

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
PHASE III, ALII PLANTATION
Ala Alii Street
Honolulu, Hawaii

REGISTRATION NO. 1633

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: February 25, 1985
Expires: March 25, 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 and prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED SEPTEMBER 12, 1984 AND INFORMATION SUBSEQUENTLY FILED AS OF FEBRUARY 13, 1985. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report of September 24, 1984 on PHASE III, ALII PLANTATION, the Developer has filed additional information as part of the registration on the project.
2. The Developer of the project has submitted to the Commission for examination all documents and exhibits

deemed necessary for the issuance of this Final Public Report.

3. The basic documents (Declaration of Horizontal Property Regime, By-Laws of Association of Apartment Owners, and approved floor plans) for the project have been recorded in the office of the recording officer. The Declaration dated January 10, 1985, has been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1279947 and also recorded in the Bureau of Conveyances of the State of Hawaii in Liber 18418 at Page 222, and the By-Laws also dated January 10, 1985, has been filed in said Office of the Assistant Registrar as Document No. 1279948 and also recorded in said Bureau of Conveyances in Liber 18418 at Page 261. The Office of the Assistant Registrar has assigned Condominium Map No. 537 to the project and the Bureau of Conveyances has assigned Condominium Map No. 946 to the project.
4. No advertising or promotional matter 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, Hawaii Revised Statutes, as amended, and the Condominium Rules and Regulations which relate to Horizontal Property Regime.
6. This Final Public Report is made a part of the registration on PHASE III, ALII PLANTATION condominium project. The Developer has the responsibility of placing a true copy of the Final Public Report (white paper stock) along with the Preliminary Public Report (yellow paper stock) and latest Disclosure Abstract (dated November 1, 1984) in the hands of all purchasers and prospective purchasers and for securing a signed copy of the receipt therefor.
7. This Final Public Report automatically expires thirteen (13) months from the date of issuance, February 25, 1985, unless a Supplementary Public Report is published, or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information under the topical headings of the Preliminary Public Report of September 24, 1984 remains unchanged, except for the following:

ENCUMBRANCES AGAINST TITLE: The Developer has filed with the Commission an updated Preliminary Report dated January 28, 1985 by Security Title Corporation. Said Preliminary Report indicates that title to the land is subject to the following:

1. Real property taxes that may be due and owing: Reference is made to the Office of Finance Director, City and County of Honolulu.

2. Designation of Easement "308" (area 73 square feet) and Easement "309" (area 428 square feet) for electrical purposes, as shown on Map 175, as set forth by Land Court Order No. 63271, filed July 21, 1982. (affects Parcel First)

3. Grant dated September 3, 1981, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 1093523, in favor of HAWAIIAN ELECTRIC COMPANY, INC., and HAWAIIAN TELEPHONE COMPANY, granting an easement over said Easements "308" and "309". (affects Parcel First)

4. Reservation in favor of the State of Hawaii of all mineral and metallic mines. (as to Parcel Second)

5. "Pursuant to the provisions of Executive Order No. 9908 of December 5, 1947 (12 F.R. 8223), 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, contained in whatever concentration, in deposits in the lands covered by this instrument are hereby reserved for the use of the United States, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby. However, such land may be used, and any rights otherwise acquired by this disposition may be exercised, as if no reservation of such materials has been made; except that, when such use results in the extraction of any such material from the land in quantities which may not be transferred or delivered without a license under the Atomic Energy Act of 1946, as it now exists or may hereafter be amended, such material shall be the property of the United States Atomic Energy Commission, and the Commission may require delivery of such material to it by any possessor thereof after such material has been separated as such from the ores in which it was contained. If the Commission requires the delivery of such material to it, it shall pay to the person mining or extracting the same, or to such other person as the Commission determines to be entitled thereto, such sums, including profits, as the Commission deems fair and reasonable for the discovery, mining, development, production, extraction, or other services performed with respect to such material prior to such delivery, but such payment shall not include any amount on account of the value of such material before removal from its place of deposit in nature. If the Commission does not require delivery of such material to it, the reservation hereby made shall be of no further force or effect."; as set forth in that certain Deed dated February 16, 1954, recorded in the Bureau of Conveyances of the State of Hawaii in Book 2804 Page 296. (as to Parcel Second)

6. Unilateral Agreement and Declaration for Conditional Zoning dated February 15, 1980, recorded in the Bureau of Conveyances in Book 14521 Page 118, by and between ALIMANU DEVELOPMENT CORPORATION, a Hawaii corporation, "Declarant"; CENTRAL OAHU LAND CORPORATION, a Hawaii corporation; and QUEEN'S MEDICAL CENTER, a Hawaii eleemosynary corporation. (Said Unilateral Agreement and Declaration for Conditional

Zoning is not noted on Transfer Certificate of Title No. 221,939.) (also affects other property)

7. The terms and provisions of that certain Lease dated August 11, 1982, effective as of January 1, 1982, filed in said Office of the Assistant Registrar as Document No. 1130265, and also recorded in said Bureau of Conveyances in Book 16549 Page 52, made by and between THE QUEEN EMMA FOUNDATION, a Hawaii nonprofit corporation, as Lessor(s), and ALII PLANTATION PARTNERS, a Hawaii general partnership, as Lessee(s), leasing and demising the lands described herein for a term of five years commencing on the effective date and ending on December 31, 1986. (also affects other property)

8. The terms and provisions of that certain Memorandum of Lease dated June 29, 1984, but effective as of June 1, 1984, filed in said Office of the Assistant Registrar as Document No. 1245051, and also recorded on July 3, 1984 in said Bureau of Conveyances in Book 17992 Page 609, made by and between THE QUEEN EMMA FOUNDATION, as Lessor(s), to LEAR SIEGLER, INC./HAWAIIAN PROPERTIES DIVISION, a Delaware corporation, as Lessee(s), for a term of fifty-seven (57) years from June 1, 1984 to June 30, 2041. (also affects other property)

9. Declaration of Restrictive Covenants (Private Park) dated June 14, 1984, filed in said Office of the Assistant Registrar as Document No. 1257499, and also recorded on September 14, 1984 in said Bureau of Conveyances in Book 18145 at Page 352. (also affects other property)

10. (a) Condominium Map No. 537, filed in said Office of the Assistant Registrar on January 28, 1985.

(b) Condominium Map No. 946, filed in said Bureau of Conveyances on January 28, 1985.

11. The covenants, agreements, obligations, conditions and other provisions set forth in that certain Declaration of Horizontal Property Regime of Phase III, Alii Plantation dated January 10, 1985, filed in said Office of the Assistant Registrar as Document No. 1279947 and also recorded in said Bureau of Conveyances in Book 18418 Page 222, and By-Laws dated January 10, 1985, filed in said Office of the Assistant Registrar as Document No. 1279948 and also recorded in said Bureau of Conveyances in Book 18418 Page 261.

STATUS OF PROJECT: The project will be completed on or about November 1, 1985.

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 September 12, 1984 and information subsequently filed as of February 13, 1985.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1633.

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

Distribution:

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

Registration No. 1633

Dated: February 25, 1985