

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII  
1010 RICHARDS STREET  
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HONOLULU, HAWAII 96801

## FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on  
KU'U MAKANA AT DIAMOND HEAD  
3165 Diamond Head Road  
Honolulu, Hawaii

REGISTRATION NO. 1240

### **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 2, 1980  
Expires: January 2, 1982

#### SPECIAL ATTENTION

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 FEBRUARY 6, 1980, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF NOVEMBER 24, 1980. 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 March 10, 1980 on KU'U MAKANA AT DIAMOND HEAD, Registration No. 1240, the Developer reports that material changes have been made in the plan or setup of the project.

2. This Final Public Report (white paper stock) amends the KU'U MAKANA AT DIAMOND HEAD 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 recorded in the Bureau of Conveyances of the State of Hawaii, as follows:

The Declaration of Horizontal Property Regime of Ku'u Makana at Diamond Head, with Bylaws of the Association of Apartment Owners, dated August 29, 1980 was recorded in said Bureau in Liber 15017, at Page 592.

The floor plans of the project have been designated Condominium Map No. 758.
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 thirteen (13) months after date of issuance, December 2, 1980, 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 March 10, 1980 has not been disturbed except under the topical headings LOCATION, LIMITED COMMON ELEMENTS, OWNERSHIP OF TITLE, ENCUMBRANCES AGAINST TITLE and STATUS OF PROJECT. A new topical heading PRIVATE PARK has been added.

LOCATION: The project is located on a parcel of land situate at 3165 Diamond Head Road, Honolulu, Hawaii, which comprises an area of 29,434 square feet, per a survey dated August 28, 1980 by Austin, Tsutsumi & Associates, Inc. by John Cline Mann, Registered Professional Surveyor No. 574-5. The description of the land is more fully set forth in the Declaration.

LIMITED COMMON ELEMENTS: Paragraph (d) has been added to this topical heading in the Preliminary Public Report as follows:

(d) Each apartment shall have appurtenant thereto an exclusive right to use the air conditioning systems and exhaust systems provided for the use of such apartment. Each of the air conditioning systems is a direct expansion split system, which includes a fan-coil unit, air-cooled condensing unit, air filters, refrigerant piping, ductwork, air diffusers, registers, grilles, controls and other elements. Each of the exhaust systems includes individual fans and ductwork.

All costs and expenses in connection with a limited common element, including but not limited to maintenance, repair, replacement, additions and improvements, shall be charged to the owner of the apartment to which said limited common element is appurtenant.

OWNERSHIP OF TITLE: The Preliminary Report dated September 30, 1980 by Title Guaranty of Hawaii, Incorporated, states that title to the land is now vested in JuneAllan, Inc., as to an undivided 75% interest, and in Allan Hopkins Renton, as to an undivided 25% interest.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Report dated September 30, 1980 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. Location of the seaward boundary in accordance with the laws of the State of Hawaii, and shoreline setback line in accordance with County regulation and/or ordinance.
4. Mortgage dated September 25, 1980, by JuneAllan, Inc. in favor of June Renton Offer, recorded in Liber 15017, at Page 568.
5. Mortgage dated September 25, 1980, by JuneAllan, Inc. in favor of Allan Hopkins Renton, recorded in Liber 15017, at Page 576.
6. Mortgage dated September 25, 1980, by JuneAllan, Inc. in favor of Floria L. Renton, recorded in Liber 15017, at Page 584.
7. Declaration of Horizontal Property Regime of Ku'u Makana at Diamond Head dated August 29, 1980,

recorded in Liber 15017, at Page 592, with Bylaws attached (Condominium Map No. 758).

8. Declaration of Restrictive Covenants (Private Park), dated August 14, 1980, recorded in Liber 15017, at Page 644.

9. One-fourth (1/4) dower interest of Allen Hopkins Renton in favor of Floria L. Renton, recorded in Liber 12431, at Page 281.

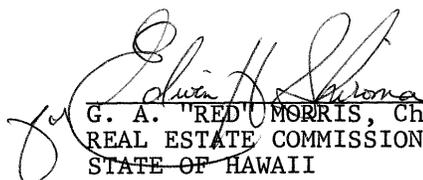
PRIVATE PARK: The City and County of Honolulu has required that the owners of the property execute and record the aforesaid Declaration of Restrictive Covenants (Private Park) dated August 14, 1980). Under this instrument, a portion of the land submitted to the horizontal property regime is to be used in perpetuity by the owners, lessees or occupant of the project for a private park. The portion of the project set aside for this purpose is more particularly described in said Declaration.

STATUS OF THE PROJECT: The construction of the project commenced on September 2, 1980, and completion of construction of the project is estimated on or about October, 1981.

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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 February 6, 1980, and information subsequently filed as of November 24, 1980.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1240.

The 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.

  
G. A. "RED" MORRIS, Chairman  
REAL ESTATE COMMISSION  
STATE OF HAWAII

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

REGISTRATION NO. 1240

December 2, 1980