

# 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  
PUUNOA BEACH ESTATES  
(Formerly Puunoa Beach)  
Kai Pali Place  
Lahaina, Maui, Hawaii

REGISTRATION NO. 1583

### 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: November 23, 1984  
Expires: December 23, 1985

#### 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 and prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JANUARY 4, 1984, AND INFORMATION SUBSEQUENTLY FILED ON NOVEMBER 21, 1984. 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. Since the issuance of the Commission's Preliminary Public Report of January 27, 1984, on PUUNOA BEACH, Registration No. 1583, the Developer reports that certain material changes have been made in the project as presented in the documents submitted for the earlier report. The name of the project has been changed to PUUNOA BEACH ESTATES.
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 (Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners and a Report of the Approved Floor Plans) have been filed in the office of the recording officer.

The Declaration of Horizontal Property Regime, dated October 18, 1984, was filed in the Bureau of Conveyances of the State of Hawaii in Liber 18227 on Page 763, on October 26, 1984, and the By-Laws of the Association of Apartment Owners has also been filed in said Bureau of Conveyances in Liber 18228 on Page 1.

The Registrar of said Bureau of Conveyances has designated Condominium Map Number 928 to the project.

4. The Developer has submitted an advertising or promotional brochure pursuant to the rules and regulations promulgated by the Commission.

5. Purchasers or prospective purchasers are advised to acquaint themselves 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, November 23, 1984, unless a Supplementary Public Report is issued or the Commission, upon review of the registration, issues an order extending the effective period of this report.

7. This Final Public Report amends the Preliminary Public Report becoming a part of the PUUNOA BEACH ESTATES (formerly Puunoa Beach) condominium registration. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers along with a copy of the Preliminary Public Report (yellow paper stock) and the Disclosure Statement, as amended. Securing a signed copy of the Receipt therefor is also the responsibility of the Developer.

The information in the Preliminary Public Report issued January 27, 1984, has not been disturbed except for the following:

NAME OF PROJECT: PUUNOA BEACH ESTATES.

DEVELOPER: Puunoa Partners, a Hawaii registered partnership, whose general partners are Hawaii Omori Corporation, a Hawaii corporation, whose principal place of business and post office address is Annex A, West Maui Center, 910 Honoapiilani Highway, Lahaina, Maui, Hawaii 96761, and Maui Mining and Manufacturing Corporation, a Hawaii corporation, whose principal place of business and post office address is 675 Front Street, Lahaina, Maui, Hawaii 96761. The partnership's address is the same as that of Hawaii Omori Corporation, and its phone number is (808)667-6872.

DESCRIPTION: The Declaration of Horizontal Property Regime and plans submitted by the Developer indicate a leasehold condominium project consisting of ten (10) apartments contained in two (2) two-story buildings constructed principally of hollow tile, concrete, masonry and wood. Four of said units are in Building One which has a basement and one mezzanine floor contained in Unit 202. The remaining six units are in Building Two which also has a basement and a mezzanine floor contained in Unit 203 and Unit 204.

All areas for each unit are computed by measuring from the inner decorated or finished surfaces of exterior walls, or the perimeter walls of the apartment.

COMMON ELEMENTS: Subparagraph 6 under this topical heading in the Preliminary Public Report has been amended as follows:

6. Recreation area which includes a swimming pool, hydrotherapy spa, shower column, water fountain, barbeque grills and pool building containing separate saunas and restrooms for men and women, appliances, equipment and storage facilities;

LIMITED COMMON ELEMENTS: Subparagraphs 2 and 4 under this topical heading in the Preliminary Public Report have been amended in its entirety as follows:

2. One (1) mailbox located in the pool building shall be a limited common element appurtenant to and for the exclusive use of each apartment. Each mailbox shall have the same number as the unit to which it is appurtenant.

4. Each exterior entry walkway serving only one apartment, all exterior doors and all windows adjoining and serving an apartment or apartments shall be appurtenant to and for the exclusive use of such apartment or apartments which it serves.

