

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 HILO LAGOON CENTRE

101 Aupuni Street

Hilo, County of Hawaii, State of Hawaii

REGISTRATION NO. 1535 (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: August 23, 1983

Expires: September 23, 1984

SPECIAL ATTENTION

A comprehensive reading of this report 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 FILED FEBRUARY 28, 1983, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF AUGUST 9, 1983. THE DEVELOPER, IN 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. Since the issuance of the Commission's Preliminary Public Report of April 18, 1983, on THE HILO LAGOON CENTRE, Registration No. 1535 (Conversion), the Developer reports that certain information has been amended and added to the Project.

2. The Developer has submitted to the Commission for examination all documents deemed necessary for the registration of a condominium project and the issuance of this Final Public Report.

3. The basic documents (Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners, and a copy of the approved Floor Plans) have been filed in the Bureau of Conveyances of the State of Hawaii.

The Declaration and By-Laws dated June 30, 1983 have been filed with the Bureau of Conveyances in Liber 17181 at Page 43 and Liber 17181 at Page 128 respectively. The Bureau has assigned Condominium Map No. 876 to the Project.

4. No advertising and promotional material has been filed 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 of the Hawaii Revised Statutes, as amended, and the Condominium Rules And Regulations which relate to Horizontal Property Regimes.

6. This Final Public Report amends the Commission's Preliminary Public Report and is made a part of the registration on THE HILO LAGOON CENTRE condominium project. The Developer has the responsibility of placing true copies of this Final Public Report (white paper stock), the Preliminary Public Report (yellow paper stock) and the Disclosure Abstract in the hands of all purchasers. Securing a signed copy of the Receipt therefor from each purchaser is also the responsibility of the Developer.

7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, August 23, 1983, unless a supplementary report is published or the Commission, upon review of the registration, issues an order extending the effective period of the report.

The information in the topical headings, COMMON ELEMENTS, LIMITED COMMON ELEMENTS, DIVISION OF PROJECT, ENCUMBRANCES AGAINST TITLE, FINANCING OF THE PROJECT, AND STATUS OF PROJECT TO THE PRELIMINARY PUBLIC REPORT OF THE HILO LAGOON CENTRE has been changed as indicated below. All other topical headings remain as recited in the Preliminary Public Report dated April 18, 1983.

DIVISION OF PROJECT:

Under the heading of Residential Apartment Units on the Fourth, Fifth and Sixth Floors, the following excerpted corrections to the paragraphs have been made. The rest of the material contained under said heading has not been changed.

Each floor has seven (7) two bedroom Units, ten (10) one bedroom Units and eight (8) studio Units. The numbering and location of these Units are similar for each floor, the difference in numbering being the first numeral representing the floor in which the Units are located.

Thus, a Unit on the fourth floor would start with the numeral "4", on the fifth floor with the numeral "5" and on the sixth floor with the numeral "6".

	<u>Fourth Floor Units</u>	<u>Fifth Floor Units</u>	<u>Sixth Floor Units</u>
Two Bedroom Units	401, 402, 404, 407, 421, 425, 426	501, 502, 504, 507, 521, 525, 526	601, 602, 604, 607, 621, 625, 626
One Bedroom Units	403, 405, 406, 408, 415, 417, 419, 422, 423, 424	503, 505, 506, 508, 515, 517, 519, 522, 523, 524	603, 605, 606, 608, 615, 617, 619, 622, 623, 624
Studio Units	409, 410, 411, 412, 414, 416, 418, 420	509, 510, 511, 512, 514, 516, 518, 520	609, 610, 611, 612, 614, 616, 618, 620

COMMON ELEMENTS:

The Declaration of Horizontal Property Regime has been amended to reflect an additional easement affecting the Project. The Declaration of Easements dated, June 30, 1983, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 17181 at Page 22, contains, among others, the benefit of easements of access, aerial easements for bridge and pedestrian traffic, service easements and material and equipment ownership in adjoining lands and improvements and the burdens of similar easements and ownership rights granted in material and equipment granted to adjoining lot owners; the obligation to maintain easements through, over and under land and improvements and the benefit of similar easements granted by adjoining lot owners.

