

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII  
1010 RICHARDS STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

## SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

THE SANDS OF KAHANA  
Honoapiilani Highway  
Kahana, Lahaina, Maui, Hawaii

REGISTRATION NO. 1195

Issued: March 31, 1981  
Expires: December 14, 1981

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

It was prepared as a supplement to an earlier Report dated November 23, 1979 and November 14, 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.

1. Since the issuance of the Commission's Preliminary Public Report on November 23, 1979, and Final Public Report on November 14, 1980, the Developer reports that changes have been made in the plan or setup of the Project. One of the five buildings have been eliminated and a redistribution of the apartment units have resulted in the remaining four buildings. Additionally, the project will not be constructed in phases as reported in the Final Public Report.
2. The Developer of the Project has submitted to the Commission for examination all of the documents deemed necessary for the registration of a condominium project and the issuance of this Supplementary Public Report.
3. The Developer reports that the Declaration of Horizontal Property Regime and the By-Laws have been recorded in the Bureau of Conveyances of the State of Hawaii in Liber 15060 on Page 527, and that the Condominium Map has been recorded as Condominium Map No. 763. The First Amendment to the Declaration of Horizontal Property Regime dated February 23, 1981 was recorded in the said Bureau of Conveyances in Liber 15399 on Page 351.
4. Advertising or promotional materials have been submitted to the Commission pursuant to its rules and regulations.

5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of the Hawaii Revised Statutes, Chapter 514A, as amended, and the Rules and Regulations of the Hawaii Real Estate Commission which relate to the Horizontal Property Regimes.
6. This Supplementary Public Report expires December 14, 1981, unless the Commission, upon review of registration, issues an order extending the effective date of this report.
7. This Supplementary Public Report is made a part of the registration of THE SANDS OF KAHANA condominium project. The Developer has the responsibility of placing a true copy of this Supplementary Public Report (pink paper stock) in the hands of all purchasers and prospective purchasers, along with a copy of the Preliminary Public Report (yellow paper stock), a copy of the Final Public Report (white paper stock), and revised Disclosure Abstract, and securing a signed copy of the receipt therefor.

The information in the topical headings DESCRIPTION OF BUILDINGS AND APARTMENTS, PHASE CONSTRUCTION, COMMON ELEMENTS, LIMITED COMMON ELEMENTS, ENCUMBRANCES AGAINST TITLE and STATUS OF PROJECT in the Final Public Report dated November 14, 1980, and INTEREST TO BE CONVEYED TO PURCHASERS in the Preliminary Public Report dated November 23, 1979 have been amended. Information contained in the remaining topical headings of the said Final Public Report and Preliminary Public Report has not been disturbed.

DESCRIPTION OF BUILDINGS AND APARTMENTS: The Project consists of one hundred ninety-six (196) residential apartments contained in four (4) apartment building complexes, each containing a basement containing thirty-six (36) parking stalls, numbered Buildings 1 through 4, inclusive. Buildings 1 and 4 both contain a configuration of five (5) to eight (8) stories. Buildings 2 and 3 both contain a configuration of six (6) to nine (9) stories. Each building has a basement level recreation room with storage, one (1) restroom and a kitchen. In addition, Building 2 contains as part of the basement a boat storage facility. Also included in the Project are a swimming pool with a jacuzzi, wading pool, two (2) beach pavilions, three (3) tennis courts, a manager's office and landscaping, including a sculptured water pond and garden area. There are sixty-one (61) on-grade, uncovered parking stalls of which eight (8) on-grade, uncovered parking stalls are reserved for public use as part of the public beach access along the southerly boundary of the Project. There are fifty-eight (58) on-grade, trellis-covered parking stalls.

The apartment buildings are primarily of masonry construction with concrete masonry bearing walls, concrete floor and roof slabs, concrete pile foundations and interior partitioning of steel studs with gypsum wallboard. Each apartment on the first

floor has immediate access to the walkways connecting the buildings to the Project grounds, and each apartment on the other floors has immediate access to hallways, stairways and an elevator providing access to the walkways connecting the buildings to the Project grounds.

