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

KILEA GARDENS
65 Kilea Place
Wahiawa, Hawaii

REGISTRATION NO. 1372 (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: December 15, 1980
Expires: January 15, 1982

SPECIAL ATTENTION

A comprehensive reading of this report by the prospective purchaser is urged in order that personal requirements and expectation 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 NOVEMBER 25, 1980, AND MATERIAL SUBSEQUENTLY FILED AS OF DECEMBER 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, AS AMENDED.

1. KILEA GARDENS is a proposed fee-simple condominium consisting of six (6) existing detached dwellings each with adjoining garage structures. There will be a total of seven (7) parking spaces.

2. The Developer of the project has filed all documents and materials deemed necessary by the Commission for the registration of this proposed condominium project and the issuance of the Final Public Report.

3. The basic documents, Declaration of Horizontal Property Regime, By-Laws of the Association of Owners were executed on November 18, 1980, and filed in the Bureau of Conveyances, State of Hawaii in Land Court, as Document #1042937. A copy of the floor plans have been filed as Condominium Map No. 440 in the Bureau of Conveyances.

4. No advertising and promotional matter has been submitted pursuant to the Rules and Regulations which relate to Horizontal Property Regimes.

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

6. This Final Public Report is made a part of the registration of the KILEA GARDENS condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) and Disclosure Abstract in the hands of all purchasers and prospective purchasers and securing a signed copy of the receipt therefor from each person.

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

NAME OF PROJECT: KILEA GARDENS.

LOCATION: On approximately 33,646 square feet of land committed to the Horizontal Property Regime; situated on 65 Kilea Place, Wahiawa, City and County of Honolulu, State of Hawaii.

TAX MAP KEY: 1st Division 7-5-14:16.

ZONING: R-6 Residential.

DEVELOPER: The Developer is Timber Terrace, Inc., a Hawaii corporation, whose principal place of business is 800 South Beretania Street, Third Floor, Honolulu, Hawaii 96813 Telephone (808) 523-7071. The officers are as follows:

Thomas T. Enomoto	President	800 S. Beretania St., 3rd Floo: Honolulu, Hawaii
Robert McFarlane	Vice President	800 S. Beretania St., 3rd Floo: Honolulu, Hawaii
Derek Kimura	Secretary	800 S. Beretania St., 3rd Floo: Honolulu, Hawaii
Lydia Tsui	Treasurer	800 S. Beretania St., 3rd Floo: Honolulu, Hawaii

DESCRIPTION: The Project consist of six (6) separate buildings. Each building contains one (1) single family dwelling being constructed principally of wood, glass and allied materials on concrete footings.

This six (6) freehold estates are hereby designated in the space enclosed by and within the outside surface of the exterior walls and roof and the bottom surfaces of the exterior walls, and roof and the bottom surfaces of the footings and foundations of each of the six (6) dwellings: its Dwelling Address/Type, Number of Rooms, Approximate Living Area and Parking Garage Area are as follows:

Dwelling Address/Type	No. of Rooms	Approximate Living Area (Sq. Ft.)	Parking Garage Area
65A	3	348	187
65B	5	850	525
65C	8	1450	400
65D	4	480	216
65E	4	480	216
65F	4	480	216

The foregoing building addresses are the street number and addresses assigned to the respective buildings.

a) Dwelling A. One story dwelling with T & G construction, consisting of 3 rooms: 1 bedroom, 1 bathroom and a living room kitchen area with an adjoining one car garage of wood construction which is not paved.

b) Dwelling B. One story dwelling with T & G construction, consisting of 5 rooms: 2 bedrooms, 1 bathroom, living room and a kitchen with an adjoining one car garage of wood construction which is not paved.

c) Dwelling C. One story dwelling with T & G construction, consisting of 8 rooms: 3 bedroom, 1 bathroom, a living room, a family room, washroom and a kitchen dining area with an adjoining 2 car garage of wood construction with concrete paving.

d) Dwelling D,E & F. One story dwelling with T & G construction consisting of 4 rooms: 2 bedrooms, 1 bathroom, living room and kitchen dining area with an adjoining 1 car garage of wood construction with A.C. paving.

Each dwelling shall be deemed to include the footings on which it is constructed, the exterior walls and roof, all interior walls, ceilings, floors and partitions and the finished surfaces thereto, the adjacent parking garage and all fixtures installed therein. However, the respective dwellings shall not be deemed to include any structural or service elements which are utilized or serve more than one dwelling, the same being deemed common elements as hereinafter provided.

Each dwelling has immediate access to its entries and to the walkways and driveways appurtenant thereto connecting its building to the roadway of the project which is Lot 82G, land situated on the northeasterly side of Kilea Place being a portion of Lot 82 of Land Court Application 680, which intersects with Kilea Place.

COMMON ELEMENTS: One freehold estate is hereby designated all remaining portions of the Project, herein called the "common elements", including specifically, but not limited to the following:

(a) Said land in fee simple;

(b) All roadways, sidewalks, walkways, and driveways of the Project;

(c) All retaining walls of whatsoever kind or construction and wheresoever located within the Project, insofar as such walls are existing as retaining and supporting other elements of the common elements, to include but not limited to roadways;

(d) All ducts, sewer lines, electrical equipment, pipes, wiring and other central and appurtenant transmission facilities, installations which serve more than one dwelling for services, including power, light, water, gas, air conditioning, refuse, telephone and radio and television signal distribution; and

(e) Any and all other apparatus and installations of common use and all other parts of the property necessary or convenient to its existence, maintenance or safety, and normally in common use.

