

# 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

## SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on  
HALE MAILE CONDOMINIUMS  
959-965 Kilauea Avenue  
Hilo, Hawaii 96720

Registration No. 1600  
(Conversion)

### **This Report Is Not an Approval or Disapproval of This Condominium Project**

It was prepared as a supplement to an earlier Report dated \_\_\_\_\_ issued by the Real Estate Commission on the above 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 29, 1985  
EXPIRES: June 30, 1986

### 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 19, 1984, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED WITH THE COMMISSION AS OF July 22, 1985. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF HIS 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 Final Public Report on HALE MAILE CONDOMINIUMS, dated May 30, 1984, the Developer has submitted additional information deemed material to the Project.
2. The Developer has filed all documents and exhibits deemed necessary by the Commission for the registration of this condominium project and the issuance of this Supplementary Public Report.

3. No promotional or advertising materials have been submitted pursuant to the Rules and Regulations promulgated by the Commission.
4. The basic documents, Declaration of Horizontal Property Regime, By-Laws of Association of Unit Owners dated February 22, 1984, were recorded on April 11, 1984, at the Bureau of Conveyances of the State of Hawaii in Book 17794, Page 402. A First Amended Declaration of Horizontal Property Regime was recorded on December 24, 1984, as aforesaid at Book 18343, Page 474, a Second Amended Declaration of Horizontal Property Regime was recorded on February 13, 1985, as aforesaid at Book 18447, Page 509; a Third Amended Declaration of Horizontal Property Regime was recorded on July 5, 1985, as aforesaid at Book 18760, Page 136. A copy of the floor plans and elevations has been amended and filed as Condominium Map No. 899.
4. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Supplementary Public Report automatically expires on June 30, 1986, unless a further Supplementary Public Report issues or the Commission, upon review of the registration, issues an order extending the effective period of this report.
7. This Supplementary Public Report is made a part of the registration of HALE MAILE CONDOMINIUMS condominium project, Registration No. 1600. The Developer is responsible for placing the Supplementary Public Report (pink paper stock); Final Public Report (white paper stock) and Disclosure Abstract dated May 16, 1985 in the hands of all purchasers and prospective purchasers and securing a signed receipt therefor.

The information in the TOPICAL HEADINGS of the Final Public Report of May 30, 1984, with the exception of "description of units", "limited common elements", "encumbrances against title" and "interest to be conveyed to purchaser" have not been disturbed.

DESCRIPTION OF THE PROJECT: The Second Amended Declaration and the Third Amended Declaration reveal that Design Type E and Design Type F units have been revised, and now are described as follows:

Design Type E. Design Type E consists of an office space and a lavatory (designated on the Condominium Map as Washroom #1), is approximately 496 square feet in floor area, and has a configuration as shown on the Condominium Map as "Office E".

Design Type F. Design Type F consists of an office space and a lavatory (designated on the Condominium Map as Washroom #2), is

approximately 667 square feet in floor area, and has a configuration as shown on the Condominium Map as "Office "F".

The Men's Room and Women's Room mentioned in paragraph 1 in the Final Public Report have been eliminated.

LIMITED COMMON ELEMENTS. The First Amended Declaration and the Second Amended Declaration reveals that the Units to which certain parking stalls are appurtenant has been revised, and now are as follows:

A. Each Unit shall have appurtenant thereto one or more parking stalls as shown on the said Condominium Map. The parking stalls which are limited common elements and the respective Units to which they are appurtenant are as follows:

<u>Stall No.</u>	<u>Unit No.</u>
1.....	Office E
2.....	Office F
3.....	305
4.....	304
5.....	303
10.....	302
11.....	301
12.....	300
6-9 (inclusive), 13,	
24-34 (inclusive).....	206
14.....	207
15.....	208
16.....	209
17.....	205
18.....	204
19.....	203
20C.....	202
21C.....	201
22C.....	200
23.....	Office D

The six other parking stalls, being stalls 35-40, inclusive, are common elements as "guest parking". Stall numbers 1-22 are covered stalls. Parking stall nos. 20, 21 and 22 are compact stalls. Paragraph B under this topical heading in the Final Public Report has been deleted.