With the elimination of Building 5, all Type 1D apartments, Type 2G apartments, Type 2H apartments, Type 2J apartments, Type 2K apartments, Type 2L apartments and Type 2M apartments have been eliminated.

There are a total of four (4) Type 2F apartments in the Project. One (1) Type 2F apartment is located in each of Buildings 1, 2, 3 and 4. Each Type 2F apartment is in a two-level configuration. The lower level contains a living-dining room, kitchen, laundry room, one bedroom, one bathroom containing a toilet and bathtub-shower combination, and one lanai off the living-dining room. The loft level contains one bedroom and one bathroom containing a toilet and shower and one lanai off the bedroom.

The description of all other types of apartments remains unchanged except that the number of apartments in each building has changed as a result of the increase in the number of stories for each building as follows:

Building 1 and Building 4 both contain three (3) Type 1A apartments, two (2) Type 1B apartments, four (4) Type 1C apartments, one (1) Type 1E apartment, ten (10) Type 2A apartments, five (5) Type 2B apartments, three (3) Type 2C apartments, four (4) Type 2D apartments, one (1) Type 2E apartment, one (1) Type 2F apartment, six (6) Type 3A apartments, two (2) Type 3B apartments, one (1) Type 3C apartment, one (1) Type 3D apartment, and two (2) Type 3E apartments for a total of forty-six (46) apartments in each building.

Building 2 and Building 3 both contain four (4) Type 1A apartments, three (3) Type 1B apartments, two (2) Type 1C apartments, one (1) Type 1E apartment, twelve (12) Type 2A apartments, six (6) Type 2B apartments, five (5) Type 2C apartments, four (4) Type 2D apartments, one (1) Type 2E apartment, one (1) Type 2F apartment, seven (7) Type 3A apartments, two (2) Type 3B apartments, one (1) Type 3C apartment, one (1) Type 3D apartment and two (2) Type 3E apartments for a total of fifty-two (52) apartments in each building.

The apartment numbers, apartment types, interior floor areas, lanai floor areas, total floor areas, and percentage of common interest appurtenant to each apartment are hereafter listed. The first digit of each apartment number indicates the number of the building in which the apartment is located. The second digit of each apartment number indicates the number of the floor on which the apartment is located. The third digit of each apartment number indicates the number of the apartment on each floor of the building.

<u>Apt. No.</u>	<u>Apt. Type</u>	<u>Interior Floor Area</u>	<u>Lanai Area</u>	<u>Total Apt. Area</u>	<u>Percentage Interest</u>
111	1A	835	240	1,075	.3234
112	1B	805	110	915	.2753
113	1C	670	110	780	.2347
114	1C	670	110	780	.2347
115	2B	1,660	220	1,880	.5656
116	2A	1,580	140	1,720	.5175
117	2A	1,580	140	1,720	.5175
118	1E	770	110	880	.2648
119	1A	835	240	1,075	.3234
121	1A	835	240	1,075	.3234
122	1B	805	110	915	.2753
123	1C	670	110	780	.2347
124	1C	670	110	780	.2347
125	2B	1,660	220	1,880	.5656
126	2A	1,580	140	1,720	.5175
127	2A	1,580	140	1,720	.5175
128	3A	1,790	220	2,010	.6047
131	3A	1,790	220	2,010	.6047
132	2C	1,500	110	1,610	.4844
133	2B	1,660	220	1,880	.5656
134	2A	1,580	140	1,720	.5175
135	2A	1,580	140	1,720	.5175
136	3A	1,790	220	2,010	.6047
141	3A	1,790	220	2,010	.6047
142	2C	1,500	110	1,610	.4844
143	2B	1,660	220	1,880	.5656
144	2A	1,580	140	1,720	.5175
145	2A	1,580	140	1,720	.5175
146	3A	1,790	220	2,010	.6047
151	3B	2,290	430	2,720	.8183
152	2C	1,500	110	1,610	.4844
153	2B	1,660	220	1,880	.5656
154	2A	1,580	140	1,720	.5175
155	2A	1,580	140	1,720	.5175
156	3A	1,790	220	2,010	.6047
161	2F	1,685	270	1,955	.5882
162	2E	1,600	220	1,820	.5476
163	2D	1,535	110	1,645	.4949
164	2D	1,535	110	1,645	.4949
165	3C	1,730	220	1,950	.5867
171	3D	2,085	430	2,515	.7566
172	2D	1,535	110	1,645	.4949
173	2D	1,535	110	1,645	.4949
174	3B	2,290	430	2,720	.8183
181	3E	2,050	350	2,400	.7221
182	3E	2,050	350	2,400	.7221