LIMITED COMMON ELEMENTS:

The Preliminary Public Report mentions that there are 35 compact tandem stalls. There are no tandem stalls. Of the 347 stalls 282 are regular size stalls and 115 are compact size stalls. The type, stall number, designation and manner of assignment of each parking space in the Project is outlined in the revised Exhibit "A" herein attached.

ENCUMBRANCE AGAINST TITLE:

A Preliminary Title Report dated July 20, 1983 issued by Security Title Corporation indicates the following are encumbrances against title to the property:

1. Any taxes that may be due and owing and a lien on the parcel of land; reference is made to the Office of the Tax Assessor of the Third Division.

2. Reservation in favor of the State of Hawaii of all mineral and metallic mines as reserved in Royal Patent No. 1873; Royal Patent No. 1874; Royal Patent No. 1908; Royal Patent 2768; Royal Patent No. 2769; and Royal Patent No. 1927.

3. Reservations of mineral and water rights and conditions set forth in Land Patent (Grant) No. S-14,338; Deed dated February 17, 1964, recorded in the Bureau of Conveyances of the State of Hawaii in Book 4736, Page 563; Deed dated May 11, 1965, recorded in said Bureau of Conveyances in Book 5065, Page 184; and Deed dated June 18, 1965, recorded in said Bureau of Conveyances in Book 5068, Page 110.

4. Reservations pursuant to the provisions of Executive Order 9908, dated December 5, 1947, filed December 8, 1947, with the Division of the Federal Register (12 Fed. Reg. 8223, December 9, 1947), all uranium, thorium, and all other materials determined pursuant to section 5(b)(1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material, recorded on May 11, 1950 in said Bureau of Conveyances in Book 2339, Page 195 (affecting Royal Patent No. 1908, Land Commission Award No. 8854).

5. Terms, Conditions and Provisions, set forth in "AMENDED URBAN RENEWAL PLAN FOR THE KAIKO'O PROJECT, PROJECT NO. HAWAII R-4", dated June 25, 1965, as disclosed by Affidavit of Hiram Hagiwara, Secretary of the Hawaiian Redevelopment Agency, as recorded on October 6, 1965 in said Bureau of Conveyances in Book 5157, Page 574.

6. Declaration of Restrictions Affecting Redevelopment Sites in the Kaiko'o Project dated October 9, 1965, recorded on October 18, 1965 in said Bureau of Conveyances in Book 5166, Page 509.

7. Declaration of Restrictions Affecting Redevelopment Sites in the Kaiko'o Project dated October 9, 1965, recorded on October 18, 1965 in said Bureau of Conveyances in Book 5166, Page 528.

8. Terms and Conditions of that certain "DISPOSITION - REDEVELOPMENT AGREEMENT" dated July 7, 1969, made by and between HAWAII REDEVELOPMENT AGENCY, HILO-PACIFIC ASSOCIATES and PACIFIC HOLIDAY, INC., as recorded on August 5, 1969 in said Bureau of Conveyances in Book 6626, Page 144.

9. A 15.00 feet wide perpetual easement for storm drainage purposes in favor of the County of Hawaii recorded on December 4, 1969 in said Bureau of Conveyances in Book 6795, Page 373.

10. Mortgage dated December 4, 1969, recorded on December 4, 1969 in the Bureau of Conveyances of the State of Hawaii in Book 6795, Page 385, made by F M SWATARA COMPANY, a Pennsylvania corporation duly registered to do business in the State of Hawaii and PACIFIC HOLIDAY, INC., a Hawaii corporation, being all the general partners of HILO-PACIFIC ASSOCIATES, a registered limited partnership, duly organized and existing under the laws of the State of Hawaii, as Mortgagor(s), to S.M.M., Inc., a Hawaii corporation, as Mortgagee(s), to secure the repayment of the sum of \$7,000,000.00, any additional advances and other amounts secured thereby, all according to the terms

of that certain promissory note of said mortgagor(s) therein referred to (also affects other property).

