

# 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  
DIAMOND HEAD HILLSIDE  
3151 Monsarrat Avenue  
Honolulu, Hawaii

REGISTRATION NO. 1353 (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 30, 1981

Expires: April 30, 1982

#### 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 SEPTEMBER 18, 1980 AND INFORMATION SUBSEQUENTLY FILED AS OF MARCH 11, 1981. 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 October 7, 1980, on DIAMOND HEAD HILLSIDE, Registration No. 1353, the Developer reports that certain changes have been made in the registration of the project. This Final Public Report (white paper stock) amends the Preliminary Public Report (yellow paper stock), becoming a part of the DIAMOND HEAD HILLSIDE registration.

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. No advertising and promotional materials have been submitted pursuant to the rules and regulations promulgated by the Commission.
4. The Developer advises that the Declaration of Horizontal Property Regime and attached Bylaws dated November 5, 1980, have been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1040438. The Condominium Map has been filed in said Office as Condominium Map No. 436.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A of the Hawaii Revised Statutes, as amended, and the condominium rules and regulations which relate to horizontal property regimes.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, March 30, 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.
7. This Final Public Report is made a part of the registration on the Diamond Head Hillside condominium project. The Developer is responsible for placing a true copy of this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers along with a copy of the Preliminary Public Report (yellow paper stock) and Disclosure Abstract. Securing a signed copy of the receipt for said Reports from each purchaser and prospective purchaser is also the responsibility of the Developer.

The information in the Preliminary Public Report of October 7, 1980, under the topical headings: DESCRIPTION, OWNERSHIP TO TITLE, ENCUMBRANCES AGAINST TITLE, and MANAGEMENT OF THE PROJECT has been changed in certain respects. The Developer reports that the other information in the Preliminary Public Report has not been changed. The changes are as follows:

DESCRIPTION: The description of the sixth floor has been modified to read as follows: "The sixth floor has two penthouse apartments including two roof deck lanais".

OWNERSHIP TO TITLE: Since the issuance of the Preliminary Public Report, the Developer has filed with the Commission an updated title report from Title Guaranty of Hawaii, Inc. dated February 5, 1981, reflecting no change in fee ownership. The Master Ground Lease described in the Preliminary Report was amended by instrument filed as Land Court Document No. 1040435 to change the property description reducing the size of the land to 18,036 square feet and deleting Easement C as was described in the Preliminary Report. As amended, the Master Ground Lease was assigned to the Developer by

instrument filed as Land Court Document No. 1040437. A copy of both instruments has been filed with the Commission.

ENCUMBRANCES AGAINST TITLE: Said title report of February 5, 1981, reflects no additional encumbrances except for the Declaration of Horizontal Property Regime, Bylaws, Condominium Map, and a Mortgage in favor of First Hawaiian Bank (described in the Preliminary Public Report) filed as Land Court Document No. 1040439. The easements and right described as Encumbrances 3, 4, 5, and 6, the mortgage described as Encumbrance 7 and the Agreement of Sale described as Encumbrance 8 in the Preliminary Public Report no longer appear as encumbrances. The Declaration of Horizontal Property Regime and Bylaws as originally submitted to the Commission were slightly modified and a copy of each, as recorded, is on file at the Real Estate Commission.

MANAGEMENT OF THE PROJECT: The Developer has entered into a Management Agreement with Aaron M. Chaney, Inc. of Suite 400, 841 Bishop Street, Honolulu, Hawaii, as the initial managing agent of the project.

-----  
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 September 18, 1980, and information subsequently filed as of March 11, 1981.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1353 filed with the Commission on September 18, 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. FRED 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. 1353

March 30, 1981