

**REAL ESTATE COMMISSION**  
PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF REGULATORY AGENCIES  
STATE OF HAWAII  
1010 RICHARDS STREET  
P. O. BOX 3489  
HONOLULU, HAWAII 96801

**FINAL**  
**HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)**  
**PUBLIC REPORT**

on  
LIKA LANI  
4931 Lawai Road  
Poipu, Kauai, Hawaii

REGISTRATION NO. 1407

**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: May 11, 1981

Expires: June 11, 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 APRIL 1, 1981, AND INFORMATION SUBSEQUENTLY FILED AS OF MAY 6, 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. LIKA LANI is a fee simple condominium project with a total of four (4) apartment units in one building and eight (8) parking stalls.
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, By-Laws of the Association of Owners were executed on March 2, 1981 and recorded in the Bureau of Conveyances, State of Hawaii in Liber 15395, Page 75. A copy of the floor plans and elevations has been filed as Condominium Map No. 790 in said Bureau of Conveyances.
4. No advertising and promotional matter has been submitted to date.
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 which relate to Horizontal Property Regimes.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, May 11, 1981, unless a Supplementary Public Report is published or the Commission upon review of registration issues an order extending the effective period of this report.
7. This Final Public Report is made a part of the registration of the LIKA LANI 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 or prospective purchasers, and of securing a signed copy of the receipt therefor.

NAME OF PROJECT: LIKA LANI.

LOCATION: The 15,232 square feet of property to be committed to the regime is situated at 4931 Lawai Road, Poipu, Kauai, Hawaii, in the County of Kauai, State of Hawaii.

TAX MAP KEY: Fourth Division 2-6-05-03.

ZONING: Residential R-10.

DEVELOPER: LIKALANI ASSOCIATES, a Hawaii registered partnership, is the Developer. Its principal address is P. O. Box 807, Kalaheo, Kauai, Hawaii 96741, Telephone (808) 742-1802. The partners are:

Wayne R. Daniel, P. O. Box 807, Kalaheo, Kauai, Hawaii 96741

William S. Metzger, R.R. #1, PMD 3, Koloa, Hawaii 96756

Herbert Noe, P. O. Box 962, Kalaheo, Kauai, Hawaii 96741

ATTORNEY REPRESENTING DEVELOPER: Hiroshi Sakai, Attorney at Law, A Law Corporation, 602 City Bank Building, 810 Richards Street, Honolulu, Hawaii 96813, Telephone No. (808) 531-4171.

- DESCRIPTION OF PROJECT: The Declaration of Horizontal Property Regime reflects that the project consists of one two-story building of wood frame construction with a shake roof with no basement having a total of four apartments, two on each floor to be constructed thereon in accordance with plans and specifications prepared by Avery Youn, Registered Professional Architect. There will be 8 parking stalls, 2 of which are for compact cars. The designation of each unit and its approximate location in the project is as shown on the Condominium Map and the description of each of the Apartments are as follows:
- a. Apartments 1 and 2 on the first floor each contains a gross floor area of 1,535 square feet and a lanai of 96 square feet. The unit consists of a living-dining room, kitchen, two bedrooms, two bathrooms and a dressing room.
  - b. Apartments 3 and 4 on the second floor each contains a gross floor area of 1,535 square feet and a balcony of 96 square feet. The unit consists of a living-dining room, kitchen, two bedrooms, two bathrooms and a dressing room.
- Each apartment on the first floor shall have immediate access to the land adjacent thereto and each apartment on the second floor through a stairway shall have immediate access to the land and to the walkways, sidewalks and driveways connecting it to the street entrances 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 apartment, the same being deemed common elements. 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. The boundary lines of each apartment shall also include their respective lanai or balcony as the case may be.
- 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, landscaping, refuse facilities, walkways, parking area and drive.
  - d. The parking stalls.
  - e. The central and appurtenant installations for services such as power, light, gas, telephone, sewer, hot and cold water and like utilities.
  - f. 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: There are no limited common elements.

INTEREST TO BE CONVEYED TO THE PURCHASER: Each apartment shall have appurtenant thereto an undivided 25% percentage interest in all of the common elements of the Project. The interest in the common elements are also referred to as the "common interest" and each apartment shall have the percentage interest in the common elements and voting on all matters requiring action by the owners and the percentages as provided above shall govern.

USE: The apartments shall be occupied and used as residential apartments on a permanent or transient basis and may be sold, leased, rented or used for any time period or periods.