a.) Renewal, Extension and Modification of Mortgage dated November 29, 1971, recorded on November 29, 1971 in the Bureau of Conveyances of the State of Hawaii in Book 7967, Page 365, made by F M SWATARA COMPANY, a Pennsylvania corporation duly registered to do business in the State of Hawaii and PACIFIC HOLIDAY, INC., a Hawaii corporation, being all the general partners of HILO-PACIFIC ASSOCIATES, a registered limited partnership, duly organized and existing under the laws of the State of Hawaii, as Mortgagor(s), to COUSINS MORTGAGE AND EQUITY INVESTMENTS, an unincorporated business trust organized under the laws of the State of Georgia, as Mortgagee(s), to secure the repayment of the sum of \$7,500,000.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor(s) therein referred to.

b.) By instrument dated July 1, 1976, recorded on June 30, 1976 in said Bureau of Conveyances in Book 11508, Page 567, the foregoing mortgage was assigned, by mesne assignments, to THE FIDELITY MUTUAL LIFE INSURANCE COMPANY, a Pennsylvania corporation.

c.) By instrument dated July 1, 1976, recorded on June 30, 1976 in said Bureau of Conveyances in Book 11508, Page 574, the foregoing mortgage was amended.

11. Unrecorded Leases, as disclosed by "ASSIGNMENT OF LESSOR'S INTEREST IN LEASE" dated November 29, 1971, by F M SWATARA COMPANY, a Pennsylvania corporation duly registered to do business in the State of Hawaii and PACIFIC HOLIDAY, INC., a Hawaii corporation, being all the general partners of HILO-PACIFIC ASSOCIATES, a registered limited partnership, in favor of COUSINS MORTGAGE AND EQUITY INVESTMENTS, an unincorporated business trust organized under the laws of the State of Georgia, as recorded on November 23, 1971 in said Bureau of Conveyances in Book 7967, Page 379.

a.) By instrument dated July 1, 1976, recorded on June 30, 1976 in said Bureau of Conveyances in Book 11508, Page 567, the foregoing Assignment of Lessor's Interest in Lease was assigned to THE FIDELITY MUTUAL LIFE INSURANCE COMPANY, a Pennsylvania corporation.

b.) By instrument dated July 1, 1976, recorded on June 30, 1976 in said Bureau of Conveyances in Book 11508, Page 574, the foregoing Assignment of Lessor's Interest in Lease was amended.

12. Undated Financing Statement covering certain fixtures located on the real property, given as security by HILO-PACIFIC ASSOCIATES in favor of COUSINS MORTGAGE AND EQUITY INVESTMENTS, recorded on November 29, 1971 in said Bureau of Conveyances in Book 7967, Page 388.

a.) By instrument dated July 1, 1976, recorded on June 30, 1976 in said Bureau of Conveyances in Book 11508, Page 567, the foregoing Financing Statement was assigned to THE FIDELITY MUTUAL LIFE INSURANCE COMPANY, a Pennsylvania corporation.

b.) By instrument dated July 1, 1976, recorded on June 30, 1976 in said Bureau of Conveyances in Book 11508, Page 574, the foregoing Financing Statement was amended.

c.) By undated instrument recorded on June 30, 1976 in said Bureau of Conveyances in Book 11508, Page 595, the foregoing Financing Statement was assigned to THE FIDELITY MUTUAL LIFE INSURANCE COMPANY.

d.) Continuation of Undated Financing Statement recorded on June 30, 1976 in said Bureau of Conveyances in Book 11508, Page 600.

e.) By undated instrument recorded on June 30, 1976 in said Bureau of Conveyances in Book 11509, Page 1, the foregoing Financing Statement was amended.

13. Second Mortgage dated November 24, 1971, recorded on December 2, 1971 in the Bureau of Conveyances of the State of Hawaii in Book 7977, Page 114, made by F M SWATARA COMPANY, a Pennsylvania corporation duly registered to do business in the State of Hawaii and PACIFIC HOLIDAY, INC., a Hawaii corporation, being all the general partners of and doing business as HILO-PACIFIC ASSOCIATES, a registered limited partnership duly organized and existing under the laws of the State of Hawaii, as Mortgagor(s), to THE FIDELITY MUTUAL LIFE INSURANCE COMPANY, A Philadelphia corporation duly registered to do business in the State of Hawaii, as Mortgagee(s), to secure the repayment of the sum of \$1,911,000.00, any additional advances and other amounts secured thereby, all according to the terms of that certain promissory note of said mortgagor(s) therein referred to (also affects other property).

