

# 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  
THE ROYAL SEA-CLIFF CLUB  
Alii Drive  
Kona, Hawaii

REGISTRATION NO. 1247

### **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 15, 1980  
Expires: January 15, 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 or prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED ON FEBRUARY 15, 1980, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF NOVEMBER 28, 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 February 28, 1980, on THE ROYAL SEA-CLIFF CLUB, Registration No. 1247, the Developer has submitted additional information in respect of the subject registration.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of this condominium project and issuance of this Final Public Report. This Final Report is made a part of the registration on THE ROYAL SEA-CLIFF CLUB. The Developer shall be responsible for placing this Final Public Report (white paper stock), the Preliminary Public Report (yellow paper stock) and Disclosure Abstract in the hands of all purchasers and prospective purchasers and securing a signed receipt therefor.

3. Advertising and promotional matter have been submitted to the Real Estate Commission.

4. The Declaration of Horizontal Property Regime, with the Bylaws of the Association of Apartment Owners attached thereto, was filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1043141 and also recorded in the Bureau of Conveyances of the State of Hawaii in Liber 15161, Page 66. Approved floor plans have been filed in said Office of the Assistant Registrar as Condominium Map No. 441 and also recorded in said Bureau of Conveyances as Condominium File Plan No. 772.

5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A of the Hawaii Revised Statutes, and the Rules and Regulations of the Hawaii Real Estate Commission which relate to Horizontal Property Regimes.

6. This Final Public Report automatically expires thirteen (13) months after date of issuance, December 15, 1980, unless a Supplementary Public Report is issued or the Commission, upon review of the registration, issues an order extending the effective period of this report.

Except for the information under the topical headings which follow, the information in the Preliminary Public Report dated February 28, 1980, has not materially changed.

DESCRIPTION: The following changes were made in the information contained under this topical heading:

(a) A tennis court will be included among the "Other Improvements" of the project described in paragraph 3 of this topical heading.

(b) The apartment number of the commercial apartment space described in the Exhibit and paragraph 4(b) of this topical heading has been changed from No. 536 to No. 537.

(c) The listing of rooms in each of the residential apartment spaces as set forth in the Exhibit was changed in respect of Types B, B-1 and B-2 apartment spaces by deleting the reference to a dressing room as being among the rooms

contained in the Types B, B-1 and B-2 apartment spaces. Neither the floor plan nor the floor area of the Types B, B-1 and B-2 apartment spaces has been changed, the inclusion of a dressing room among the rooms included in said types of apartment spaces was in error.

(d) The area of the garden lanai adjacent to and appurtenant as a limited common element to the Type S-2 apartment space bearing apartment space number 108 has been changed from approximately 900 square feet to approximately 851 square feet. Also, the area of the sun deck adjacent to and appurtenant as a limited common element to the Type S-3 apartment space has been changed from approximately 748 square feet to approximately 932 square feet.

Other than the foregoing, all other information contained in this topical heading has not changed.

ENCUMBRANCES AGAINST TITLE: A comparison of the Preliminary Title Report issued by Security Title Corporation, dated January 30, 1980 (the foregoing having been submitted to the Commission in connection with the issuance of the Preliminary Public Report of February 28, 1980), with the aforesaid Preliminary Title Report dated November 25, 1980, indicates that the only change is addition of the following encumbrance: Declaration of Horizontal Property Regime of THE ROYAL SEA-CLIFF CLUB dated November 5, 1980, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1043141, Condominium Map No. 441, and also recorded in the Bureau of Conveyances of the State of Hawaii in Liber 15161, Page 66, Condominium File Plan No. 772.

PURCHASE MONEY HANDLING: A revised Escrow Agreement dated May 14, 1980, has been executed and a copy of the same has been filed with the Commission. Under the revised Escrow Agreement, Security Title Corporation remains as the Escrow Agent, and the revisions primarily consist of making the Fidelity Federal Savings and Loan Association (the owner) a party to the Escrow Agreement, together with Business Investment, Ltd. (the developer).

MANAGEMENT AND OPERATIONS: A property management agreement has been executed with General Management Corporation, Suite 2320 Pacific Trade Center, Honolulu, Hawaii. A copy of the agreement dated October 15, 1980 has been filed with the Commission.

FINANCING OF PROJECT: Fidelity Federal Savings and Loan Association, the owner of the project, and Business Investment, Ltd., the developer, have filed a revised Statement of Program of Financing Project, advising the Commission that Fidelity Federal Savings and Loan Association intends to and is financing the construction of the project by use of its own funds, and that permanent loans to qualified purchasers will also be provided by Fidelity Federal Savings and Loan Association. As evidence of its financial ability to finance the construction of the project by use of its own funds, Fidelity Federal Savings and Loan Association has filed with the Commission a copy of its Statement of Financial Condition as of December 31, 1979.

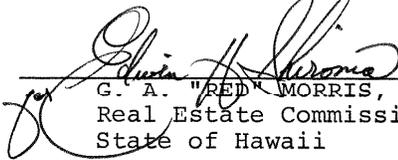
STATUS OF THE PROJECT: The building plans for the project have been completed and the Building Permit for the construction of the project has been issued. The construction of the project

commenced in August of 1980, and the estimated date of completion is on or about April 30, 1982, assuming the construction will proceed without delays.

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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 on February 15, 1980, and information subsequently filed as of November 30, 1980.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 1247 filed with the Commission on February 15, 1980. 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.

  
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. 1247

DATED: December 15, 1980.