CONDOMINIUM PUBLIC REPORT

Prepared & Issued by: Developer Robert N. Moran and Judith K. Moran
Address 2263 Hikino Street, Honolulu, Hawaii 96821

Project Name(*): HAUULA ESTATES
Address: 54-182 Hauula Homestead Road, Hauula, HI 96817

Registration No. 3042 (Conversion) Effective date: October 13, 1997
Expiration date: November 13, 1998

Preparation of this Report:

This report has been prepared by the Developer pursuant to the Condominium Property Act, Chapter 514A, Hawaii Revised Statutes, as amended. This report is not valid unless the Hawaii Real Estate Commission has issued a registration number and effective date for the report.

This report has not been prepared or issued by the Real Estate Commission or any other governmental agency. Neither the Commission nor any other government agency has judged or approved the merits or value, if any, of the project or of purchasing an apartment in the project.

Buyers are encouraged to read this report carefully, and to seek professional advice before signing a sales contract for the purchase of an apartment in the project.

Expiration Date of Reports. Preliminary Public Reports and Final Public Reports automatically expire thirteen (13) months from the effective date unless a Supplementary Public Report is issued or unless the Commission issues an order, a copy of which is attached to this report, extending the effective date for the report.

Exception: The Real Estate Commission may issue an order, a copy of which shall be attached to this report, that the final public report for a two apartment condominium project shall have no expiration date.

Type of Report:

_____	**PRELIMINARY:** (yellow)	The developer may not as yet have created the condominium but has filed with the Real Estate Commission minimal information sufficient for a Preliminary Public Report. A Final Public Report will be issued when complete information is filed.
_____	**FINAL:** (white)	The developer has legally created a condominium and has filed complete information with the Commission. [ ] No prior reports have been issued [ ] Supersedes all prior public reports [ ] Must be read together with _____
X	**SECOND SUPPLEMENTARY:** (pink)	Updates information contained in the [ ] Prelim. Public Report dated _____ [ ] Final Public Report dated _____ [X] Supp. Public Report dated August 12, 1997 And [ ] Supersedes all prior public reports [X] Must be read together with Supplementary Public Report dated July 12, 1996 [X] This report reactivates the Supplementary public report(s) which expired on August 13, 1997

(*) Exactly as named in the Declaration

FORM: RECO-30 286/986/189/1190/892/0197

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Disclosure Abstract: Separa)isclosure Abstract on this co. ıinium project:

[ ] Required [X] Not Required - disclosures covered in this report.

Summary of Changes from Earlier Public Reports:

This summary contains a general description of the changes, if any, made by the developer since the last public report was issued. It is not necessarily all inclusive. Prospective buyers should compare this public report with the earlier reports if they wish to know the specific changes that have been made.

[ ] No prior reports have been issued by the Commission.

[X] Changes made are as follows:

The description of Unit A has changed.

NOTE: This abbreviated Supplementary Public Report contains only pages reflecting information revised since issuance of the Supplementary Public Report on July 12, 1996.

SPECIAL ATTENTION

This is a CONDOMINIUM PROJECT, **not** a subdivision. The land area beneath and immediately appurtenant to each unit is designated a **LIMITED COMMON ELEMENT** and is **not** a legally subdivided lot. The dotted lines on the Condominium Map bounding the designated number of square feet in each limited common element land area are for illustration purposes only and should not be construed to be the property lines of legally subdivision lots.

This public report does not constitute approval of the Project by the Real Estate Commission, nor does it ensure that all applicable County codes, ordinances, and subdivision requirements have necessarily been complied with.

THE PROSPECTIVE PURCHASERS ARE CAUTIONED TO CAREFULLY REVIEW ALL DOCUMENTS REGARDING THIS CONDOMINIUM PROJECT FOR FURTHER INFORMATION WITH REGARD TO THE FOREGOING.