a.) Additional Charge Mortgage dated December 15, 1975, recorded on December 18, 1975 in the Bureau of Conveyances of the State of Hawaii in Book 11101, Page 140, made by F M SWATARA COMPANY and PACIFIC HOLIDAY, INC., being all of the then general partners of Hilo-Pacific Associates, a registered limited partnership organized and existing under the laws of Hawaii, as Mortgagor(s), to THE FIDELITY MUTUAL LIFE INSURANCE COMPANY, a Pennsylvania corporation duly registered to do business in the State of Hawaii, as Mortgagee(s), to secure the repayment of the additional loan of \$415,611.00 together with interest thereon in accordance with the terms of that certain promissory note therein referred to. This is an additional charge mortgage to the foregoing mortgage.

b.) The mortgage hereinabove referred to was subordinated to the lien or charge of the mortgage shown as item No. 11, by Subordination Agreement dated July 1, 1976, recorded on June 30, 1976 in said Bureau of Conveyances in Book 11508, Page 592.

14. Undated Financing Statement covering certain fixtures located on the real property, given as security by HILO-PACIFIC ASSOCIATES, dba HILO LAGOON HOTEL, in favor of CENTRAL PACIFIC BANK, recorded on July 19, 1976 in said Bureau of Conveyances in Book 11539, Page 190.

Continuation of Undated Financing Statement recorded on July 17, 1981 in said Bureau of Conveyances in Book 15696, Page 171.

15. Certificate of State Tax Lien dated October 6, 1982, in favor of STATE OF HAWAII DEPARTMENT OF TAXATION, against HILO-PACIFIC ASSOCIATES, dba HILO LAGOON HOTEL, in the amount of \$96,816.30, recorded on October 7, 1982 in the Bureau of Conveyances of the State of Hawaii in Book 16627, Page 718.

16. Access Easement "A", containing an area of 6,547 square feet, as per survey of Yoshio Inaba, Registered Professional Surveyor Number 314 E.S., dated January 6, 1983, and more particularly described in Exhibit "A".

17. Easement (15-feet wide) for storm drainage purposes, as per survey of Yoshio Inaba, Registered Professional Surveyor Number 314 E.S., dated January 6, 1983.

18. Aerial Easement "A" (12.00 feet wide) for pedestrian bridge purposes, containing an area of 139 square feet, as per survey of Yoshio Inaba, Registered Professional Surveyor Number 314 E.S., dated February 17, 1983, and more particularly described in Exhibit "A".

19. Terms, provisions, and conditions set forth in Declaration of Easements dated June 30, 1983, recorded on July 15, 1983 in said Bureau of Conveyances in Book 17181, Page 22.

20. Condominium Map No. 876, filed in said Bureau of Conveyances on July 15, 1983.

21. The covenants, agreements, obligations, conditions, and other provisions set forth in that certain THE HILO LAGOON CENTRE DECLARATION OF HORIZONTAL PROPERTY REGIME dated June 30, 1983, recorded on July 15, 1983 in said Bureau of Conveyances in Book 17181, Page 43.

22. By-Laws dated June 30, 1983, recorded on July 15, 1983 in said Bureau of Conveyances in Book 17181, Page 128.

NOTE: Any apartment being conveyed and its common interest shall be released from existing mortgages by way of a partial release duly recorded, and other liens shall be paid and satisfied of record pursuant to Section 514A-18, Hawaii Revised Statutes.

FINANCING OF THE PROJECT:

Modify in toto to read as follows:

Both financing of the conversion improvements, where the Developer is responsible for providing said improvements, and take-out financing for individual Units shall be provided by Fidelity Mutual Life Insurance Company.

STATUS OF THE PROJECT:

The Developer reports that the conversion improvements are underway and the estimated date of completion is April 30, 1984.

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 on February 28, 1983, and additional information subsequently filed as of August 9, 1983.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of Registration No. 1535 (conversion) filed with the commission on February 28, 1983.

