

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

MANAI HALE
45-697 Kamehameha Highway
Kaneohe, Oahu, Hawaii
REGISTRATION NO. 1332 (CONVERSION)

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: March 9, 1981

Expires: April 9, 1982

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 July 10, 1980, 1980, AND INFORMATION SUBSEQUENTLY FILED AS OF MARCH 5, 1981. 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 Report on September 25, 1980, on MANAI HALE, Registration No. 1332, the Developer reports that certain material changes have been made in the project. This Final Public Report (white paper stock) amends the Preliminary Public Report (yellow paper stock) becoming a part of the MANAI HALE registration. The Developer is responsible for placing a true copy of this Final Public Report in the hands of all purchasers and prospective purchasers along with a copy of the Preliminary Public Report and revised Disclosure Abstract. The Developer is also responsible for securing from each purchaser or prospective purchaser a signed receipt therefor.
2. The Developer has submitted to the Commission for examination all documents deemed necessary for the registration of the condominium project and the issuance of this Final Public Report.
3. The basic documents (Declaration of Horizontal Property Regimes, and By-Laws of the Association of Apartment Owners) were executed on October 17, 1980, and were filed in the Bureau of Conveyances of the State of Hawaii in Book 15102 at Page 630. An amendment to the Declaration of Horizontal Property Regime has been recorded on February 20, 1981, in Book 15362, page 451. A copy of the floor plans was filed as Condominium Map No. 767 at said Bureau.
4. No advertising or promotional matter has been filed pursuant to the Rules and Regulations promulgated by the Commission.
5. The Developer advises the Commission that the parking stalls have been reduced from 59 to 58, and the renovation work for addition of a swimming pool, a recreation deck, and restriping the parking lot has been completed.
6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514-A, 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 its date of issuance, March 9, 1981, 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 in the Preliminary Report of September 25, 1980, under the topical headings DESCRIPTION OF THE PROJECT; PARKING APARTMENTS; LIMITED COMMON ELEMENTS; OWNERSHIP OF TITLE; ENCUMBRANCES AGAINST TITLE; and STATUS OF THE PROJECT have been changed. The Developer reports that no further information in the Preliminary Report has been changed.

DESCRIPTION OF THE PROJECT:

The project's parking has been reduced from fifty-nine (59) spaces to an existing total of fifty-eight (58) spaces.

Of the total of fifty-eight (58) parking spaces on the real property, forty-seven are designated as being limited common elements, each appurtenant to an apartment; six (6) are designated as common elements intended for parking by guests; and five (5) are designated as parking-apartments.

Of the total of fifty-eight (58) parking spaces on the property, forty-four (44) are of "regular" size, measuring approximately 19 feet by 8½ feet, and fourteen (14) are of "compact" size measuring approximately 16 feet by 7½ feet. The fourteen compact parking spaces are numbered: 1, 2, 3, 4, 5, 6, 7, 8, 9, 111, 209, 308, 309, and 313.

PARKING-APARTMENTS:

As a result of the reduction of the total number of parking spaces in the project to fifty-eight (58) spaces, there shall be one less parking-apartment than originally stated in the Preliminary Report. The description of Parking-Apartments as contained in the Preliminary Report is hereby revised as follows:

"The five (5) parking spaces which are designated with the numbers "4", "5", "6", "7", and "8", are designated as parking-apartments, and shall be considered an "apartment" as that term is defined in Section 514A-3(1) of the Horizontal Property Regimes Act. Said five (5) parking-apartments shall be neither a part of the common elements nor appurtenant to any of the forty-seven (47) apartments described above. Each of said five parking-apartments may be sold, resold, mortgaged, or otherwise encumbered as is done with all other condominium recordations. Each of said five parking-apartments shall be rectangular. All parking-apartments shall be of compact size, measuring approximately 16 feet by 7½ feet. Each of said five parking-apartments shall have appurtenant to it an undivided interest in the common elements as set forth in Exhibit "A", attached hereto. Each of said five parking-apartments shall have appurtenant to it an easement for direct ingress and egress and an easement of lateral support from land adjacent to it.

LIMITED COMMON ELEMENTS: A revised schedule of the parking stall designations is herein attached as Exhibit A.

OWNERSHIP OF TITLE: The Developer, by letter dated September 23, 1980, has exercised the option to purchase the property by notifying Hawaiian Trust Company, Ltd., trustee under that certain trust created January 27, 1953, by Nancy Lenore Davis, filed as Land Court Document No. 290192.

ENCUMBRANCES AGAINST TITLE: A Preliminary Report issued by Pacific Guaranty Title Corporation as of January 15, 1981, and updated by Supplemental Report dated March 2, 1981, reflects the following encumbrances against title:

- (1) A mortgage dated May 30, 1978, recorded June 1, 1978, in the Bureau of Conveyances, State of Hawaii, in Book 12928, Page 569:

Mortgagor: Hawaiian Turst Co., Limited, a Hawaii corporation, Trustee under that certain Agreement dated January 27, 1953, made by Nancy Lenora Davis.