NOTE: In the event any person, including the Developer, desires to sell any time-share interest in any apartment in the project, such person(s) will have to fully comply with the provisions of Chapter 514-E of the Hawaii Revised Statutes and any rules and regulations promulgated thereunder prior to selling any such time-share interest.

The House Rules provide, among others, that no more than two persons shall be allowed to occupy each bedroom; however, additional family members or guests may be permitted up to a maximum of four days at any one time.

OWNERSHIP OF TITLE: The Title Guaranty of Hawaii, Inc. report of March 23, 1981 shows ownership of title in the property in Wayne Richard Daniel, husband of Dixie Arleen Daniel.

The following encumbrances are noted in the Report:

1. The real property taxes, Second Installment, Fiscal Year July 1, 1980 - June 30, 1981. Tax Key: 2-6-5-3 (4); Aera: 15,323 square feet. As the credits in the Office of the Tax Assessor have not been posted to date it is possible that the second installment has been paid. If so, a receipt for the same may be produced.
2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
3. Mortgage and Security Agreement by and between Wayne R. Daniel and Dixie A. Daniel, husband and wife, Herbert Noe and Guadalupe T. Noe, husband and wife, and William Metzger, unmarried, as Mortgagor, and Bancorp Finance of Hawaii, Inc., a Hawaii corporation, as Mortgagee, dated December 23, 1980, recorded in the Bureau of Conveyances, State of Hawaii, in Liber 15237, Page 367, in the amount of \$460,000.00.

By Assignment of Leases and Rents dated December 18, 1980, recorded in Liber 15237 at Page 441, Wayne R. Daniel and Dixie A. Daniel, husband and wife, Herbert Noe and Guadalupe T. Noe, husband and wife, and William Metzger, unmarried, assign to Bancorp Finance of Hawaii, Inc., a Hawaii corporation, all leases, written or oral, and all agreements for use or occupancy of any portion of the premises described herein as security for the repayment of said above Mortgage and Security Agreement.

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 2, 1981, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 15395 at Page 75, 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. 790 recorded in said Bureau of Conveyances.)

PURCHASE MONEY HANDLING: A copy of the executed Escrow Agreement dated March 5, 1981 certifies that Title Guaranty Escrow Services, Inc. as "Escrow". On examination, the specimen Sales Agreement and Escrow Agreement are found to be in compliance with Chapter 514A, Hawaii Revised Statutes, as amended. The provisions of the executed Escrow Agreement as filed with the Commission provides that disbursement from the escrow fund will be made by Escrow Agent upon the written request of the Developer for the following purposes:

(a) Disbursements from the Escrow fund shall be made by Escrow from time to time to pay for construction costs of the buildings in accordance with bills submitted which have been approved or certified for payment by the mortgagee which has advanced funds to pay for any of the construction costs enumerated in Section 514A-67, and certified for payment by a registered architect or a professional engineer. The balance of the moneys remaining in the escrow fund shall be disbursed in accordance with the directions of the Seller after completion of the project, when Escrow has received evidence that forty-five (45) days have elapsed since the filing of the affidavit of publication of the Notice of Completion, or other satisfactory evidence that all mechanic's and materialmen's liens have been cleared, or that funds are set aside for any bona fide dispute.

The Sales Contract states, in part, that the purchaser subordinates his interest under the contract to the lien of the interim mortgage obtained for the construction of the project and to any and all advances which may become a lien pursuant to the terms of said mortgage.

It is incumbent upon purchasers and prospective purchasers that they read with care the specimen Sales Contract and the executed Escrow Agreement. The Escrow Agreement establishes how the proceeds from the sale of the condominium apartments are placed in trust, as well as the retention and disbursement of funds.

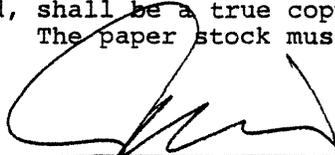
MANAGEMENT AND OPERATIONS: The Developer has selected Herbert Noe, an affiliate of the developer, as the initial managing agent whose address is P. O. Box 962, Kalaheo, Kauai, Hawaii 96741.

STATUS OF PROJECT: The Developer advises the Real Estate Commission that the Developer has executed a Construction Contract dated October 15, 1980 with a surety bond issued by First Insurance Company of Hawaii, Ltd. Construction commenced in December, 1980 and the estimated date of completion is in June, 1981.

The purchaser or prospective purchaser shall be cognizant of the fact that the published report represents information disclosed by the Developer in the required Notice of Intention submitted April 1, 1981 and information subsequently filed as of May 6, 1981.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1407 filed with the Commission on April 1, 1981.

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



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G. A. "RED" MORRIS, 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. 1407

May 11, 1981