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


G. A. "RED" MORRIS, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

DISTRIBUTION:

DEPARTMENT OF FINANCE, COUNTY OF HAWAII
BUREAU OF CONVEYANCES
PLANNING COMMISSION, COUNTY OF HAWAII
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

REGISTRATION NO. 1535 (conversion)

August 23, 1983

EXHIBIT "A" TO
THE FINAL PUBLIC REPORT OF
THE HILO LAGOON CENTRE

PARKING SPACE ASSIGNMENT

There are a total of three hundred forty-seven (347) parking spaces in The Hilo Lagoon Centre consisting of the following types of parking spaces:

67 covered, regular size parking spaces;
-0- covered, compact size parking spaces;
165 open surface, regular size parking spaces;
115 open surface, compact size parking spaces.

347 TOTAL

Definitions:

- "specific" - as used herein, a specific assignment to a parking space means that the owner of a Unit is entitled to the right to park in a specifically assigned parking space.
- "floating" - as used herein, a floating assignment to a parking space or spaces means that the owner of a Unit is entitled to park a specifically identified vehicle or vehicles, as the case might be depending upon the number said Unit Owner is entitled to according to the herein Declaration and this Exhibit "A", in the parking spaces set aside for this purpose, such right to park being on an "as available", "first-come-first-served" basis.

Wherever in this Exhibit "A" an owner of a Unit is entitled to a specifically assigned parking space and such assignment has not been identified and will be identified at a later date, the specific assignment of a parking space shall be done by an amendment to this Declaration; and in order to accomplish the above, the Developer hereby reserves the right to amend this Declaration without the consent or joinder of persons then owning or leasing Units.

Units are assigned parking spaces in the following manner as indicated below:

COMMERCIAL APARTMENT UNITS:

First Floor:

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
101			
102			
103	300	specific	1

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
120	none	N/A	
123	2 170c to 207c inclusive 140 to 169 inclusive	specific floating	1 1
124	3 170c to 207c inclusive 140 to 169 inclusive	specific floating	1 1
125	4 170c to 207c inclusive 140 to 169 inclusive	specific floating	1 1
126	5 170c to 207c inclusive 140 to 169 inclusive	specific floating	1 1
128	6 170c to 207c inclusive 140 to 169 inclusive	specific floating	1 1
129	7 170c to 207c inclusive 140 to 169 inclusive	specific floating	1 1
132	8 170c to 207c inclusive 140 to 169 inclusive	specific floating	1 1
133	9 170c to 207c inclusive 140 to 169 inclusive	specific floating	1 1
139	10 and 11 170c to 207c inclusive 140 to 169 inclusive	specific floating	2 2
Restaurant Unit	98, 99, 100 and 101 170c to 207c inclusive 140 to 169 inclusive	specific floating	4 4
Utility Unit	262 and 272c 170c to 207c inclusive 140 to 169 inclusive	specific floating	2 2

For Units 104 to 119 inclusive, parking space(s) are assigned on the following basis:

<u>Number of Contiguous Units covered under common ownership:</u>	<u>Type of Parking Space:</u>	
	<u>Specific (open surface)</u>	<u>Floating</u>
1	0	1
2	0	1
3	1	0
4	1	1
5	1	1
6	2	0
7	2	1
8	2	1
9	3	1
10	3	2

Second Floor:

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
227	40	specific	1
	170c to 207c inclusive 140 to 169 inclusive	floating	1
227a	97	specific	1
227b	103	specific	1
228	316	specific	1
	170c to 207c inclusive 140 to 169 inclusive	floating	1
229	307	specific	1
	170c to 207c inclusive 140 to 169 inclusive	floating	2
230	304 and 309	specific	2
	170c to 207c inclusive 140 to 169 inclusive	floating	2

For Units 201 to 220 inclusive, Unit 230a and Units 235 to 251 inclusive, parking space(s) are assigned on the following basis:

<u>Number of Contiguous Units covered under common ownership:</u>	<u>Type of Parking Space:</u>	
	<u>Specific (open surface)</u>	<u>Floating</u>
1	0	1
2	0	1
3	1	0
4	1	1

<u>Number of Contiguous Units coveyed under common ownership:</u>	<u>Type of Parking Space:</u>	
	<u>Specific (open surface)</u>	<u>Floating</u>
5	1	1
6	2	0
7	2	1
8	2	1
9	3	1
10	3	2

