

CONDOMINIUM PUBLIC REPORT

Prepared &

Issued by: Developer LAWRENCE L. T. CHING, et al. (see attached)
Address c/o P. O. Box 426, Hanalei, Kauai, Hawaii 96714 (see attached)

Project Name(*): KALIHIWAI MOUNTAINS ESTATES
Address Kahiliholo Road, Kalihiwai, Kauai, Hawaii

Registration No. 3341

Effective date: July 27, 2000
Expiration date: August 27, 2001

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 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: July 28, 1995
[] Supplementary Public Report dated:

And
[] Supersedes all prior public reports
[X] Must be read together with Final Public Report
[X] This report reactivates the Final Public Report public report(s) which expire on August 28, 1996

(*) Exactly as named in the Declaration

FORM: RECO-30 286/986/189/1190/892/0197/1098

This material can be made available for individuals with special needs. Please call the Senior Condominium Specialist at 586-2644 to submit your request.

KALIHIWAI MOUNTS ESTATES
Kahiliholo Road
Kalihiwai, Kauai, Hawaii

PREPARED AND ISSUED BY:

DEVELOPER: JENNIE P. CHING
ADDRESS: P. O. Box 426, Hanalei, Kauai, Hawaii 96714
TELEPHONE: (808) 826-7222

DEVELOPER: SHARYN OSHIRO, Successor Trustee under that certain Revocable Trust of
Edith H. Alburger, dated November 13, 1991
ADDRESS: P. O. Box 280, Hanalei, Kauai, Hawaii 96714
TELEPHONE: (808) 826-6577

DEVELOPER: GERALD R. CLERC and MARJORIE E. CLERC
ADDRESS: P. O. Box 1456, Hanalei, Kauai, Hawaii 96714
TELEPHONE: (808) 826-9078

DEVELOPER: ALLAN S. TAKASE, Trustee of the Revocable Trust of
Allan S. Takase, dated February 22, 1989
ADDRESS: 287 Kaneolani Street, Hilo, Hawaii 96720
TELEPHONE: (808) 961-2881

DEVELOPER: JEAN H. TAKASE, Trustee of the Revocable Trust of
Jean H. Takase, dated February 22, 1989
ADDRESS: 287 Kaneolani Street, Hilo, Hawaii 96720
TELEPHONE: (808) 961-2881

DEVELOPER: W. GREGORY CHUCK, Custodian for Jonathan Yi Ping Chuck
under Hawaii Uniform Gifts to Minor Act
ADDRESS: 3325 Paty Drive, Honolulu, Hawaii 96822
TELEPHONE: (808) 988-0911

DEVELOPER: W. GREGORY CHUCK, Custodian for Adrienne Yi Ling Chuck
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DEVELOPER: YEN CHUN, Trustee under Declaration of Trust made by Yen Chun
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TELEPHONE: (808) 988-0911

DEVELOPER: W. GREGORY CHUCK
ADDRESS: 3325 Paty Drive, Honolulu, Hawaii 96822
TELEPHONE: (808) 988-0911

DEVELOPER: LARRY & JENNIE CHING FAMILY LIMITED PARTNERSHIP
ADDRESS: P. O. Box 426, Hanalei, Kauai, Hawaii 96714
TELEPHONE: (808) 826-7222

Disclosure Abstract: Separate Disclosure Abstract on this condominium project:

Required and attached to this report

Not Required - disclosure covered in this report or in the Final Public 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:

1. The units were conveyed to each of the Developers. Each Developer shall be responsible for any improvements constructed or developed on a units limited common area after the Final Public Report is issued, in addition to making all applicable disclosures required by Chapter 514A, Hawaii Revised Statutes, relating to such improvements.

2. The limited common land area and common interest were changed for Units 3 and 4.

It was changed from:

<u>UNIT</u>	<u>LAND AREA</u>	<u>PERCENTAGE INTEREST</u>
3	5.458	20%
4	5.458	20%

to:

<u>UNIT</u>	<u>LAND AREA</u>	<u>PERCENTAGE INTEREST</u>
3	3.459	12%
4	7.458	28%

3. The Declaration of Condominium Property Regime and Condominium Map were amended by a First Amendment to Declaration of Condominium Property Regime recorded in the Bureau of Conveyances, State of Hawaii, as Document No. 96-016625.

4. This public report does not constitute approval of the Project by the Real Estate Commission or any other governmental agency, nor does it ensure that all applicable County codes and ordinances have been complied with.

5. Only pages 1, 1.1, 2, 6, 10, 14, 19, 20 (signature pages) and Exhibit "E" & "E-1" are a part of this Supplementary Public Report.

THE PROSPECTIVE PURCHASER IS CAUTIONED TO CAREFULLY REVIEW THE CONDOMINIUM AND OTHER DOCUMENTS REFERENCED IN THIS PUBLIC REPORT FOR FURTHER INFORMATION WITH REGARD TO THE FOREGOING.

