

REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
STATE OF HAWAII
1010 RICHARDS STREET
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HONOLULU, HAWAII 96801

FINAL
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT

on
THE ISLES AT DIAMOND HEAD BEACH
(formerly known as "Diamond Head Beach Villas")
219 Kaalawai Place and
218 Kaimanawai Place
Honolulu, Hawaii

REGISTRATION NO. 1319
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 28, 1984

Expires: January 28, 1986

SPECIAL ATTENTION

A comprehensive reading of this report by the prospective purchaser is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED ON MAY 23, 1980 AND INFORMATION SUBSEQUENTLY SUBMITTED AS OF DECEMBER 4, 1984. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report on the Diamond Head Beach Villas nka THE ISLES AT DIAMOND HEAD BEACH condominium dated September 19, 1980 and the Supplementary Public Report dated May 7, 1982, which superseded the Preliminary report in its entirety, the Developer reports that certain material changes have been

made in the Project. Said Public Reports, which were duly extended until October 19, 1984, are further extended to coincide with the expiration of this Final Public Report.

2. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the issuance of this Final Public Report.
3. The basic documents (Declaration of Horizontal Property Regime and By-Laws of the Association of Home Owners) were executed on October 30, 1984 and filed in the Bureau of Conveyances, State of Hawaii, in Book 18243, Page 178 and Book 18243, Page 191, respectively. A copy of the floor plans and elevations has been filed as Condominium Map No. 842 in said Bureau. A First Amendment to the Declaration dated December 10, 1984 was filed in Book 18318, Page 398. The foregoing amends and supersedes in the entirety the following: Declaration of Horizontal Property Regimes and Bylaws dated March 1, 1982, and recorded as aforesaid in Book 16195, Page 620; a First Amendment of Declaration dated May 6, 1983, recorded as aforesaid in Book 17114, Page 447; and a Second Amendment of Declaration dated July 25, 1983, recorded as aforesaid in Book 17224, Page 629.
4. Advertising and 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, as amended, and the Condominium Rules and Regulations relating to Horizontal Property Regimes.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, December 28, 1984, unless a Second Supplementary Public Report issues or the Commissioner, upon review of the registration, issues an order extending the effective period of this report.
7. This Final Public Report amends the Supplementary Public Report becoming a part of THE ISLES AT DIAMOND HEAD BEACH (fka Diamond Head Beach Villas) registration. The Developer is responsible for placing a true copy of this Final Public Report (white paper stock), the Supplementary Public Report (pink paper stock) and the Disclosure Abstract dated October 29, 1984 in the hands of all purchasers and prospective purchasers and for securing from each such person a signed receipt therefor. Also, upon request, the Developer shall

provide such persons with a copy of the Preliminary Public Report (yellow paper stock), which was superseded by the Supplementary Public Report dated May 7, 1982.

The information in the Supplementary Public Report of May 7, 1982 under the topical Headings, NAME OF PROJECT, DESCRIPTION OF PROJECT, LIMITED COMMON ELEMENTS, INTEREST TO BE CONVEYED TO PURCHASER, ENCUMBRANCES AGAINST TITLE and STATUS OF PROJECT has been changed. The Developer reports that all other information in the Supplementary Report remains the same.

NAME OF PROJECT: THE ISLES AT DIAMOND HEAD BEACH.

DESCRIPTION OF PROJECT: The Project consist of six (6) two-story single family dwelling units, each with a two-car garage, and a total of nine guest parking stalls, all to be constructed in accordance with plans certified by Edward Sullam, F.A.I.A., Registered Professional Architect. The Verified Statement of Edward Sullam, F.A.I.A. and the plans recorded concurrently with the Declaration amends Condominium Map No. 842 by replacing 7 sheets, P1 through P7, inclusive, with 25 sheets (C-2, A1.1, A1.2, A1.3, A1.4, A2.1, A2.2, A2.3, A2.4, A3.1, A3.2, A3.3, A3.4, A4.1, A4.2, A4.3, A4.4, A5.1, A5.2, A5.3, A5.4, A6.1, A6.2, A6.3, A6.4) as stated in the Verified Statement.

The Project is divided into the following separate freehold estates, each of which is referred to and depicted on the Condominium Map by the number following the first three digits (218 representing those units on Kamanawai Place and 219 those units on Kaalawai Place):

A. Unit 218-2. One freehold estate consisting of a two-story single family dwelling to be constructed of wood, stucco and heavy beams, with shake or tile roof, and consisting of four bedrooms and four and one-half baths. The ground floor square footage of 1,928 and a lanai and entry porch of 708 square feet; second floor square footage of 1,626; and attached garage and storage of 473 square feet. The land area for site "218-2" is a limited common element and is for the exclusive use for Unit 218-2 and will be 7,285 square feet.