Third Floor:

For Units 301 to 320 inclusive and for Units 325 to 342 inclusive, parking space(s) are assigned on the following basis:

<u>Number of Contiguous Units coveyed under common ownership:</u>	<u>Type of Parking Space:</u>	
	<u>Specific (open surface)</u>	<u>Floating</u>
1	0	1
2	0	1
3	1	0
4	1	1
5	1	1
6	2	0
7	2	1
8	2	1
9	3	1
10	3	2

For the above:

Units 104 to 119 inclusive
Units 201 to 220 inclusive
Unit 230a
Units 235 to 251 inclusive
Units 301 to 320 inclusive
Units 325 to 342 inclusive

The pool of open surface parking spaces for specific assignment, on a "first-come, first-serve" and "as available" basis shall be the following:

<u>Uncovered:</u>	1	26	302	308	319	340	344
	23	27	303	310	320	341	345
	24	299c	305	317	321	342	346
	25	301	306	318	322	343	347

RESIDENTIAL APARTMENT UNITS:

Fourth Floor:

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
401	222c	specific	1
402	226c	specific	1
403	235c	specific	1
404	225c	specific	1
405	234c	specific	1
406	232c	specific	1
407	221c	specific	1
408	231c	specific	1
409	170c to 207c inclusive 140 to 169 inclusive	floating	1
410	170c to 207c inclusive 140 to 169 inclusive	floating	1
411	170c to 207c inclusive 140 to 169 inclusive	floating	1
412	170c to 207c inclusive 140 to 169 inclusive	floating	1
414	170c to 207c inclusive 140 to 169 inclusive	floating	1
415	233c	specific	1
416	170c to 207c inclusive 140 to 169 inclusive	floating	1
417	228c	specific	1
418	170c to 207c inclusive 140 to 169 inclusive	floating	1
419	210c	specific	1
420	170c to 207c inclusive 140 to 169 inclusive	floating	1
421	220c	specific	1

<u>Unit No.</u>	<u>Parking Space No(s) .</u>	<u>Manner of Assignment</u>	<u>Number</u>
422	230c	specific	1
423	209c	specific	1
424	229c	specific	1
425	224c	specific	1
426	223c	specific	1

Fifth Floor:

<u>Unit No.</u>	<u>Parking Space No(s) .</u>	<u>Manner of Assignment</u>	<u>Number</u>
501	215c	specific	1
502	339	specific	1
503	238c	specific	1
504	218c	specific	1
505	237c	specific	1
506	240c	specific	1
507	214c	specific	1
508	239c	specific	1
509	170c to 207c inclusive 140 to 169 inclusive	floating	1
510	170c to 207c inclusive 140 to 169 inclusive	floating	1
511	170c to 207c inclusive 140 to 169 inclusive	floating	1
512	170c to 207c inclusive 140 to 169 inclusive	floating	1
514	170c to 207c inclusive 140 to 169 inclusive	floating	1
515	236c	specific	1
516	170c to 207c inclusive 140 to 169 inclusive	floating	1
517	267c	specific	1

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
518	170c to 207c inclusive 140 to 169 inclusive	floating	1
519	266c	specific	1
520	170c to 207c inclusive 140 to 169 inclusive	floating	1
521	213c	specific	1
522	269c	specific	1
523	216c	specific	1
524	268c	specific	1
525	217c	specific	1
526	261	specific	1

Sixth Floor:

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
601	111	specific	1
602	108	specific	1
603	265c	specific	1
604	338	specific	1
605	271c	specific	1
606	273c	specific	1
607	337	specific	1
608	270c	specific	1
609	170c to 207c inclusive 140 to 169 inclusive	floating	1
610	170c to 207c inclusive 140 to 169 inclusive	floating	1
611	170c to 207c inclusive 140 to 169 inclusive	floating	1
612	170c to 207c inclusive 140 to 169 inclusive	floating	1