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Developer | Attorney for Developer | General Contractor
Real Estate Broker | Escrow Company | Condominium Managing Agent

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EXHIBIT C: Common Elements
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EXHIBIT E: Encumbrances Against Title
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EXHIBIT H: Disclosure Abstract
EXHIBIT I: City and County of Honolulu, Building Dept. letter dated 9/22/97

CREATION OF THE CONDOMI M;
CONDOMINIUM DOCUMENTS

A condominium is created by recording in the Bureau of Conveyances and/or filing with the Land Court a Declaration of Condominium Property Regime, a Condominium Map (File Plan), and the bylaws of the Association of Apartment Owners. The Condominium Property Act (Chapter 514A, HRS), the Declaration, Bylaws, and House Rules control the rights and obligations of the apartment owners with respect to the project and the common elements, to each other, and to their respective apartments. The provisions of these documents are intended to be, and in most cases are, enforceable in a court of law.

A. **Declaration of Condominium Property Regime** contains a description of the land, buildings, apartments, common elements, limited common elements, common interests, and other information relating to the condominium project.

The Declaration for this condominium is:

[ ] Proposed
[X] Recorded - Bureau of Conveyances - Document No. **93-112780**
Book _____ Page _____
[ ] Filed - Land Court - Document No. _____

The Declaration referred to above has been amended by the following instruments [state name of document, date and recording/filing information]:

Amendment No. 1 and Restatement of Declaration dated January 29, 1996, and recorded as Document No. 96-16079
Amendment No. 2 dated April 29, 1996, recorded as Document No. 96-060175
Amendment No. 3 dated June 20, 1997, recorded as Document No. 97-093156

B. **Condominium Map (File Plan)** shows the floor plan, elevation and layout of the condominium project. It also shows the floor plan, location, apartment number, and dimensions of each apartment.

The Condominium Map for this condominium project is:

[ ] Proposed
[X] Recorded - Bureau of Conveyances Condo Map No. **1936**
[ ] Filed - Land Court Condo Map No. _____

The Condominium Map has been amended by the following instruments [state name of document, date and recording/filing information]:

Amendment No. 1 and Restatement of Declaration and Amendment to Condominium File Plan No. 1891 dated January 29, 1996, and recorded as Document No. 96-16079

C. **Bylaws of the Association of Apartment Owners** govern the operation of the condominium project. They provide for the manner in which the Board of Directors of the Association of Apartment Owners is elected, the powers and duties of the Board, the manner in which meetings will be conducted, whether pets are prohibited or allowed and other matters which affect how the condominium project will be governed.

The Bylaws for this condominium are:

[ ] Proposed
[X] Recorded - Bureau of Conveyances - Document No. **93-112781**
[ ] Filed - Land Court Condo Map No. _____

The Bylaws referred to above have been amended by the following instruments [state name of document, date and recording/filing information]:

5. Special Use Restrictio

The Declaration, Bylaws, and House Rules may contain restrictions on the use and occupancy of the apartments. Restrictions for this condominium project include but are not limited to:

[X] Pets: **permitted in reasonable number**

[ ] Number of Occupants: _____

[ ] Other: _____

[ ] There are no special use restrictions.

6. Interior (fill in appropriate numbers):

Elevators **-0-** Stairways **-4-** Trash Chutes **-0-**

Apt. Type	Quantity	BR/Bath	Net Living Area (sf)*	Lanai/Patio (sf)	Area(sf)
Unit A	**1**	**1/1**	**1,184**	**Deck: 100**	
Unit B	**1**	**3/1**	**877**	**53**	
Unit C	**1**	**-/1**	**576**		
Unit D, E & F	**3**	**--**			**100**

Total Apartments: **6**

*Net Living Area is the floor area of the apartment measured from the interior surface of the apartment perimeter walls.

Other documents and maps may give floor area figures which differ from those above because a different method of determining the floor area may have been used.

Boundaries of Each Apartment:

The outside surfaces of the exterior walls and roof and the bottom surfaces of the footings and foundations of each Unit.

Permitted Alterations to Apartments:

See attached Exhibit "B"

Blanket Liens:

A blanket lien is an encumbrance (such as a mortgage) on the entire condominium project that secures some type of monetary debt (such as a loan) or other obligation. A blanket lien is usually released on an apartment-by-apartment basis upon payment of specified sums so that individual apartments can be conveyed to buyers free and clear of the lien.