<u>Apt. No.</u>	<u>Apt. Type</u>	<u>Interior Floor Area</u>	<u>Lanai Area</u>	<u>Total Apt. Area</u>	<u>Percentage Interest</u>
211	1A	835	240	1,075	.3234
212	1B	805	110	915	.2753
213	1C	670	110	780	.2347
214	1C	670	110	780	.2347
215	2B	1,660	220	1,880	.5656
216	2A	1,580	140	1,720	.5175
217	2A	1,580	140	1,720	.5175
218	1E	770	110	880	.2648
219	1A	835	240	1,075	.3234
221	1A	835	240	1,075	.3234
222	1B	805	110	915	.2753
223	2C	1,500	110	1,610	.4844
224	2B	1,660	220	1,880	.5656
225	2A	1,580	140	1,720	.5175
226	2A	1,580	140	1,720	.5175
227	3A	1,790	220	2,010	.6047
231	1A	835	240	1,075	.3234
232	1B	805	110	915	.2753
233	2C	1,500	110	1,610	.4844
234	2B	1,660	220	1,880	.5656
235	2A	1,580	140	1,720	.5175
236	2A	1,580	140	1,720	.5175
237	3A	1,790	220	2,010	.6047
241	3A	1,790	220	2,010	.6047
242	2C	1,500	110	1,610	.4844
243	2B	1,660	220	1,880	.5656
244	2A	1,580	140	1,720	.5175
245	2A	1,580	140	1,720	.5175
246	3A	1,790	220	2,010	.6047
251	3A	1,790	220	2,010	.6047
252	2C	1,500	110	1,610	.4844
253	2B	1,660	220	1,880	.5656
254	2A	1,580	140	1,720	.5175
255	2A	1,580	140	1,720	.5175
256	3A	1,790	220	2,010	.6047
261	3B	2,290	430	2,720	.8183
262	2C	1,500	110	1,610	.4844
263	2B	1,660	220	1,880	.5656
264	2A	1,580	140	1,720	.5175
265	2A	1,580	140	1,720	.5175
266	3A	1,790	220	2,010	.6047
271	2F	1,685	270	1,955	.5882
272	2E	1,600	220	1,820	.5476
273	2D	1,535	110	1,645	.4949
274	2D	1,535	110	1,645	.4949
275	3C	1,730	220	1,950	.5867
281	3D	2,085	430	2,515	.7566
282	2D	1,535	110	1,645	.4949
283	2D	1,535	110	1,645	.4949
284	3B	2,290	430	2,720	.8183