Mortgagee: First Hawaiian Bank, a Hawaii corporation.

- (2) Title to all minerals and metallic mines reserved to the State of Hawaii.
- (3) Financing Statement recorded in Book 12624, page 159:

Date: December 21, 1979
Debtor: Bowers, Ruth McLean
Secured Party: First Hawaiian Bank

- (4) Terms, provisions and conditions of that certain Trust Agreement dated January 27, 1953, filed as Land Court Document No. 290192, as amended, and disclosed in the Trust Deed, recorded December 21, 1977, in the Bureau of Conveyances, State of Hawaii, in Book 12624, Page 162.
- (5) Option and Exchange Agreement dated June 5, 1980, made by and between Hawaiian Trust Company, Limited, Trustee, as Owner, and A.K.R., Inc., a Hawaii corporation, recorded June 19, 1980, in the Bureau of Conveyances, State of Hawaii, in Book 14797, Page 473.
- (6) Real property taxes due and owing, reference is made to Tax Assessor, First Division, State of Hawaii.
- (7) Covenants, conditions, restrictions, reservations, agreements, obligations, provisions, easements and by-laws set forth in the Declaration of Horizontal Property Regime dated October 17, 1980, recorded October 29, 1980, in the Bureau of Conveyances, State of Hawaii, in Book 15102, Page 630, (Condominium Map No. 767).

STATUS OF THE PROJECT: The Developer states that renovation work has been completed in respect to the addition of a swimming pool, recreation deck, and re-striping the parking area.

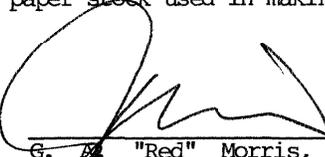
Regarding the existing violations of the applicable zoning or building codes, as previously stated in the Preliminary Report, Variance No. 80/ZBA-180 was issued January 15, 1981, allowing for variance from Section 21-5.31 of the Comprehensive Zoning Code, revising a site plan of a previous variance (72/ZBA-152), and allowing for the following:

- (1) Fifty-eight (58) parking spaces; and
- (2) Existing concrete to remain along the front boundary of the property and along the Waimanalo boundary of the property; and
- (3) The existing refuse enclosure to remain in its present location; and
- (4) A loading zone (12 feet by 35 feet) at the north end of the parking area.

The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted July 10, 1980, and information subsequently filed as of March 5, 1981.

This is a FINAL HORIZONTAL PROPERTY REGIMES CONDOMINIUM PUBLIC REPORT which is made a part of REGISTRATION NO. 1332, filed with the Commission on July 10, 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. B. "Red" Morris, Chairman
REAL ESTATE COMMISSION,
STATE OF HAWAII

Distribution:

DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING COMMISSION, CITY AND COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

Registration No. 1332.

Dated: March 9, 1981.

EXHIBIT "A"

<u>Apartment Number</u>	<u>Parking Stalls*</u>	<u>Common Interest</u>
101	101	2.02%
102	102	2.02%
103	103	2.02%
104	104	2.02%
105	105	2.02%
106	106	2.02%
107	107	2.02%
108	108	2.02%
109	109	2.02%
110	110	2.02%
111	111 [Compact]	2.02%
112	112	3.27%
113	113	3.27%
114	114	2.02%
115	115	2.02%
201	201	2.02%
202	202	2.02%
203	203	2.02%
204	204	2.02%
205	205	2.02%
206	206	2.02%
207	207	2.02%
208	208	2.02%
209	209 [Compact]	2.02%
210	210	2.02%
211	211	2.02%
212	212	2.02%
213	213	2.02%
214	214	2.02%
215	215	2.02%
301	301	2.02%
302	302	2.02%
303	303	2.02%
304	304	2.02%
305	305	2.02%
306	306	2.02%
307	307	2.02%
308	308 [Compact]	2.02%
309	309 [Compact]	2.02%
310	310	2.02%
311	311	2.02%
312	312	2.02%
313	313 [Compact]	2.02%
314	314	2.02%
315	315	2.02%
1A	1A	3.27%
2A	2A	3.27%

*Only "compact" stalls (approx. 16' x 7½') are designated; all remaining stalls are "regular" sized stalls (approx. 19' x 8½') and are not designated.

EXHIBIT "A", Continued

<u>Parking-Apartment Number*</u>	<u>Common Interest</u>
4 [Compact]	0.012%
5 [Compact]	0.012%
6 [Compact]	0.012%
7 [Compact]	0.012%
8 [Compact]	0.012%

PARKING STALLS INTENDED FOR GUEST PARKING*:

1 [Compact]
2 [Compact]
3 [Compact]
9 [Compact]
10
11

*Only "compact" stalls (approx. 16' x 7½') are designated; all remaining stalls are "regular" sized stalls (approx. 19' x 8½') and are not designated.