B. Unit 218-4. One freehold estate consisting of a two-story single family dwelling to be constructed of wood, stucco and heavy beams, with shake or tile roof, and consisting of four bedrooms and four and one-half baths. The ground floor square footage of 1,658 and a lanai and entry porch of 695 square feet; second floor square footage of 1,791; and attached garage and storage of 514 square feet. The land area for site "218-4" is a limited common element and is for the exclusive use for Unit 218-4 and will be 5,521 square feet.

C. Unit 218-6. One freehold estate consisting of a two-story single family dwelling to be constructed of wood, stucco and heavy beams, with shake or tile roof, and consisting of four bedrooms and four and one-half baths. The ground floor square footage of 1,699 and a lanai and entry porch of 1,715 square feet; second floor square footage of 1,575 and a lanai of 33 square feet; and attached garage and storage of 453 square feet.

The land area for site "218-6" is a limited common element and is for the exclusive use for Unit 218-6 and will be 8,041 square feet. This site will have a swimming pool and patio area.

D. Unit 219-1. One freehold estate consisting of a two-story single family dwelling to be constructed of wood, stucco and heavy beams, with shake or tile roof, and consisting of four bedrooms and four and one-half baths. The ground floor square footage of 1,883 and a lanai and entry porch of 748 square feet; second floor square footage of 1,689; and attached garage and storage of 475 square feet. The land area for site "219-1" is a limited common element and is for the exclusive use for Unit 219-1 and will be 7,394 square feet.

E. Unit 219-3. One freehold estate consisting of a two-story single family dwelling to be constructed of wood, stucco and heavy beams, with shake or tile roof, and consisting of four bedrooms and four and one-half baths. The ground floor square footage of 1,616 and a lanai and entry porch of 655 square feet; second floor square footage of 1,712; and attached garage and storage of 478 square feet. The land area for site "219-3" is a limited common element and is for the exclusive use for Unit 219-3 and will be 4,885 square feet.

F. Unit 219-5. One freehold estate consisting of a two-story single family dwelling to be constructed of wood, stucco and heavy beams, with shake or tile roof, and consisting of four bedrooms and four and one-half baths. The ground floor square footage of 1,647 and a lanai and entry porch of 773 square feet; second floor square footage of 1,492; and attached garage and storage of 523 square feet. The Condominium Map shows an area set aside for a future pool. The land area for site "219-5" is a limited common element and is for the exclusive use for Unit 219-5 and will be 6,120 square feet.

The floor area of a unit shall be measured from the interior surface of the unit perimeter walls of each floor including the lanai walls and porches, if any.

The location of units are shown and numbered on the Condominium Map. Units 218-2, 218-4 and 218-6 will have access from Kaimanawai Place over common area driveways. Units 219-1, 219-3 and 219-5 will have access from Kaalawai Place over common area driveways.

LIMITED COMMON ELEMENTS: The limited common elements include the areas designated in the Condominium Map No. 842 and consist of the following:

a. Unit 218-2. The land area consisting of 7,285 square feet is a limited common element for the owner of Unit 218-2.

b. Unit 218-4. The land area consisting of 5,521 square feet is a limited common element for the owner of Unit 218-4.

c. Unit 218-6. The land area consisting of 8,041 square feet is a limited common element for the owner of Unit 218-6.

d. Unit 219-1. The land area consisting of 7,394 square feet is a limited common element for the owner of Unit 219-1.

e. Unit 219-3. The land area consisting of 4,885 square feet is a limited common element for the owner of Unit 219-3.

f. Unit 219-5. The land area consisting of 6,120 square feet is a limited common element for the owner of Unit 219-5.

INTEREST TO BE CONVEYED TO PURCHASER: Each unit shall have the following appurtenant common interest and the same shall be determinative for all purposes, including voting and the amount of maintenance required to be paid by each unit.

<u>Unit Number</u>	<u>Square Foot</u>	<u>Percentage Interest</u>
218-2	7,285	18.56
218-4	5,521	14.07
218-6	8,041	20.49
219-1	7,394	18.84
219-3	4,885	12.45
219-5	6,120	15.59
		<u>100.00</u>

The percentage common interest for each unit is determined by dividing the square footage of the area designated for the respective unit by the total square footage of all of the particular sites.

ENCUMBRANCES AGAINST TITLE: A Preliminary Title Report dated November 1, 1984 by Title Guaranty of Hawaii, Inc. reflects the following encumbrances against the property:

1. AS TO PARCEL FIRST ONLY:

(A) An easement for ingress and egress over and across 20-foot right-of-way.