**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. 95-046942
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]:

First Amendment to Declaration of Condominium Property Regime, recorded in said Bureau, as Document No. 96-016625.

- 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. 2231
 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]:

The Condominium Map was amended by the First Amendment to Declaration of Condominium Property Regime, recorded in said Bureau, as Document No. 96-016625.

- 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 manners which affect how the condominium project will be governed.

The Bylaws for this condominium re:

- Proposed
 Recorded - Bureau of Conveyances: Document No. 95-046943
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: See page 1.1
 Name _____
 Address _____

Lessor: Not Applicable
 Name _____
 Address _____

C. Buildings and Other Improvements:

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

2. Number of Buildings: _____ Floors Per Building _____

Exhibit ____ contains further explanations.

3. Principal Construction Material:

Concrete Hollow Tile Wood

Other _____

4. Permitted Uses by Zoning:

	No of <u>Apts.</u>	Use Permitted <u>By Zoning</u>		No. of <u>Apts.</u>	Use Determined <u>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	___	<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>5</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

2. Limited Common Elements: Common Elements are those common elements which are reserved for the exclusive use of the owners of certain apartments.

There are no limited common elements in this project.

The limited common elements and the apartments which use them, as described in the Declaration, are:

described in Exhibit ____.

as follows:

The land area of each apartment consisting of the land beneath it as shown and delineated on the Condominium Map is a limited common element for the use of the owner of each respective apartment.

Unit 1	-	5.461 acres
Unit 2	-	5.462 acres
Unit 3	-	3.459 acres
Unit 4	-	7.458 acres
Unit 5	-	5.454 acres

Note: The land areas referenced above are not legally subdivided lots.

3. Common Interest: Each apartment will have an undivided fractional interest in all of the common elements. This interest is called the "common interest". It is used to determine each apartment's share of the maintenance fees and other common profits and expenses of the condominium project. It may also be used for other purposes, including voting on matters requiring action by apartment owners. The common interests for the apartments in this project, as described in the Declaration, are:

described in Exhibit ____.

as follows:

Unit 1	-	20% appurtenant common interest
Unit 2	-	20% appurtenant common interest
Unit 3	-	12% appurtenant common interest
Unit 4	-	28% appurtenant common interest
Unit 5	-	<u>20%</u> appurtenant common interest
		100%

The common interest for each unit was determined by dividing the limited common land area of a unit by the land area of all units, with some round-up.

E. Encumbrances Against Title: An encumbrance is a claim against or a liability on the property or a document affecting the title or use of the property. Encumbrances may have an adverse effect on the property or your purchase and ownership of an apartment in the project.

Exhibit B describes the encumbrances against the title contained in the title report dated June 21, 2000 and issued by First Hawaii Title Corporation.

2. Rights Under the Sales Contract: Before signing the sales contract, 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 Report issued by the developer which has 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 Property Act (Chapter 514A, HRS, as amended) and Hawaii Administrative Rules, (Chapter 16-107, adopted by the Real Estate Commission, as amended).
- H) Other Declaration of Covenants, Conditions and Restrictions for Kalihiwai Ridge

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, Hawaii 96809, at a nominal cost.

This Public Report is part of Registration No. 3341 filed with the Real Estate Commission on May 4, 1995.

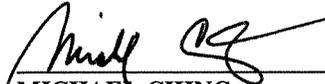
Reproduction of Report. When reproduced, this report must be on:

YELLOW paper stock WHITE paper stock PINK paper stock

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.

LARRY AND JENNIE CHING FAMILY LIMITED PARTNERSHIP

Printed Name of Developer


MICHAEL CHING

7/27/00
Date

Distribution:

Department of Finance, County of Kauai
Planning Department, County of Kauai

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.

JENNIE P. CHING
Printed Name of Developer


JENNIE P. CHING
Developer

JUN 21 2000

Date

Distribution:

Department of Finance, County of Kauai
Planning Department, County of Kauai

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**SHARYN OSHIRO, Successor Trustee under that certain Revocable Trust of
Edith H. Alburger, dated November 13, 1991**
Printed Name of Developer



SHARYN OSHIRO, Successor Trustee
Developer



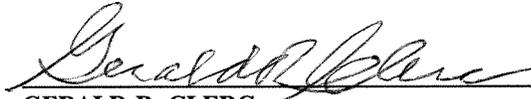
Date

Distribution:

Department of Finance, County of Kauai
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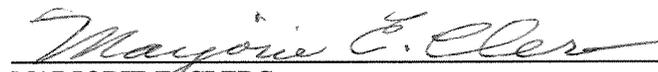
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GERALD R. CLERC and MARJORIE E. CLERC
Printed Name of Developer



GERALD R. CLERC
Developer

JUN 21 2000
Date



MARJORIE E. CLERC
Developer

JUN 21 2000
Date

Distribution:

Department of Finance, County of Kauai
Planning Department, County of Kauai

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**ALLAN S. TAKASE, Trustee of the Revocable Trust of
Allan S. Takase, dated February 22, 1989
Printed Name of Developer**

