

**REAL ESTATE COMMISSION**

PROFESSIONAL & VOCATIONAL LICENSING DIVISION

DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS

STATE OF HAWAII

1010 RICHARDS STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

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

ON

KA'AINA'OLU (SWEETLAND)  
66-386 C, D, E, F, G Haleiwa Road  
and 66-392 B, C, D Haleiwa Road  
Haleiwa, Hawaii

Registration No. 1498 (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: July 21, 1983

Expires: August 21, 1984

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 26, 1982 AND ADDITIONAL

INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF JULY 18, 1983. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT SET FORTH IN CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the commission's Preliminary Public Report of April 7, 1983 on KA'AINA'OLU (SWEETLAND), Registration No. 1498, the Developer has provided information which is deemed material.
2. The Developer of the project 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 have been recorded as follows: Declaration of Horizontal Property Regime executed June 10, 1983, was filed on June 16, 1983, in the Bureau of Conveyances of the State of Hawaii, in Liber 17116, at Page 12; the By-Laws of the Association of Apartment Owners of Ka'Aina'Olu (Sweetland) executed June 10, 1983, was filed on June 16, 1983, in the Bureau of conveyances of the State of Hawaii, in Liber 17116, at Page 41; a copy of the floor plans have been filed as Condominium File Map No. 873 in the Bureau of conveyances.
4. No advertising or promotional matter has been submitted 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 rules and regulations of the Hawaii Real Estate Commission which relate to Horizontal Property Regimes.
6. This Final Public Report automatically expires thirteen (13) months after the date of issuance, July 21, 1983 unless a Supplementary Public Report is published, or the Commission, upon review of the registration, issues an order extending the effective date of this report.
7. This Final Public Report is made part of the registration of KA'AINA'OLU (SWEETLAND) condominium project. The Developer shall be responsible for placing a true copy of the Preliminary Public Report (yellow paper stock) and this Final Public Report (white paper stock) together with Disclosure Abstract in the hands of all purchasers and prospective purchasers, and for securing a signed receipt therefor.

The information under the topical headings ENCUMBRANCES AGAINST TITLE has been updated and under PURCHASE MONEY HANDLING has been partially altered as hereinafter set forth. All other topical headings have not been disturbed.

ENCUMBRANCES AGAINST TITLE: The Commitment for Title Insurance by T. I. of Hawaii, Inc. dated June 27, 1983 states that title to the property is subject to the following encumbrances:

1. Any taxes that may be due and owing and a lien on the land,

reference is hereby made to the Office of the Tax Assessor of the First Division, City and County of Honolulu, Hawaii.

2. Reservation in favor of the State of Hawaii of all minerals and metallic mines.
3. As to the 1/5 interest in the 12-foot road right of way, a Grant of Easement in favor of:

HAWAIIAN ELECTRIC COMPANY, LIMITED, and HAWAIIAN TELEPHONE COMPANY, both Hawaii corporations, dated March 21, 1951 recorded in the Bureau of Conveyance of the State of Hawaii in Book 2446, Page 458, granting an easement for utility purposes.

4. GRANT OF EASEMENT in favor of:

HAWAIIAN ELECTRIC COMPANY, LIMITED, and HAWAIIAN TELEPHONE COMPANY, both Hawaii corporations, dated December 10, 1951 recorded in Book 2528, Page 477, granting an easement for utility purposes.

5. Mortgage dated September 8, 1981, by and between Dayle Leroy Pescaia, husband of Daryl Jean Pescaia, and Kenneth Quon, husband of Gertrude C. Quon, as "Mortgagor", and John Chun and Rachel Chun, husband and wife, Tenants by the Entirety, as "mortgagee", recorded in Book 15802, Page 771.
6. Declaration of Horizontal Property Regime dated June 10, 1983, recorded in Book 17116, Page 12, By-laws dated June 10, 1983, recorded in Book 17116, Page 41 and Condominium File Map No. 873.

PURCHASE MONEY HANDLING: A copy of a new executed Escrow Agreement dated June 20, 1983, between the Developer, as "Seller", and Shearson/American Express Escrow, Ltd., as "Escrow", has been submitted to the Commission as part of the registration. On examination, the executed Escrow Agreement is found to be in compliance with Chapter 514A, Hawaii Revised Statutes, as amended, and particularly Sections 514A-37, 514A-39, 514A-40, and 514A-63 through 514A-66.

The provisions of the Escrow Agreement should be carefully read and understood. It provides, among others, that a purchaser shall be entitled to the return of his funds, and Escrow shall pay such funds to such purchaser, without interest, less a cancellation fee of \$50.00 (except under 2, 3 and 4 below), promptly after purchaser has requested such return if Escrow shall have received from the Developer a written notice that any one of the following has occurred:

1. Developer shall have requested Escrow to return to purchaser the funds of purchaser then being held by Escrow; or
2. With respect to a purchaser whose funds were obtained prior to the issuance of the Final Report, there shall have been a change in the building plans, subsequent to execution of the Sales Contract, requiring approval of a county officer having jurisdiction over the issuance of building permits

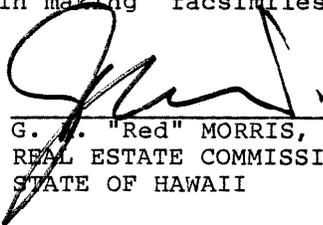
unless the purchaser has otherwise consented in writing to the change; or

3. With respect to a purchaser whose funds were obtained prior to the issuance of the Final Report, the Final Report differs in any material respect from the Preliminary Report, and the purchaser's written approval of such change shall have not been obtained, or
4. The Final Report shall not have been issued within one (1) year from the date of issuance of the Preliminary Report.

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The purchaser or prospective purchaser should be cognizant of the fact that this Public Report represents information disclosed by the Developer in the required Notice of Intention submitted April 26, 1982 and information subsequently filed on July 18, 1983.

THIS FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made part of REGISTRATION NO. 1498 filed with the Commission on April 26, 1982.

This report, when reproduced, shall be a true copy of the Commission's Public Report. In making facsimiles, the paper stock shall be white in color.

  
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G. W. "Red" MORRIS, CHAIRMAN  
REAL ESTATE COMMISSION  
STATE OF HAWAII

DISTRIBUTION:

Department of Finance  
Bureau of Conveyances  
Planning Department, City and County of Honolulu  
Federal Housing Administration  
Escrow Agent

REGISTRATION NO. 1498

DATED: July 21, 1983