(B) As to the undivided interest in and to 20-foot right-of-way: Grant in favor of Hawaiian Electric Company, Inc. and Hawaiian Telephone Company, dated October 5, 1951, recorded in Liber 2512 at Page 326; granting a perpetual right and easement to build, construct, reconstruct, rebuild, repair, maintain and operate an underground power line, etc., through and under said 20-foot right-of-way.

2. AS TO PARCEL SECOND (A) ONLY: Grant in favor of Hawaiian Electric Company, Inc., dated January 11, 1941, recorded in Liber 1617 at Page 102; granting a perpetual easement over said Parcel Second (A).

AS TO PARCELS FIRST AND SECOND (B) ONLY:

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 and its effect, if any, upon the area of said parcels.

4. 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 March 1, 1982, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 16195 at Page 620, and the By-Laws attached thereto, as the same are or may hereafter be amended in accordance with law, said Declaration or said By-Laws. (Project covered by Condominium Map No. 842, as amended.) Said Declaration were amended by instruments dated May 6, 1983, recorded in Liber 17114 at Page 447; dated July 25, 1983, recorded in Liber 17224 at Page 629; and amended in its entirety to completely restate and supersede the foregoing Declaration and By-Laws by instrument dated October 30, 1984, recorded in Liber 18243 at Page 178.

5. By-Laws of the Association of Apartment Owners of the Condominium Project known as "THE ISLES AT DIAMOND HEAD BEACH" dated October 30, 1984, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 18243 at Page 191, as the same may hereafter be amended.

6. Agreement for Issuance of Special Use Permit under Section 21-2.71, Revised Ordinances of Honolulu, 1978, as amended, dated June 1, 1982, recorded in Liber 16960 at Page 368, made by Santangelo Investors, a Hawaii limited partnership, as "Declarant".

7. Mortgage, Security Agreement and Financing Statement made by Santangelo Investors, a Hawaii limited partnership, as Mortgagor, in favor of Bank of Hawaii, a Hawaii banking corporation, as Mortgagee, dated October 16, 1981, recorded in Liber 15936, Page 117.

8. Mortgage and Security Agreement made by Santangelo Investors, a Hawaii limited partnership, as Mortgagor, in favor of Bank of Hawaii, a Hawaii banking corporation, as Mortgagee, dated November 23, 1982, recorded in Liber 16707, Page 616.

By Subordination Agreement dated April 4, 1984, recorded in Liber 17783 at Page 212, said above Mortgages recorded in Liber 15936 at Page 117 and in Liber 16707 at Page 616 were subordinated to the lien of that certain Mortgage, Security Agreement and Financing Statement recorded in Liber 17783 at Page 222, said subordination not to be applicable to any amount in excess of the principal indebtedness (\$9,800,000.00), and to that certain Assignment of Sales Agreements and Escrow Agreements and Deposits recorded in Liber 17783 at Page 265.

9. Mortgage, Security Agreement and Financing Statement made by Santangelo Investors, a Hawaii limited partnership, as

Mortgagor, and State Savings and Loan Association, a Utah corporation, as Mortgagee, dated April 5, 1984, recorded in Liber 17783, Page 222.

10. Assignment of Sales Agreements and Escrow Agreements and Deposits dated April 5, 1984, recorded in Liber 17783 at Page 265, made by Santangelo Investors, a Hawaii limited partnership, to State Savings and Loan Association, a Utah corporation, assigning (a) all right, title and interest in and to any and all sales contracts and other agreements of every kind, whether now or hereafter executed, relating to the sale or other disposition of condominium units on the lands described herein, (b) all right, title and interest in, to and under any escrow agreements relating to said lands and (c) all purchaser deposits placed in escrow pursuant to the sales agreements and said escrow agreement, etc., for the purpose of securing payment of all sums now or at any time hereafter due and secured by that certain Mortgage, Security Agreement and Financing Statement recorded in Liber 17783 at Page 222.

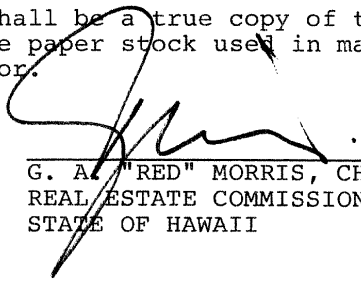
11. For real property taxes due and payable, reference is made to Director of Finance, City and County of Honolulu.

STATUS OF PROJECT: Construction of the Project was started in May of 1984 and it is estimated that it will be completed in May of 1985.

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 May 23, 1980 and information subsequently filed as of December 4, 1984.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1319 filed with the Commission as of May 23, 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 in color.


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

Distribution:

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ESCROW AGENT

REGISTRATION NO. 1319

December 28, 1984.