<u>Apt. No.</u>	<u>Apt. Type</u>	<u>Interior Floor Area</u>	<u>Lanai Area</u>	<u>Total Apt. Area</u>	<u>Percentage Interest</u>
291	3E	2,050	350	2,400	.7221
292	3E	2,050	350	2,400	.7221
311	1A	835	240	1,075	.3234
312	1B	805	110	915	.2753
313	1C	670	110	780	.2347
314	1C	670	110	780	.2347
315	2B	1,660	220	1,880	.5656
316	2A	1,580	140	1,720	.5175
317	2A	1,580	140	1,720	.5175
318	1E	770	110	880	.2648
319	1A	835	240	1,075	.3234
321	1A	835	240	1,075	.3234
322	1B	805	110	915	.2753
323	2C	1,500	110	1,610	.4844
324	2B	1,660	220	1,880	.5656
325	2A	1,580	140	1,720	.5175
326	2A	1,580	140	1,720	.5175
327	3A	1,790	220	2,010	.6047
331	1A	835	240	1,075	.3234
332	1B	805	110	915	.2753
333	2C	1,500	110	1,610	.4844
334	2B	1,660	220	1,880	.5656
335	2A	1,580	140	1,720	.5175
336	2A	1,580	140	1,720	.5175
337	3A	1,790	220	2,010	.6047
341	3A	1,790	220	2,010	.6047
342	2C	1,500	110	1,610	.4844
343	2B	1,660	220	1,880	.5656
344	2A	1,580	140	1,720	.5175
345	2A	1,580	140	1,720	.5175
346	3A	1,790	220	2,010	.6047
351	3A	1,790	220	2,010	.6047
352	2C	1,500	110	1,610	.4844
353	2B	1,660	220	1,880	.5656
354	2A	1,580	140	1,720	.5175
355	2A	1,580	140	1,720	.5175
356	3A	1,790	220	2,010	.6047
361	3B	2,290	430	2,720	.8183
362	2C	1,500	110	1,610	.4844
363	2B	1,660	220	1,880	.5656
364	2A	1,580	140	1,720	.5175
365	2A	1,580	140	1,720	.5175
366	3A	1,790	220	2,010	.6047
371	2F	1,685	270	1,955	.5882
372	2E	1,600	220	1,820	.5476
373	2D	1,535	110	1,645	.4949
374	2D	1,535	110	1,645	.4949
375	3C	1,730	220	1,950	.5867

<u>Apt. No.</u>	<u>Apt. Type</u>	<u>Interior Floor Area</u>	<u>Lanai Area</u>	<u>Total Apt. Area</u>	<u>Percentage Interest</u>
381	3D	2,085	430	2,515	.7566
382	2D	1,535	110	1,645	.4949
383	2D	1,535	110	1,645	.4949
384	3B	2,290	430	2,720	.8183
391	3E	2,050	350	2,400	.7221
392	3E	2,050	350	2,400	.7221
411	1A	835	240	1,075	.3234
412	1B	805	110	915	.2753
413	1C	670	110	780	.2347
414	1C	670	110	780	.2347
415	2B	1,660	220	1,880	.5656
416	2A	1,580	140	1,720	.5175
417	2A	1,580	140	1,720	.5175
418	1E	770	110	880	.2648
419	1A	835	240	1,075	.3234
421	1A	835	240	1,075	.3234
422	1B	805	110	915	.2753
423	1C	670	110	780	.2347
424	1C	670	110	780	.2347
425	2B	1,660	220	1,880	.5656
426	2A	1,580	140	1,720	.5175
427	2A	1,580	140	1,720	.5175
428	3A	1,790	220	2,010	.6047
431	3A	1,790	220	2,010	.6047
432	2C	1,500	110	1,610	.4844
433	2B	1,660	220	1,880	.5656
434	2A	1,580	140	1,720	.5175
435	2A	1,580	140	1,720	.5175
436	3A	1,790	220	2,010	.6047
441	3A	1,790	220	2,010	.6047
442	2C	1,500	110	1,610	.4844
443	2B	1,660	220	1,880	.5656
444	2A	1,580	140	1,720	.5175
445	2A	1,580	140	1,720	.5175
446	3A	1,790	220	2,010	.6047
451	3B	2,290	430	2,720	.8183
452	2C	1,500	110	1,610	.4844
453	2B	1,660	220	1,880	.5656
454	2A	1,580	140	1,720	.5175
455	2A	1,580	140	1,720	.5175
456	3A	1,790	220	2,010	.6047
461	2F	1,685	270	1,955	.5882
462	2E	1,600	220	1,820	.5476
463	2D	1,535	110	1,645	.4949
464	2D	1,535	110	1,645	.4949
465	3C	1,730	220	1,950	.5867

<u>Apt. No.</u>	<u>Apt. Type</u>	<u>Interior Floor Area</u>	<u>Lanai Area</u>	<u>Total Apt. Area</u>	<u>Percentage Interest</u>
471	3D	2,085	430	2,515	.7566
472	2D	1,535	110	1,645	.4949
473	2D	1,535	110	1,645	.4949
474	3B	2,290	430	2,720	.8183
481	3E	2,050	350	2,400	.7221
482	3E	2,050	350	2,400	.7221