[ ] There are no blanket liens affecting title to the individual apartments.

[x] There are blanket liens which may affect title to the individual apartments.

Blanket liens (except for improvement district or utility assessments) must be released before the developer conveys the apartment to a buyer. The Buyer's interest will be affected if the developer defaults and the lien is foreclosed prior to conveying the apartment to buyer.

Type of Lien	Effect on Buyer's Interest and Deposit if Developer Defaults or Lien is Foreclosed Prior to Conveyance
Mortgages	**Buyer's interest may be terminated by mortgagee but Buyer shall be entitled to return of his deposit less any escrow cancellation fees**

F. Construction Warranties:

Warranties for individual apartments and the common elements, including the beginning and ending dates for each warranty, are as follows:

1. Building and Other Improvements:

Purchaser understands that Unit A was built in the 1950's. Seller is selling Unit A together with the appliances and other personal property in "as is" condition. The Seller is giving no warranties to Purchaser with respect to the construction, materials or workmanship of Unit A.

2. Appliances:

Purchaser shall have the direct benefit of any manufacturer's or dealer's warranties covering the furnishings and appliances in Unit A.

G. **Status of Construction and Estimated Completion Date:**

Unit A was constructed in the 1950's.

H. **Project Phases:**

The developer [ ] has [x] has not reserved the right to add to, merge, or phase this condominium.

Summary of Developer's plans or right for future development (such as additions, mergers or phasing):

2. Rights Under the Sales ntract: Before signing the sal ontract, prospective buyers should ask to see and carefully review all documents relating to the project. If these documents are not in final form, the buyer should ask to see the most recent draft. these include but are not limited to the:

A) Condominium Public Reports issued by the Developer which have been given an effective date by the Hawaii Real Estate Commission.
B) Declaration of Condominium Property Regime, as amended.
C) Bylaws of the Association of Apartment Owners, as amended.
D) House Rules, if any.
E) Condominium Map, as amended.
F) Escrow Agreement.
G) Hawaii's Condominium Law (Chapter 514A, HRS, as amended) and Hawaii Administrative Rules, Chapter 16-107, adopted by the Real Estate Commission, as amended).
H) Other none

Copies of the condominium and sales documents and amendments made by the developer are available for review through the developer and are on file at the Department of Commerce and Consumer Affairs. Reprints of Hawaii's Condominium Property Act (Chapter 514A, HRS) and Hawaii Administrative Rules, Chapter 16-107) are available at the Cashier's Office, Department of Department of Commerce and Consumer Affairs, 1010 Richards Street, 3rd Floor, Honolulu, Hawaii, mailing address: P.O. Box 541 Honolulu, HI 96809, at a nominal cost.

This Public Report is a part of Registration No. 3042 filed with the Real Estate Commission on January 28, 1994.

Reproduction of Report. When reproduced, this report must be on:

[ ] yellow paper stock [ ] white paper stock [X] pink paper stock

C. Additional Information Covered Above

SPECIAL NOTATION

1. The specimen Sales Contract states in part that the Purchaser understands that the Project and the Apartments are being sold in "as is" condition. The existence of any defect in the Apartments or anything installed therein will not excuse the Purchaser's obligation to perform all of his obligations under his contract.

   The specimen Sales Contract further states that the Purchasers will not have any right to file any lawsuit for damages against the Seller for any defects in the Apartments or in the Project.

2. Pursuant to sections 16-99-3(g) and 16-99-11(d), Hawaii Administrative Rules ("HAR"), prospective purchasers are hereby advised that Developer/Owner ROBERT N. MORAN (RB-10755) is a current and active Hawaii-licensed real estate broker. Pursuant to section 16-99-11(c), HAR, "(n)o licensee shall be allowed to advertise 'For Sale by Owner', or 'For Rent by Owner', 'For lease by Owner', 'For Exchange by Owner'."

