

# 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  
KING HALE  
Wainiha, Halelea, Kauai, Hawaii

REGISTRATION NO. 1267

### 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: April 21, 1980

Expires: May 21, 1981

#### 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 MARCH 14, 1980 AND INFORMATION SUBSEQUENTLY FILED AS OF APRIL 9, 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.

1. The KING HALE is a proposed fee simple condominium conversion project in a two story wooden building that is an existing building with no basement and having a total of two units, tennis court and four covered parking stalls.
2. The Developer of the project has submitted to the Commission for examination all the documents deemed necessary for the issuance of this Final Public Report.

3. The basic documents (Declaration of Horizontal Property Regimes, By-Laws of the Association of Apartment Owners) were executed on March 3, 1980 and filed in the Bureau of Conveyances, State of Hawaii in Book 14562, Page 93. A copy of the floor plans and elevations has been filed as Condominium Map No. 690 in said Bureau.
4. No advertising or promotional matter 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, and the Condominium Rules and Regulations relating to the Horizontal Property Regimes.
6. This Final Public Report (white paper stock) is made a part of the registration of the KING HALE condominium project. The Developer is responsible for placing a true copy of this Final Public Report (white paper stock) and Disclosure Abstract in the hands of all purchasers and prospective purchasers. The Developer is also responsible for securing from each purchaser or prospective purchaser a signed receipt, signifying that he has had an opportunity to read the Final Public Report.
7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, April 21, 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.

NAME OF PROJECT: KING HALE.

LOCATION: The 21,416 square feet of property to be committed to the regime is a fee simple condominium project situated at Wainiha, Halelea, Kauai, Hawaii.

TAX KEY: 5th Division 5-8-8-46.

ZONING: R-4, Residential.

DEVELOPER: LARRY WILLIAM KING and BILLIE JEAN KING, of [REDACTED]  
[REDACTED]

DESCRIPTION: The project consists of a two apartment condominium in a single building that is an existing building of wood construction on posts with shingle roof and no basement with four parking stalls of which three are covered and one is not covered.

Description of Apartments: The designation of each apartment and its approximate location in the project is as shown on the Condominium Map and the description is as follows:

a. Apartment A is a two-story apartment containing a gross floor area of 1,488 square feet. The ground floor consists of a bedroom and bathroom. The second floor consists of living room, kitchen, bedroom, bathroom and lanai of 192 square feet. There are also two covered parking stalls on the ground floor.

b. Apartment B is a two-story apartment containing a gross floor area of 1,812 square feet. The ground floor consists of two bedrooms, one bathroom, closet and utility room. The second floor consists of a living room, kitchen, three bedrooms, two bathrooms and a lanai of 216 square feet. There are also two parking stalls on the ground floor of which one is covered and the other is partially covered.

Each apartment shall have immediate access to the land adjacent thereto and to the walkways and driveways connecting it to the street entrance of the project.

The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load bearing walls. The floors and ceilings surrounding each of them or any pipes, wires, conduits or other utility lines running through them which are utilized for or serve more than one unit are deemed common elements as herein provided. Each apartment shall be deemed to include all the walls and partitions, floors and ceilings which are not load bearing within its perimeter walls including paint, wallpaper, or the like, carpeting, floor covering and built-in fixtures. Additionally the boundary lines of each apartment shall include their respective garage spaces.

COMMON ELEMENTS: The common elements include:

- a. The land in fee simple.
- b. The foundations, floor slabs, columns, girders, beams, supports, bearing walls, roofs and stairways in the buildings.
- c. The yards, grounds, tennis court, landscaping and driveway.
- d. The central and appurtenant installations for services such as power, light, gas, telephone, sewer, hot and cold water and like utilities.
- e. All other parts of the Project existing for the common use or necessary to the existence, maintenance and safety of the Project.

LIMITED COMMON ELEMENTS: The parking space adjacent to Apartment A is for the sole and exclusive use of Apartment A.

INTEREST TO BE CONVEYED TO PURCHASER: The common interest for Apartment A is 50% and the common interest for Apartment B is 50%. The common interest is the interest of each apartment in the common elements of the Project and voting on all matters

requiring action by the owners and the common expenses shall be governed by the percentage common interest.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE: The apartments shall be occupied and used for residential apartment uses by the owners, their families, tenants and social guests and such other uses as are permitted by the By-Laws and House Rules and may be sold, leased or rented for any time period or periods including any annually recurring period on a fixed or floating basis and Declarant shall have the right to retain any apartment or apartments in the Project and to sell, lease or rent for any time period or periods as aforesaid to any third party for the occupancy of any apartment that it retains.

OWNERSHIP OF TITLE: The owner of the property is the Developer as reflected in the Preliminary Title Report of February 1, 1980 issued by Title Guaranty of Hawaii, Incorporated.

ENCUMBRANCES AGAINST TITLE: The Preliminary Title Report as described above reflects the ownership as above and notes the following encumbrances against the property:

1. For real property taxes reference is made to the Office of the Tax Assessor, Fifth 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 in favor of Bank of Hawaii, a Hawaii corporation, dated October 14, 1977, recorded in the Bureau of Conveyances, State of Hawaii in Liber 12530, Page 316.

5. Additional Charge Mortgage in favor of Bank of Hawaii, a Hawaii corporation, dated March 30, 1978, recorded in said Bureau in Liber 12821, Page 253.

PURCHASE MONEY HANDLING: The Developer will sell the units without establishing any escrow agreement since there are only two units and as the sale is made turn it over to an escrow for closing.

SALES CONTRACT: The Developer intends to use the standard Deposit Receipt, Offer and Acceptance form used by the Honolulu Board of Realtors.

MANAGEMENT AND OPERATIONS: The Developer indicates that it does not propose to appoint a managing agent and the two owners will make any decisions regarding the management and operations of the property.

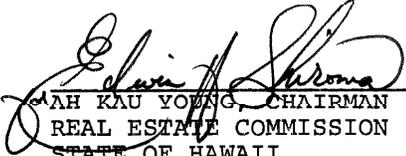
STATUS OF PROJECT: The Developer advises the Real Estate Commission that the building was completed in 1972 and some refurbishing is to take place prior to individual sale.

The County of Kauai has issued a verified statement dated January 29, 1980 that the King Hale condominium, according to the building permits, records and information on file with the county, is in compliance with all ordinances, rules, regulations and other requirements in force at the time its construction and that no variance has been granted from any ordinance, code, regulation, or any other requirement in force at the time of its construction or from any current ordinance, code, rule, regulation or other requirement.

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The purchaser or prospective purchaser shall be cognizant of the fact that this public report represents information disclosed by the Developer in the required Notice of Intention submitted March 14, 1980 and information subsequently filed as of April 9, 1980.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1267 filed with the Commission on March 14, 1980.

This report, when reproduced, shall be a true copy of the Commission's Public Report. The paper stock must be white in color.

  
EDWIN H. SHROMA, CHAIRMAN  
REAL ESTATE COMMISSION  
STATE OF HAWAII

Distribution:

- DEPARTMENT OF TAXATION
- BUREAU OF CONVEYANCES
- PLANNING DEPARTMENT, COUNTY OF KAUAI
- FEDERAL HOUSING ADMINISTRATION
- ESCROW AGENT

REGISTRATION NO. 1267

April 21, 1980