ENCUMBRANCES AGAINST TITLE: A Preliminary Title Report issued by Title Guaranty of Hawaii, Inc., as of October 26, 1984, certifies that the records reveal no liens or encumbrances against said title, save and except:

1. Real property taxes that are due and owing; reference is made to the Office of the Tax Assessor, Second Division.
2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
3. Location of the seaward boundary in accordance with the laws of the State of Hawaii and shoreline setback line in accordance with County regulation and/or ordinance and its effect, if any, upon the area of the land described in the Declaration.
4. "RESERVING AND EXCEPTING to Pioneer Mill Co., Ltd., its successors and assigns, forever, as appurtenant to the lands of Pioneer Mill Co., Ltd., located in the District of Lahaina now owned and used or hereafter acquired and

used by Pioneer Mill Co., Ltd., its successors and assigns, in its sugar plantation operations, the perpetual right and easement over and upon the granted premises to discharge, emit, diffuse and inflict noise, smoke, soot, dust, lights, noxious vapors, odors and other minor nuisances of every description created by and resulting from the operations of Pioneer Mill Co., Ltd., its successors and assigns, in burning sugar cane and bagasse, milling, generating power, trucking, hauling and all other activities incidental to the operation of a sugar plantation."; as reserved and excepted in Deeds dated October 11, 1967, recorded in Liber 5830 on Page 236, and June 12, 1970, recorded in Liber 7053 on Page 27.

5. Agreement of Joint Venture dated October 3, 1978, recorded in Liber 13282 on Page 99, made by and between Hawaii Omori Corporation and Maui Mining and Manufacturing Corporation, a Hawaii corporation. Said Agreement was amended by instrument dated January 22, 1979, recorded in Liber 13567 on Page 508.
6. Section VII(c) Agreement for West Maui Areas dated June 17, 1982, recorded in Liber 16732 on Page 486, made by and between Puunoa Partners, as "Applicant", and the County of Maui, Department of Water Supply, as "County".
7. Grant in favor of Maui Electric Company, Limited and Hawaiian Telephone Company, dated November 14, 1983, recorded in Liber 17525 on Page 65; granting a perpetual right and easement to build, construct, reconstruct, rebuild, repair, maintain and operate pole and wire lines and underground power lines, for the transmission of electricity over and under a portion of the land described in the Declaration.
8. Grant in favor of the County of Maui, a political subdivision of the State of Hawaii, dated February 21, 1984, recorded in Liber 17839 on Page 221; granting a nonexclusive easement to construct, reconstruct, maintain, operate, repair and remove a water pipeline or pipelines, etc. over and across Easement "B".
9. Master Lease dated January 24, 1984, recorded in Liber 18142 on Page 320, entered into by and between Hawaii Omori Corporation, a Hawaii corporation, as Lessor, and Puunoa Partners, a Hawaii registered partnership, as Lessee; leasing and demising the premises described therein for a term commencing on August 1, 1982 and terminating either on the date of which falls exactly 36 months thereafter or on the date of completion of construction of the improvements.
10. Unrecorded Decision and Order dated September 20, 1982, issued by the Maui County Planning Commission, State of Hawaii, In the Matter of: The Application of Puunoa

Partners of a Special Management Area Permit to Develop a Residential Condominium Project on Parcels Designated as TMK 4-5-04:2 and 4-5-04:51 at Puunoa, Lahaina, Maui, Hawaii, same being 82/SMA-10; as mentioned in Lease recorded in Liber 18142 on Page 320.

11. 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 October 18, 1984, recorded in Liber 18227 on Page 763, as the same may hereafter be amended in accordance with law or with said Declaration. (Project covered by Condominium Map No. 928).
12. By-Laws of the Association of Apartment Owners of the Condominium Project known as "Puunoa Beach Estates" dated October 18, 1984, recorded in Liber 18228 on Page 1, as the same may hereafter be amended.

NOTE: The Notice of Mechanic's and Materialman's Lien and Demand - M.L. No. 554 (2) filed in the Circuit Court of the Second Circuit, State of Hawaii, DORVIN D. LEIS CO., INC., Lienor, vs. HAWAIIAN DREDGING & CONSTRUCTION COMPANY, Contractors, PUUNOA BEACH PARTNERS and HAWAII OMORI CORP., Fee Owners, has been dismissed on November 7, 1984.

MANAGEMENT OF THE PROJECT: Oihana Property Management & Sales, Inc., has been selected to serve as managing agent, under the terms of an Agreement dated October 18, 1984, executed by Puunoa Partners for the Association of Apartment Owners, and Oihana Property Management & Sales, Inc., a copy of which Agreement has been filed with the Commission.

STATUS OF PROJECT: The construction of the project has been completed as certified by Certificates of Occupancy issued by the County of Maui on April 27, 1984 and July 30, 1984, for Building One and Building Two, respectively.

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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 January 4, 1984, and information subsequently filed on November 21, 1984.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1583 filed with the Commission on January 4, 1984.

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

*for Douglas R. Soltan*  
G. A. "RED" MORRIS, CHAIRMAN  
REAL ESTATE COMMISSION  
STATE OF HAWAII

DISTRIBUTION:

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

REGISTRATION NO. 1583

November 23, 1984