

# 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

THE VILLAS AT MAUNA KEA  
Ouli, Waimea, South Kohala, Hawaii

REGISTRATION NO. 1534

### **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: October 25, 1983

Expires: November 25, 1984

#### SPECIAL ATTENTION

A comprehensive reading 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 ON FEBRUARY 17, 1983, AND ADDITIONAL INFORMATION FILED AS OF OCTOBER 21, 1983. DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND SUBMITTING INFORMATION ON THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Preliminary Public Report dated March 22, 1983, and the Supplementary Public Report dated June 22, 1983, on THE VILLAS AT MAUNA KEA, Registration No. 1534, the Developer of the Project has submitted additional information reflecting changes that have been made in the documents for the Project. This Final Public Report (white paper stock) amends the Preliminary Public Report (yellow paper stock) and Supplementary Public Report (pink paper stock) and is made a part of the registration. The Developer is required to provide all purchasers or prospective purchasers of apartments with a copy of this Final Public Report, as well as the Preliminary Public Report and the Supplementary Public Report (with the Amended Disclosure Abstract dated April 22, 1983 attached thereto). The Developer will also be responsible for obtaining a signed copy of the receipt therefor from each purchaser and prospective purchaser.

2. The Developer has complied with Chapter 514A, Hawaii Revised Statutes, as amended, and has fulfilled the requirements of the Commission for issuance of this Final Public Report.

3. The Developer reports that the Declaration of Horizontal Property Regime has been recorded in the Bureau of Conveyances of the State of Hawaii in Liber 17342 at Page 313, that the By-Laws of the Association of Apartment Owners has been recorded in said Bureau of Conveyances in Liber 17342 at Page 364, and that the floor plans and elevations of the buildings have been filed in said Bureau of Conveyances as Condominium File Plan No. 881.

4. Advertising and promotional materials have been submitted to the Commission pursuant to the rules and regulations promulgated by the Commission, and have been determined to be in compliance therewith.

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 expires thirteen (13) months after date of issuance on October 25, 1983, unless a Second Supplementary Public Report has been issued or the Commission, upon review of the registration, issues an order extending the effective period of this Report.

The information contained in the Preliminary Public Report, as modified by the information contained in the Supplementary Public Report, remains unchanged except for the information under the topical headings TAX KEY, DESCRIPTION OF THE PROJECT, ENCUMBRANCES AGAINST TITLE, SPECIAL NOTATION and STATUS OF PROJECT. The changes are as follows:

TAX KEY: Third Division: 6-2-02-21

DESCRIPTION OF THE PROJECT: All information under this topical heading in the Preliminary Public Report, as modified by the Supplementary Public Report, remains unchanged except as follows under 3(b) and 3(c):

Apartment No. 10 will have two (2) bedrooms, two (2) bathrooms, a powder room, a dining room, a living room, a kitchen, a laundry area, and a lanai with a swimming pool.

Apartment No. 12 will have two (2) bedrooms, two (2) bathrooms, a powder room, a dining room, a living room, a kitchen, a laundry area, and a lanai with a swimming pool and a spa.

Apartment No. 15 will have two (2) bedrooms, two (2) bathrooms, a powder room, a dining room, a living room, a kitchen, a laundry area, and a lanai with a swimming pool.

Apartment No. 16 will have two (2) bedrooms, two (2) bathrooms, a powder room, a dining room, a living room, a kitchen, a laundry area, and a lanai with a swimming pool.

Apartment No. 18 will have two (2) bedrooms, two (2) bathrooms, a powder room, a dining room, a living room, a kitchen, a laundry area, and a lanai with a swimming pool.

Apartment No. 19 will have two (2) bedrooms, two (2) bathrooms, a powder room, a dining room, a living room, a kitchen, a laundry area, and a lanai with a swimming pool.

(c) All information under this topical heading in the Supplementary Public Report remains unchanged except for the following:

<u>Apartment No.</u>	<u>No. of Rooms</u>	<u>Approximate Net Living Floor Area in Sq. Ft.</u>	<u>Approximate Net Lanai Floor Area in Sq. Ft. including area occupied by swimming pool or spa but excluding any trellage area)</u>	<u>Approximate Total Net Floor Area in Sq. Ft.</u>
4	9	2,683	1,812	4,495
10	9	2,683	1,643	4,326
11	9	2,683	1,940	4,623
12	9	2,683	1,630	4,313
15	9	2,683	1,643	4,326
18	9	2,683	1,643	4,326
19	9	2,683	1,643	4,326

ENCUMBRANCES AGAINST TITLE: An updated Preliminary Title Report issued by Title Guaranty of Hawaii, Inc., dated September 26, 1983, has been submitted by the Developer.