LIMITED COMMON ELEMENTS: Certain parts of the common elements, herein called the "limited common elements" are hereby designated to be set aside for the exclusive use of certain dwellings, and such dwellings shall have appurtenant thereto exclusive easements for the use of said limited common elements. Unless otherwise specified herein, all costs of every kind pertaining to each limited common element, including, but not limited to, costs of landscaping, maintenance, repair, replacement and restoration shall be

borne entirely by the dwelling or dwellings to which it is appurtenant. The limited common elements so set aside and reserved are as follows:

(a) The site of each dwelling, consisting of land beneath and immediately adjacent thereto, as shown and delineated on said Condominium Map, shall be a limited common element for the exclusive use of the dwelling to which it is appurtenant.

(b) The walkways and driveways connecting the dwellings to the roadway of the Project shall be limited common element for the exclusive use of the dwelling or dwellings to which said walkways and driveways are appurtenant;

(c) All other common elements of the Project which are rationally related to less than all of said dwellings shall be appurtenant to and for the exclusive use of the dwelling or dwellings served thereby.

INTEREST TO BE CONVEYED TO PURCHASER: Each dwelling shall have appurtenant thereto an undivided percentage interest in all common elements of the Project and in all common profits and expenses of the Project and for all other purposes including voting. The common interest appurtenant to each dwelling is as follows:

Dwelling Number	Percentage Common Interest
65A	14%
65B	13%
65C	24%
65D & E	18%
65F	13%

PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE: The dwellings shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, domestic servants and social guest, and for no other purpose. The dwellings shall not be rented for transient or hotel purposes, which are defined as (a) rental for any period less than 30 days, or (b) any rental in which the occupants of the dwellings are provided customary hotel services such as room service for food and beverage, maid service, laundry and linen or bellboy service. Except for such transient or hotel purposes the owners of the respective dwellings shall have the absolute right to rent or lease such dwelling subject to all provisions of the Declaration, or the By-Laws.

OWNERSHIP OF TITLE: A Preliminary Title Report dated November 24, 1980, and prepared by Aloha Title Co., Inc. states that title to the land is vested in Timber Terrace, Inc., the Developer.

ENCUMBRANCES AGAINST TITLE: Said Preliminary Report dated November 24, 1980, provides that the following are encumbrances against title to the property:

1. Taxes that are due and owing; reference is made to the Office of the Tax Assessor, First Division.

2. Mortgage dated September 18, 1980, filed on September 19, 1980 in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1031673, made by TIMBER TERRACE, INC., a Hawaii corporation, to AMERICAN SAVINGS AND LOAN ASSOCIATION, a Utah corporation, which states that it secures a debt in the principal sum of $90,000.00.

3. Purchase Money Mortgage dated September 17, 1980, filed on September 19, 1980 in said Office of the Assistant Registrar as Document No. 1031674, made by TIMBER TERRACE, INC., a Hawaii corporation, to YOSHIE MORIMOTO MARALOPEZ, a widow, which states that it secures a debt in the principal sum of $214,000.00.

4. The covenants, agreements, obligations, conditions, easements and other provisions set forth in that certain DECLARATION OF HORIZONTAL PROPERTY REGIME OF "KILEA GARDENS" dated November 18, 1980, filed on November 24, 1980 in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1042937, (Condominium Map No. 440), and the By-Laws attached thereto.

PURCHASE MONEY HANDLING: An Escrow Agreement dated November 20, 1980, has been executed by the Developer and Aloha Title Co., Inc. as the escrow; a copy of same has been filed with the Real Estate Commission. On examination, the specimen form of Deposit, Receipt, Offer and Acceptance form of the Hawaii Association of Realtors and the executed Escrow Agreement are consonant with the provisions of Chapter 514A, Hawaii Revised Statutes, as amended, particularly Sections 514A-39, 514A-63 through 514A-66.

The Escrow Agreement provides that a purchaser shall be entitled to a refund of his funds, and Escrow shall pay the funds to the purchaser, without interest, of purchaser requests in writing refund of his funds and seller has requested Escrow in writing to return to purchaser the funds of purchaser then being held by Escrow.

Upon refund of said funds to purchaser as aforesaid, Escrow shall return to seller such purchaser's sales contract and any condominium deed theretofore delivered to Escrow, and thereupon neither the purchaser nor seller shall be deemed obligated thereunder.

Among other provisions, the specimen Deposit, Receipt, Offer and Acceptance form provides the following:

1. Omit items C,E,F,K and N from the Standard provision in back of D.R.O.A.

2. No warranties are either expressed or implied with respect to the buildings, the appliances, the project or any common elements or anything installed therein.

MANAGEMENT AND OPERATION: The By-Laws of the Association of Dwelling Owners states that the Board of Directors have the powers and duties necessary for the administration of the affairs of the project. Thomas T. Enomoto, an affiliate of the developer, will be the initial managing agent for the project, until a Board of Directors is elected, at no additional cost to the Association.

FINANCING: The project has already been constructed and there is a first mortgage on the project in favor of American Savings and Loan with a purchase money mortgage in favor of Yoshie Lopez. The aforesaid mentioned loans will be paid as units are sold.

STATUS OF PROJECT: The project was completed in 1963. The Developer has stated that at the time of purchase on September 19, 1980 there were no rental tenants occupying any of the dwellings. The Building Department of the City and County of Honolulu, in a memo dated November 7, 1980 states that the buildings meet the requirements of the code which was in effect at the time the buildings were built.

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The purchase 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 on November 25, 1980 and information subsequently filed as of December 9, 1980.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1372 filed with the Commission on November 25, 1980.

The report, when reproduced, shall be a true copy of the Commissions public report. The paper stock must be white in color.

for 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. 1372

December 15, 1980