

CONDOMINIUM PUBLIC REPORT

Prepared &

Issued by: Developer: GORDON E. NOBLE
P. O. Box 23
Kilauea, Kauai, Hawaii 96754

LAWRENCE S. BARTON
P. O. Box 3496
Princeville, Kauai, Hawaii 96722

JAMES DOUGLAS HOUCK
MARILYN ROBSON HOUCK
P. O. Box 539
Kilauea, Kauai, Hawaii 96754

Project Name(*): ROCK QUARRY AGRICULTURAL CONDOMINIUM
Address: Lot 10, Seacliff Plantation at Kilauea Bay, Kauai, Hawaii

Registration No. 3096

Effective date: March 21, 1997

Expiration date: April 21, 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 government agency. Neither the Commission nor any other government agency has judged or approved the merits or value, in 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 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 by the developer 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.
[] This report supersedes all prior public reports.
[] This report must be read together with

X SUPPLEMENTARY: (pink) This report updates information contained in the:
[] Preliminary Public Report dated:
[X] Final Public Report dated: May 4, 1994
[] Supplementary Public Report dated:

And [] Supersedes all prior public reports
[X] Must be read together with the Final Public Report dated May 4, 1994
[X] This report reactivates the Final public report(s) which expired on September 22, 1996

(* Exactly as named in the Declaration

Disclosure Abstract: Separate Disclosure Abstract on this condominium project:

Required and attached to this report 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 developer.

Changes made are as follows:

Additional residential dwelling units were built and completed in 1996 as part of Units 1 and 3. The Condominium Map No. 2025 was amended and the descriptions of Unit 1 and 3, as contained in Article D., paragraph 2 of the Declaration were also amended by that certain Amendment to Declaration of Condominium Property Regime dated January 21, 1997, and recorded in said Bureau as Document No. 97-030750.

I. PERSONS CONNECTED WITH THE PROJECT

Developer: GORDON E. NOBLE Phone: (808) 828-0521
P. O. Box 23
Kilauea, Kauai, Hawaii 96754

JAMES DOUGLAS HOUCK Phone: (808) 828-0455
MARILYN ROBSON HOUCK
P. O. Box 539
Kilauea, Kauai, Hawaii 96754

LAWRENCE S. BARTON Phone: (808) 826-7676
P. O. Box 3496
Princeville, Kauai, Hawaii 96722

**Real Estate
Broker:** Country Brokers, Ltd. Phone: (808) 826-4099
P. O. Box 92
Hanalei, Kauai, Hawaii 96714

Escrow: Security Title Corporation Phone: (808) 245-6975
4370 Kukui Grove Street, Suite 203
Lihue, Kauai, Hawaii 96766

**General
Contractor:** (Unit 1) Phone: (808) 828-1115
Terry Wells Custom Homes
P. O. Box 28
Kilauea, Kauai, Hawaii 96754

**Condominium
Managing
Agent:** Self-managed by Association of Unit Owners

**Attorney for
Developer:** Max W. J. Graham, Jr. Phone: (808) 245-4705
Belles Graham Proudfoot & Wilson
4334 Rice Street, Suite 202
Lihue, Kauai, Hawaii 96766

**II. CREATION OF THE CONDOMINIUM;
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

Recorded - Bureau of Conveyances:

Document No. 94-068314

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 to Declaration of Condominium Property Regime of Rock Quarry Agricultural Condominium, dated January 21, 1997, and recorded in said Bureau as Document No. 97-030750.

- 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

Recorded - Bureau of Conveyances Condo Map No. 2025

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 to Declaration of Condominium Property Regime of Rock Quarry Agricultural Condominium, dated January 21, 1997, and recorded in said Bureau as Document No. 97-030750.

- 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

Recorded - Bureau of Conveyances:

Document No. 94-068315

Book _____ Page _____

Filed - Land Court:

Document No. _____

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

Fee Owner: GORDON E. NOBLE
P. O. Box 23
Kilauea, Kauai, Hawaii 96754

LAWRENCE S. BARTON
P. O. Box 3496
Princeville, Kauai, Hawaii 96722

JAMES DOUGLAS HOUCK
MARILYN ROBSON HOUCK
P. O. Box 539
Kilauea, Kauai, Hawaii 96754

Sublessor: N/A

C. Buildings and Other Improvements:

1. New Building(s) Conversion of Existing Building(s) Both New Building(s) and Conversion

2. Number of Buildings: 3 Floor Per Building Units 1& 2 - 1 floor; Unit 3 - 2 floors

Exhibit "A" contains further explanations.

3. Principal Construction Material:

Concrete Hollow Tile Wood

Other _____

4. Permitted Uses by Zoning:

	No. of Use Permitted <u>Apts. By Zoning</u>		No. of Use Determined <u>Apts. By Zoning</u>
<input type="checkbox"/> Residential	___	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Ohana	___ <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Commercial	___	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Industrial	___ <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Mix Res/Comm	___	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural	<u>2</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Hotel	___	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Recreational	___ <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Timeshare	___	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Other: <u>Shed</u>	<u>1</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Is/Are this/ these use(s) specifically permitted by the project's Declaration or Bylaws?
 Yes No

5. Special Use Restrictions:

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

No animals or pets other than those allowed pursuant to the Third Amendment to Declaration of
[X] Pets: Covenants, Conditions and Restrictions of the Seacliff Plantation at Kilauea Bay Community.
See Section 13.1 of the Bylaws.