The updated Preliminary Title Report indicates that the Mortgage dated March 21, 1973, recorded in Liber 9029 at Page 1 has been removed as an encumbrance against the land and Paragraph No. 6 under this topical heading in the Preliminary Public Report is deleted in its entirety. The updated Preliminary Title Report also indicates that the subdivision map known as "THE VILLAS AT MAUNA KEA" prepared by Belt, Collins & Associates, dated December 4, 1982, referred to in Paragraphs 7 through 20 under this topical heading in the Preliminary Public Report, has been filed in the Bureau of Conveyances of the State of Hawaii as File Plan No. 1770. The updated Preliminary Title Report also identifies the following encumbrances against the land, in addition to those listed under this topical heading in the Preliminary Public Report:

23. Grant in favor of Mauna Kea Beach Hotel Corp., dated March 30, 1983, recorded in Liber 16998 at Page 151, granting the right in the nature of a perpetual non-exclusive utility easement to maintain, operate, repair, remove and replace underground pipelines, conduits, valves, valve boxes, service laterals and other necessary appliances and equipment as may be necessary for the transmission and distribution of water upon, across, through and under said Easements 1, 10 and 14.

24. Grant in favor of the Water Commission of the County of Hawaii, dated March 30, 1983, recorded in Liber 17121 at Page 739; granting the right in the nature of a perpetual nonexclusive utility easement to maintain, operate, repair, remove and replace underground conduits, valves, valve boxes, service laterals and other necessary appliances and equipment as may be necessary for the transmission and distribution of water upon, across, through and under said Easements 1, 14, 15 and 16 and that certain 12-foot wide easement for waterline purposes containing an area of 540 square feet more fully described therein.

25. Grant in favor of Hawaii Electric Light Company, Inc., and Hawaiian Telephone Company, dated March 30, 1983, recorded in Liber 17179 at Page 595; granting the right in the nature of a perpetual non-exclusive utility easement to build, construct, reconstruct, rebuild, repair, maintain, operate and use underground lines, transformer vaults, conduits and other necessary appliances and equipment as may be necessary for the transmission and distribution of electricity upon, across, through and under said Easements 1, 14, 15 and 16 and all secondary service runs for electrical and telephone purposes affecting the Land.

26. Grant in favor of Hawaii Electric Light Company, Inc., dated March 30, 1983, recorded in Liber 17179 at Page 585; granting the right in the nature of a perpetual nonexclusive utility easement to build, construct, reconstruct, rebuild, repair, maintain, operate and use underground lines, transformer vaults, conduits and other necessary appliances and equipment as may be necessary for the transmission and distribution of electricity upon, across, through and under said Easements 2, 3, 4, 5, 6, 7, 8, 9 and 17.

27. The restriction 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 September 21, 1983, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 17342 at Page 313, as the same may hereafter be amended in accordance with law or said Declaration. (Project covered by Condominium Map No. 881.)

28. By-Laws of the Association of Apartment Owners of the Condominium Project known as "THE VILLAS AT MAUNA KEA" dated September 21, 1983, recorded in the Bureau of Conveyances in Liber 17342 at Page 364, as the same may hereafter be amended.

SPECIAL NOTATION: The Declaration of Horizontal Property Regime for the Project recorded by the Developer has been revised. As a result of such revisions, an additional paragraph 2(g) is added to the information contained under this topical heading in the Preliminary Public Report:

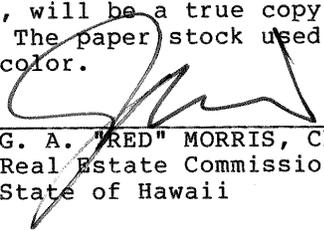
(g) Upon the merger of Phase I and Phase II, the Land included in Phase I and the land included in Phase II may be consolidated by the Developer into one parcel of land. The acceptance or acquisition by any party of any interest in the Project shall constitute an agreement and consent by such party to the consolidation of the Land included in Phase I and the land included in Phase II into one parcel of land, without any further consent or joinder of such party, and the Developer shall have the right to execute, acknowledge, deliver and record any documents, maps or other instruments necessary or appropriate, as determined by the Developer in its sole and absolute discretion, to accomplish the legal consolidation of said lands into one parcel of land, and to amend the Declaration to reflect such consolidation on behalf of said party, as the true and lawful attorney in fact of any such party accepting or acquiring any interest in the Project. Said power of attorney shall be coupled with an interest and irrevocable.

STATUS OF PROJECT: The revised completion date is on or about June 15, 1984.

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The purchaser or prospective purchaser should be aware of the fact that this Public Report represents information disclosed by the Developer in the Notice of Intention filed on February 17, 1983, and information subsequently submitted as of October 21, 1983.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 1534 filed with the Commission on February 17, 1983.

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



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G. A. "RED" MORRIS, Chairman  
Real Estate Commission  
State of Hawaii

DISTRIBUTION: Department of Finance  
Bureau of Conveyances  
Planning Department, County of Hawaii  
Federal Housing Administration  
Escrow Agent

Registration No. 1534

Date: October 25, 1983