The respective apartments shall not be deemed to include the undecorated or unfinished interior surfaces of the perimeter walls or interior load-bearing walls, the floors and ceiling surrounding each apartment, or any pipes, wires, conduits or other utility lines running through such apartment which are utilized for or serve more than one (1) apartment, the same being deemed common elements as hereinafter provided. Each apartment shall include any adjacent lanai as shown on the Condominium Map, all the walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, pillars, floors and ceilings, doors and door frames, windows and window frames, and any built-in fixtures.

PHASE CONSTRUCTION: With the elimination of Building 5, the Project will no longer be constructed in three (3) phases but rather it will be constructed in one (1) phase. Construction for the entire Project including Buildings 1, 2, 3 and 4 commenced on October 27, 1980.

COMMON ELEMENTS: Subsections (g) and (h) have been amended to read as follows:

"(g) The swimming pool with jacuzzi, wading pool and three (3) tennis courts;

(h) The two (2) beach pavilions with equipment and storage facilities, boat storage facility, manager's office and the basement level recreation rooms in each building, including the storage room, two (2) restrooms and kitchen therein;"

LIMITED COMMON ELEMENTS: The exterior storage lockers having the same number as the number of the apartment, located on the same floor and assigned to each apartment are limited common elements reserved for the use of each respective apartment. The costs and expenses of these limited common elements, including but not limited to maintenance, repair, replacement, additions and improvements, shall be borne entirely by the apartment or apartments to which they are appurtenant. If any such cost is charged to more than one apartment, each such apartment shall bear that portion of the total cost equal to the ratio which its common interest bears to the total common interest of all apartments responsible for said cost.

INTEREST TO BE CONVEYED TO PURCHASERS: The Declaration, as amended, states that the percentage of undivided interest in all of the common elements appertaining to each apartment by unit type is as follows:

<u>Unit Type</u>	<u>Common Interest Percentage</u>	<u>Number of Apartments of Each Unit Type</u>	<u>Total %</u>
1A	.3234	14	4.5276
1B	.2753	10	2.7530
1C	.2347	12	2.8164
1E	.2648	4	1.0592
2A	.5175	44	22.7700
2B	.5656	22	12.4432
2C	.4844	16	7.7504
2D	.4949	16	7.9184
2E	.5476	4	2.1904
2F	.5882	4	2.3528
3A	.6047	26	15.7222
3B	.8183	8	6.5464
3C	.5867	4	2.3468
3D	.7566	4	3.0264
3E	.7221	8	5.7768
			<u>100.0000</u>

ENCUMBRANCES AGAINST TITLE: There have been no changes in the Encumbrances Against Title except that paragraphs numbered 2 and 9 have been amended to read as follows:

"2. Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent Grant Number 1166 and Royal Patents Numbers 6231 and 4177.

9. The restrictions on use and other restrictions and all other of the covenants, agreements, obligations, conditions, reservations, easements, and other provisions set forth in Declaration of Horizontal Property Regime dated October 14, 1980, and recorded in the said Bureau of Conveyances in Liber 15060 on Page 527, 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. 763.) Said Declaration was amended by instrument dated February 23, 1981, and recorded in the said Bureau of Conveyances in Liber 15399 on Page 351."

STATUS OF PROJECT: The Developer advises the Commission that construction of the entire project commenced on October 27, 1980, and is estimated to be completed about April 1, 1982.

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The purchaser or prospective purchaser should be cognizant of the fact that this Public Report represents information disclosed by the Developer in the required Notice of Intention submitted November 1, 1979, and information subsequently filed on March 23, 1981.

This SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1195 filed with the Commission on November 1, 1979.

The report, when reproduced, shall be a true copy of the Commission's Public Report. The paper stock used in making facsimiles must be pink.

*Ralph S. Uyei*  
For G. A. "RED" MORRIS, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

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REGISTRATION NO. 1195

March 31, 1981