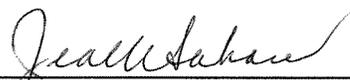
**JEAN H. TAKASE, Trustee of the Revocable Trust of
Jean H. Takase, dated February 22, 1989
Printed Name of Developer**



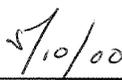
ALLAN S. TAKASE, Trustee
Developer



Date



JEAN H. TAKASE, Trustee
Developer



Date

Distribution:

Department of Finance, County of Kauai
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**W. GREGORY CHUCK, Custodian for Jonathan Yi Ping Chuck
under Hawaii Uniform Gifts to Minor Act**
Printed Name of Developer

**W. GREGORY CHUCK, Custodian for Adrienne Yi Ling Chuck
under Hawaii Uniform Gifts to Minor Act**
Printed Name of Developer

W. GREGORY CHUCK
Printed Name of Developer

W. Gregory Chuck
W. GREGORY CHUCK, Custodian for Jonathan Yi Ping Chuck
Developer

6/19/2000
Date

W. Gregory Chuck
W. GREGORY CHUCK, Custodian for Adrienne Yi Ling Chuck
Developer

6/19/2000
Date

W. Gregory Chuck
W. GREGORY CHUCK
Developer

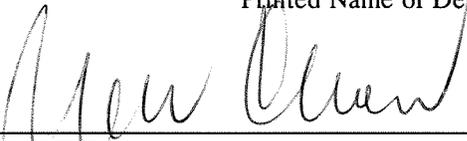
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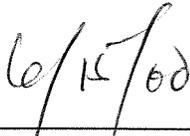
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**YEN CHUN, Trustee under Declaration of Trust made
by Yen Chun dated January 16, 1985**
Printed Name of Developer



YEN CHUN, Trustee
Developer



Date

Distribution:

Department of Finance, County of Kauai
Planning Department, County of Kauai

EXHIBIT "E"

KALIHIWAI MOUNTAIN ESTATES
Registration No. 3341 (conversion)

DISCLOSURE ABSTRACT
Pursuant to Section 514A-61, Hawaii Revised Statutes

1. Project Name and Address : KALIHIWAI MOUNTAIN ESTATES
: Kahiliholo Road
: Kahiliwai, Kauai, Hawaii
- Tax Map Key No. : (4) 5-2-22-23
2. Developer : see attached schedule 1
- NOTE: The following individuals have passed away subsequent to the Final Public Report:
Lawrence L. T. Ching and Edith H. Alburger
3. Real Estate Broker : Na Pali Properties, Inc.
: P. O. Box 475
: Hanalei, Kauai, Hawaii 96714
4. Managing Agent : Self-Managed by the Association of Apartment Owners
(if any)
Address: P. O. Box 426
: Hanalei, Kauai, Hawaii 96714
Telephone: (808) 826-7222
5. BREAKDOWN OF ANNUAL MAINTENANCE FEES AND MONTHLY ESTIMATED COSTS FOR EACH APARTMENT: See the maintenance budget attached hereto as Exhibit "E-1".
6. WARRANTIES: There are no warranties either express or implied.
7. Commencement of Maintenance Fees : At such time that the first sale of an apartment is made. If not, the Declarant will continue to maintain the premises at their own cost and expenses

SCHEDULE 1

KALIHIWAI MOUNTAIN ESTATES
Kahiliholo Road
Kalihiwai, Kauai, Hawaii

DEVELOPER: JENNIE P. CHING
ADDRESS: P. O. Box 426, Hanalei, Kauai, Hawaii 96714
TELEPHONE: (808) 826-7222

DEVELOPER: SHARYN OSHIRO, Successor Trustee under that certain Revocable Trust of
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DEVELOPER: LARRY & JENNIE CHING FAMILY LIMITED PARTNERSHIP
ADDRESS: P. O. Box 426, Hanalei, Kauai, Hawaii 96714
TELEPHONE: (808) 826-7222

EXHIBIT "E-1"

ESTIMATE OF INITIAL MAINTENANCE FEES
AND
ESTIMATE OF MAINTENANCE FEE DISBURSEMENTS

Estimate of Initial Maintenance Fees:

<u>Apartment</u>	<u>Monthly Fee x 12 months = Yearly Total</u>				
Unit 1	\$2.50	x	12	=	\$ 30.00
Unit 2	\$2.50	x	12	=	\$ 30.00
Unit 3	\$1.50	x	12	=	\$ 18.00
Unit 4	\$3.50	x	12	=	\$ 42.00
Unit 5	\$2.50	x	12	=	\$ 30.00
TOTALS:	\$12.50	x	12	=	\$150.00

NOTICE: No reserve study has been made or conducted because the Project does not have any common elements that may need replacement in the future.

The Real Estate Commission has not reviewed the estimates of maintenance fee assessments and disbursements for their accuracy or sufficiency.