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
614	170c to 207c inclusive 140 to 169 inclusive	floating	1
615	263c	specific	1
616	170c to 207c inclusive 140 to 169 inclusive	floating	1
617	264c	specific	1
618	170c to 207c inclusive 140 to 169 inclusive	floating	1
619	219c	specific	1
620	170c to 207c inclusive 140 to 169 inclusive	floating	1
621	244	specific	1
622	212c	specific	1
623	227c	specific	1
624	211c	specific	1
625	245	specific	1
626	246	specific	1

Seventh Floor:

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
701	12	specific	1
702	93	specific	1
703	15	specific	1
704	13	specific	1
705	16	specific	1
706	17	specific	1
707	14	specific	1
708	18	specific	1
709	19	specific	1

<u>Unit No.</u>	<u>Parking Space No(s) .</u>	<u>Manner of Assignment</u>	<u>Number</u>
710	20	specific	1
711	21	specific	1
712	22	specific	1
714	311	specific	1
715	312	specific	1
716	313	specific	1
717	314	specific	1
718	315	specific	1
719	243	specific	1
720	247	specific	1
721	242	specific	1
722	102	specific	1

Eighth Floor:

<u>Unit No.</u>	<u>Parking Space No(s) .</u>	<u>Manner of Assignment</u>	<u>Number</u>
801	107	specific	1
802	106	specific	1
803	332	specific	1
804	90	specific	1
805	335	specific	1
806	327	specific	1
807	91	specific	1
808	326	specific	1
809	325	specific	1
810	324	specific	1
811	323	specific	1
812	254	specific	1
814	253	specific	1

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
815	252	specific	1
816	251	specific	1
817	250	specific	1
818	249	specific	1
819	92	specific	1
820	94	specific	1
821	248	specific	1
822	105	specific	1

Ninth Floor:

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
901	62	specific	1
902	61	specific	1
903	336	specific	1
904	95	specific	1
905	334	specific	1
906	333	specific	1
907	104	specific	1
908	331	specific	1
909	330	specific	1
910	329	specific	1
911	328	specific	1
912	260	specific	1
914	259	specific	1
915	258	specific	1
916	257	specific	1
917	256	specific	1

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
918	255	specific	1
919	96	specific	1
920	110	specific	1
921	241	specific	1
922	109	specific	1

Penthouse Floor:

<u>Unit No.</u>	<u>Parking Space No(s).</u>	<u>Manner of Assignment</u>	<u>Number</u>
1001	43 and 44	specific	2
	170c to 207c inclusive 140 to 169 inclusive	floating	1
1002	45	specific	1
	170c to 207c inclusive 140 to 169 inclusive	floating	1
1114	63, 64, 65 and 66	specific	4
	170c to 207c inclusive 140 to 169 inclusive	floating	4

The following covered and uncovered parking spaces are reserved by the Developer for sale to, or exchange with Unit Owners of The Hilo Lagoon Centre. Sale or exchange of these parking spaces shall be made by the Developer in the most expeditious manner possible and on a reasonable basis of allocation to owners of Units. After the sale or exchange of these parking spaces is completed, the identification of the parking space or spaces to Units shall be done by an amendment to this Declaration; and in order to accomplish the above, the Developer hereby reserves the right to amend this Declaration without the consent or joinder of persons then owning or leasing Units.

<u>Covered:</u>	28	33	38	47	52	57	68
	29	34	39	48	53	58	69
	30	35	41	49	54	59	70
	31	36	42	50	55	60	71
	32	37	46	51	56	67	72

Uncovered: 208c

The following parking spaces are to be common elements, and these spaces are to be used for parking by Unit Owners and/or guests as best determined by the Association of Apartment Owners of The Hilo Lagoon Centre.

The regulation of the use of these parking spaces shall include the right to charge a rental for such use but shall not include the right to sell these spaces unless such right is granted by this Declaration being duly amended.

112c	117c	122c	127c	132c	137c
113c	118c	123c	128c	133c	138c
114c	119c	124c	129c	134c	139c
115c	120c	125c	130c	135c	
116c	121c	126c	131c	136c	

274	279	284	289	294
275	280	285	290	295
276	281	286	291	296
277	282	287	292	297
278	283	288	293	298

73	78	83	88c
74	79	84	89c
75	80	85	
76	81	86	
77	82	87c	

c = compact space

END OF EXHIBIT "D"