3. UNITS D, E AND F ARE STORAGE SHEDS.

   A prospective purchaser may wish to replace a shed with a residence or other building. If so, the purchaser will be required to obtain a building permit from the City and County of Honolulu and will be subject to the county rules as to the number of residential dwelling units or other structures on the Property. THERE IS NO ASSURANCE THAT THE PURCHASER OF A SHED WILL BE ABLE TO BUILD A RESIDENTIAL UNIT OR CONVERT AN EXISTING NON-RESIDENTIAL STRUCTURE TO A RESIDENTIAL USE. Purchasers should consult with the appropriate County agencies to determine what is permissible to be built on the Property.

   The property on which the Project is located is classified for State of Hawaii purposes as "agricultural" and as such its permitted uses are limited by Section 205-4.5, Hawaii Revised Statutes "Permissible uses within the Agricultural District. Similarly, the property is designated for "agricultural" (AG-2) uses under the City and County of Honolulu Land Use Ordinance Section 5.20.5 (Table 5.5.A) "Permitted Uses and Structures". A prospective buyer of a Unit in the Project should be aware that Section 205-4.5 and the County ordinance referred to contain similar language and they restrict agriculturally zoned lands to be used for such uses as "farm dwellings, employee housing, farm buildings, or activity or uses relating to farming and animal husbandry" and other uses set forth therein. Section 205-4.5 further defines a "farm dwelling" to mean a "single-family dwelling located on and used in connection with a farm... or where agricultural activity provides income to the family occupying the dwelling."

4. Developers disclose that no reserve study was done in accordance with Chapter 514A-83.6, HRS, and replacement reserve rules, Subchapter 6, Title 16, Chapter 107, Hawaii Administrative Rules, as amended.

D. The developer hereby certifies that all the information contained in this Report and the Exhibits attached to this Report and all documents to be furnished by the developer to buyers concerning the project have been reviewed by the developer and are, to the best of the developer's knowledge, information and belief, true, correct and complete.

Robert N. Moran and Judith K. Moran
Name of Developer

By _____ 7-9-92
Duly Authorized Signatory Date

Robert N. Moran
print name & title of person signing above

Distribution:

Department of Finance, **City and County of Honolulu**
Planning Department, **City and County of Honolulu**
Federal Housing Administration

EXHIBIT "I"

BUILDING DEPARTMENT

CITY AND COUNTY OF HONOLULU

HONOLULU MUNICIPAL BUILDING
650 SOUTH KING STREET, 2ND FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 523-4564 • FAX: (808) 523-4567

JEREMY HARRIS
MAYOR

RANDALL K. FUJIKI
DIRECTOR AND BUILDING SUPERINTENDENT

ISIDRO M. BAQUILAR
DEPUTY DIRECTOR AND BUILDING SUPERINTENDENT

Ex97-109

September 22, 1997

Mr. Jeffrey S. Grad
Attorney at Law
Suite 2001, Davies Pacific Center
841 Bishop Street
Honolulu, Hawaii 96813

Dear Mr. Grad:

Subject: Condominium Conversion Project
54-182 A, B, and C Hauula Homestead Road
Tax Map Key: 5-4-05: 06

This is in response to your letter dated July 21, 1997 requesting verification that the condominium project known as "Hauula Estates" met all applicable code requirements at the time of construction.

Investigation revealed the one-story farm dwelling on the Waimanalo side of the property and the horse tack structure met all applicable code requirements when they were relocated in 1994. The one-story farm dwelling on the Kahuku side of the property was relocated in 1996 with building permit No. R-3130; however, building permit No. 396897 is currently active for alteration work on the structure. The three storage sheds met all applicable code requirements when they were constructed in 1995 and 1996.

There are at least four off-street parking spaces on property.

For your information, the Building Department cannot determine whether this project contains any legal nonconforming uses or structures as a result of the adoption or amendment of any ordinances or codes.

No variances or special permits were granted to allow deviations from any applicable codes.

If you have any questions regarding this matter, please contact Mr. Ivan Matsumoto at 527-6341.

Very truly yours,

FOR RANDALL K. FUJIKI
Director and Building
Superintendent

Subscribed and sworn to
before me this 23rd day of
September, 1997.

Notary Public, First Judicial Circuit
State of Hawaii
My commission expires: June 21, 1999