INTEREST TO BE CONVEYED TO PURCHASER: The Second Amended Declaration reveal that the percentage of undivided interest in the common elements appurtenant to each Unit for all purchasers, including voting and allocation of common expenses, have been revised and are now as set forth on Exhibit "A" attached hereto.

ENCUMBRANCES AGAINST TITLE: A Preliminary Title Report issued by SECURITY TITLE CORPORATION dated July 15, 1985 reveals that the fee simple title is subject to the following encumbrances:

1. For real property taxes that may be due and owing

is made with the Office of the Tax Assessor, Third Division, State of Hawaii.

2. Mortgage dated August 29, 1984, recorded on October 1, 1984 in the Bureau of Conveyances of the State of Hawaii in Book 18179 Page 434, made by MRD, INC., a Hawaii corporation, as Mortgagor(s), to FIRST HAWAIIAN BANK, a Hawaii corporation, as Mortgagee(s), to secure the repayment of the sum of \$170,000.00, 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.
3. Mortgage dated August 28, 1983, recorded on August 30, 1983, in said Bureau of Conveyances in Book 17284 Page 520, made by MRD, INC., a Hawaii corporation, as Mortgagor(s), to EMMA YAMADA, unmarried, as Mortgagee(s), to secure the repayment of the sum of \$420,000.00, 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.

The mortgage hereinabove referred to was subordinated to the lien or charge of the mortgage shown as item 2 above, by Subordination Agreement dated August 30, 1984, recorded on October 1, 1984 in said Bureau of Conveyances in Book 18179 Page 444.

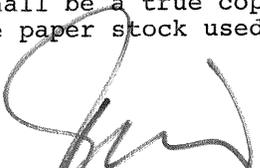
4. The covenants, agreements, obligations, conditions and other provisions set forth in that certain DECLARATION OF HORIZONTAL PROPERTY REGIME OF HALE MAILE CONDOMINIUMS dated February 22, 1984, recorded on April 11, 1984 in said Bureau of Conveyances in Book 17794 Page 402, and By-Laws attached hereto.
  - a) By undated instrument, recorded on December 24, 1984 in said Bureau of Conveyances in Book 18343 Page 474, the foregoing Declaration was amended.
  - b) By undated instrument, recorded on February 13, 1985 in said Bureau of Conveyances in Book 18447 Page 509, the foregoing Declaration was further amended.
  - c) By undated instrument, recorded on June 13, 1985 in said Bureau Conveyances in Book 18760 Page 136, the foregoing Declaration was further amended.
5. Condominium Map No. 899, filed in said Bureau of Conveyances on April 11, 1984, as amended.

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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 by the Developer on April 19, 1984, and additional information submitted as of July 22, 1985.

THIS SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)  
PUBLIC REPORT is made a part of Registration No. 1600, filed  
with the Commission on April 19, 1984.

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



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

Distribution:

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

Registration No. 1600

Dated: July 29, 1985.

PERCENTAGE OF UNDIVIDED INTEREST IN COMMON ELEMENTS

The percentage of undivided interest in the common elements appertaining to each Unit is as follows:

<u>UNIT NUMBER</u>	<u>APPROXIMATE AREA</u>	<u>PERCENTAGE OF UNDIVIDED INTEREST IN COMMON ELEMENTS</u>
Office D	481 square feet	5.226
Office E	496 square feet	5.389
Office F	667 square feet	7.249
Unit 200	449 square feet	4.878
Unit 201	449 square feet	4.878
Unit 202	449 square feet	4.878
Unit 203	449 square feet	4.878
Unit 204	449 square feet	4.878
Unit 205	449 square feet	4.878
Unit 206	552 square feet	5.998
Unit 207	552 square feet	5.998
Unit 208	552 square feet	5.998
Unit 209	516 square feet	5.606
Unit 300	449 square feet	4.878
Unit 301	449 square feet	4.878
Unit 302	449 square feet	4.878
Unit 303	449 square feet	4.878
Unit 304	449 square feet	4.878
Unit 305	449 square feet	4.878
		<u>100.000%</u>

For purposes of voting on all matters requiring action by the owners and for purposes of allocation of common expenses, the above percentages shall govern.

The method or formula used in computing the percentage of common interest was to derive a fraction, the numerator of which was the square footage for each Unit, the denominator of which was the aggregate square footage for all Units.

Exhibit "A"