[] Number of Occupants: _____

[X] Other: There are special use restrictions contained in the project documents. See paragraph G. of the Declaration.

[] There are no special use restrictions.

6. Interior (fill in appropriate numbers):

Elevators: 0 Stairways: 1 (Unit 3) Trash Chutes: 0

Apt. Type	Quantity	BR/Bath	Net Living Area (sf)*	Lanai/Patio (sf)	Net Storage Area (sf)
Unit 1 (dwelling)	1	2/2½	2,800	870	
Unit 2 (shed)	1				48
Unit 3 (dwelling)	1	2/2½	2,450	1,228	

Total Apartments: 3

*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:

See Exhibit "A"

Permitted Alterations to Apartments:

See Exhibit "B"

7. Parking Stalls:

Total Parking Stalls: 6

	<u>Regular</u>		<u>Compact</u>		<u>Tandem</u>		<u>TOTAL</u>
	<u>covered</u>	<u>open</u>	<u>covered</u>	<u>open</u>	<u>covered</u>	<u>open</u>	
Assigned (BHH/KAWH) (LHBY)	<u>4*</u>	<u>2**</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>6</u>
Guest	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Unassigned	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Extra for Purchase	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Other:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total Covered & Open	<u>6</u>		<u>0</u>		<u>0</u>		

* Units 1 and 3 have two (2) covered stalls each.

**Unit 2 has ample area within its limited common element for parking purposes.

Commercial parking garage permitted in condominium project.

Exhibit _____ contains additional information on parking stalls for this condominium project.

8. Recreational and Other Common Facilities:

There are no recreational or common facilities.

Swimming pool

Storage Area

Recreation Area

Laundry Area

Tennis Court

Trash Chute

Other: _____

9. Compliance With Building Code and Municipal Regulations: Cost to Cure Violations

There are no violations.

Violations will not be cured.

Violations and cost to cure are listed below.

Violations will be cured by _____

10. Condition and Expected Useful Life of Structural Components, Mechanical, and Electrical Installations

(For conversions of residential apartments in existence for at least five years):

N/A

G. Status of Construction and Estimated Completion Date:

The construction of Unit 1 was completed in May 1996.
The construction of Unit 2 was completed in February 1994.
The construction of Unit 3 was completed in November 1995.

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 to perform for future development (such as additions, mergers or phasing):

2. Rights Under the Sales Contract: Before signing the sales contract, prospective buyers should ask to see and carefully review all the 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.
- D) House Rules.
- E) Condominium Map, as amended.
- F) Escrow Agreement.
- G) Hawaii's Condominium Property Act (Chapter 514A, HRS, as amended) and Hawaii Administrative Rules, (Chapter 16-107, adopted by the Real Estate Commission, as amended).
- H) Other Amendment to Declaration of Condominium Property Regime and amended Condominium Map

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 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. 3096 filed with the Real Estate Commission on May 4, 1994.

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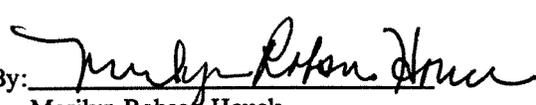
D. The developer hereby certifies that all the information contained in this Report and the Exhibits attached to this Report and all documents to be furnished by the developer to buyers concerning the project have been reviewed by the developer and are, to the best of the developer's knowledge, information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

OWNERS/DEVELOPERS: GORDON E. NOBLE
LAWRENCE S. BARTON
JAMES DOUGLAS HOUCK
MARILYN ROBSON HOUCK

By: 
Gordon E. Noble
Date: 1/20/97

By: 
Lawrence S. Barton
Date: 1/21/97

By: 
James Douglas Houck
Date: 1/20/97

By: 
Marilyn Robson Houck
Date: 1-20-97

Distribution:

Department of Finance, County of Kauai
Planning Department, County of Kauai
Federal Housing Administration

EXHIBIT "A"

The project consists of one (1) agricultural shed and two (2) residential units hereinafter referred to as "units", of principally wood construction, without a basement and on concrete post footing structure. The units are three (3) separate structures designated and shown as Units 1, 2 and 3 on the site plan, as more particularly described in the Declaration, as amended, and as shown on the amended Condominium Map.

Unit 1, located as shown on the amended Condominium Map, is a one-story residential unit consisting of two (2) bedrooms, two and one-half (2½) bathrooms, a living room, dining room, kitchen, study, laundry room, gym, gallery, lanais, and a garage. Unit 1 has a net living area of approximately 2,800 square feet, lanai area of 870 square feet, and a garage with an area of 528 square feet, for a total area of 4,198 square feet.

Unit 2, located as shown on the amended Condominium Map is a shed with a net floor area of 48 square feet.

Unit 3, located as shown on the amended Condominium Map, is a two-story residential unit consisting of two (2) bedrooms, two and one-half (2½) bathrooms, a den, dining room, living room, kitchen, laundry room, breakfast nook, and a deck. Unit 3 has a net living area of approximately 2,450 square feet, a lanai area of 1,228 square feet, and a garage with an area of 530 square feet, for a total area of 4,208 square feet.