, 1982

### 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 AUGUST 13, 1979 AND INFORMATION SUBSEQUENTLY FILED AS OF FEBRUARY 9, 1982. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND REPORTING CHANGES IN THE PROJECT, 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 September 13, 1979 and Final Public Report of April 30, 1980 on KAWAIHAU SPORTS VILLA, Registration No. 1161, the Developer reports that changes have been made and requests a Supplementary Public Report on the Project.

The changes made are determined to be a material revision to the information disclosed earlier. This Supplementary Public Report amends the Preliminary and Final Public Reports, becoming a part of Registration No. 1161. The Developer is responsible for placing a true copy of the Supplementary Public Report (pink paper stock) in the hands of all purchasers or prospective purchasers, along with copies of the Preliminary Public Report (yellow paper stock), Final Public Report (white paper stock) and Disclosure Abstract. It is also the responsibility of the Developer to obtain the required receipts therefor from each such person.

2. The Developer of the Project has submitted to the Commission for examination all documents deemed necessary for registration of the Project and the updating of information disclosed therein.

3. A First Amendment to Declaration of Horizontal Property Regime of Kawaihau Sports Villa, dated January 5, 1981, has been recorded in the Bureau of Conveyances of the State of Hawaii in Liber 15269 at Page 001, and a Second Amendment to Declaration of Horizontal Property Regime of Kawaihau Sports Villa, dated December 17, 1981, has been recorded as aforesaid in Liber 16056 at Page 006.

4. No advertising or promotional material 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 Chapter 514A, Hawaii Revised Statutes, as amended, and the rules and regulations promulgated thereunder which relate to horizontal property regimes.

6. This Supplementary Public Report automatically expires November 30, 1982, unless another Supplementary Public Report issues, or the Commission, upon review of the registration, issues an order extending the effective period of this report.

Except for the topical headings which follow, the information contained in the Preliminary and Final Public Reports of September 13, 1979 and April 30, 1980, respectively, has not been disturbed.

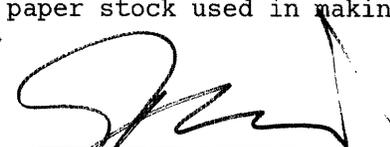
PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The Developer advises that the Declaration of Horizontal Property Regime and the House Rules for the Project have been amended to permit use of the apartments for transient vacation rentals, apartment use and time-sharing, in addition to the uses described in the Preliminary Public Report for the Project, provided, that any time share unit or time share plan so established shall comply with all applicable laws, ordinances and regulations, including Chapter 514E of the Hawaii Revised Statutes. However, the authorization from the County of Kauai Planning Department to develop transient vacation rentals in this project should not be construed as authorization to develop time share units unless specifically approved by the County.

STATUS OF PROJECT. Construction of the project has been completed in September, 1980 as evidenced by submission of a copy of the Notice of Completion to the Commission.

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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 Notice of Intention submitted August 13, 1979 and additional information subsequently filed as late as February 9, 1982.

This Supplementary Horizontal Property Regime (Condominium) Public Report is made a part of Registration No. 1161 filed with the Commission on August 13, 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 pink in color.

  
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G. B. "RED" MORRIS, Chairman  
Real Estate Commission  
State of Hawaii

Distribution: Department of Finance  
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County of Kauai  
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Registration No. 1161

February 16, 1982