

CONDOMINIUM PUBLIC REPORT

Prepared &

Issued by: Developer David W. Lanz and Sharon S. Lanz
Address 68-099 Au Street, Apt. #8, Waialua, Hawaii 96791

Project Name(*): GARDEN VIEW
Address: 30-38 Cypress Avenue, Wahiawa, Hawaii 96786

Registration No. 3638 Effective date: February 3, 1997
(Conversion) Expiration date: March 3, 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:** 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.
(yellow)
- FINAL:** The developer has legally created a condominium and has filed complete information with the Commission.
(white)
- No prior reports have been issued
- Supersedes all prior public reports
- Must be read together with _____
- SUPPLEMENTARY:** Updates information contained in the
(pink)
 - Prelim. Public Report dated _____
 - Final Public Report dated November 8, 1996
 - Supp. Public Report dated _____
- And Supersedes all prior public reports
- Must be read together with Final Public Report
- This report reactivates the _____ public report(s) which expired on _____

(*) Exactly as named in the Declaration

Disclosure Abstract: Separate Disclosure Abstract on this condominium 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:

There are changes in the following:

- (1) Assignment of the parking stalls and storage areas;
- (2) The percentage of undivided interest appurtenant to the apartment units; and
- (3) The estimated monthly maintenance fee for each apartment.

New Exhibits "A-1", "D", "E" and "H" are attached hereto.

NOTE: This abbreviated Supplementary Public Report contains only pages reflecting information revised since issuance of the Final Public Report in November, 1996.

**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. 96-077763
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 dated December 16, 1996, recorded as Document No. 96-184908
Amendment No. 2 to Declaration dated January 7, 1997, recorded as Document No. 97-006124.

- 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. 2407
 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 to the Declaration dated December 16, 1996, recorded as Document No. 94-96-184908, which included Sheet Nos. CPR-1 and CPR-7 to the Condominium Map reflecting the new assignment of the parking stalls and storage areas.

- 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. 96-077764
 Filed - Land Court Condo Map No. _____

Amendment No. 1 dated January 7, 1997, recorded as Document No. 97-006125

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

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 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.
- 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 _____

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. 3638 filed with the Real Estate Commission on October 16, 1996.

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[] yellow paper stock [] white paper stock [X] 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.

David W. Lanz and Sharon S. Lanz

Name of Developer

By David W. Lanz
Duly Authorized Signatory

12-12-96
Date

David W. Lanz

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 "A-1"

DESCRIPTION OF APARTMENTS

<u>Unit #</u>	<u>BR/Bath</u>	<u>Net Liv. Area(sf)</u>	<u>Balcony/Patio</u>	<u>Common Interest (%)</u>	<u>Parking Stall #</u>
A	2/1	621	-0-	9.8	10 (C)
B	2/1	621	-0-	8.7	15 (CT),16
C	2/1	580	-/60	8.8	1, 2 (CT)
D	2/1	580	156/-	11.9	8
E	2/1	580	-/60	8.4	3, 4 (CT)
F	2/1	580	156/-	11.5	7
G	2/1	890	--	12.3	5, 6 (CT)
H	3/1	1,178	--	17.4	9,13(CT),14
I	3/1	864	--	11.2	11 (CT),12
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(C) = Compact Parking Stall
(CT)= Compact Tandem Parking Stall

EXHIBIT "D"

LIMITED COMMON ELEMENTS. Paragraph 6 of the Declaration designates:

Certain parts of the common elements, herein called and designated limited common elements, are hereby set aside and reserved for the exclusive use of certain Units and such Units shall have appurtenant thereto exclusive easements for the use of such limited common elements. The limited common elements so set aside and reserved are as follows:

(1) Any entrance, exit, gateway, entry, patio, yard, driveway or steps which would normally be used only for the purposes of ingress to and egress from a specific Unit shall be a limited common element appurtenant to and reserved for the exclusive use of such Unit.

(2) Each of the sixteen (16) parking stalls is a limited common element appurtenant to and reserved for the exclusive use of the Unit so designated on the Condominium Map and in Exhibit "B" attached to the Declaration.

(3) That portion of the Land designated as "Unit A Limited Common Area", as shown on the Condominium Map is for the exclusive use of Unit A.

(4) That portion of the Land designated as "Unit B Limited Common Area", as shown on the Condominium Map is for the exclusive use of Unit B.

(5) That portion of the Land designated as "Unit I Limited Common Area", as shown on the Condominium Map is for the exclusive use of Unit I.

(6) The "Utility and Balcony Above Limited Common Area" located in Building 3, as shown on the Condominium Map is for the exclusive use of Unit D and Unit F.

(7) Building 2 (excluding Unit G and Unit I) shall be a limited common element appurtenant to Unit G and Unit I.

(8) Building 3 (excluding Unit C, Unit D, Unit E and Unit F) shall be a limited common element appurtenant to Unit C, Unit D, Unit E and Unit F.

(9) Building 4 (excluding Unit A and Unit B) shall be a limited common element appurtenant to Unit A and Unit B.

(10) Unit B shall have the exclusive use for storage purposes of that area of approximately 69 square feet located in Building 1.

(11) Unit C shall have the exclusive use for storage purposes of that area of approximately 63 square feet located in Building 1.

(12) Unit E shall have the exclusive use for storage purposes of that area of approximately 32 square feet located in Building 1.

(13) Unit F shall have the exclusive use for storage purposes of that area of approximately 180 square feet located in Building 1.

(14) Unit G shall have the exclusive use for storage purposes of that area of approximately 96 square feet located in Building 1.

(15) Unit I shall have the exclusive use for storage purposes of that area of approximately 35 square feet located in Building 1.

EXHIBIT "E"

ENCUMBRANCES AGAINST TITLE

1. For Real Property Taxes that may be due and owing, reference is made to the Office of the Tax Assessor, City and County of Honolulu.
2. Title to all minerals and metallic mines reserved to the State of Hawaii.
3. Restrictions, covenants and conditions as contained in Deed dated June 30, 1920, recorded in the Bureau of Conveyances of the State of Hawaii in Book 553, Page 486.
4. Any rights of way and water rights that were conveyed by Mary E. Clark, et al. to the Wahiawa Water Company, Limited by those certain Deeds dated April 18, 1903, recorded in Book 266, Page 26, and dated April 18, 1903, recorded in Book 269, Page 2.
5. Mortgage dated August 9, 1988, recorded in said Bureau in Liber 22239, Page 772, in favor of Hawaii State Employees' Federal Credit Union, a federal corporation.
6. Mortgage dated August 9, 1988, recorded in said Bureau in Liber 22240, Page 1, in favor of Hawaiian Tel Employees Federal Credit Union, which is organized and existing under the laws of the United States of America.
7. Declaration of Condominium Property Regime dated May 22, 1996, recorded in said Bureau as Document No. 96-077763, as amended (Project covered by Condominium File Plan No. 2407). By-Laws dated May 22, 1996, recorded as Document No. 96-077764, as amended.

EXHIBIT "H"

AMENDED DISCLOSURE ABSTRACT
(pursuant to Section 514A-61,
Hawaii Revised Statutes)

1. (a) PROJECT: GARDEN VIEW
30-38 Cypress Avenue
Wahiawa, Hawaii 96786
- (b) DEVELOPER: David W. and Sharon S. Lanz
68-099 Au Street
Waialua, Hawaii 96791

Telephone: (808) 637-6191
- (c) MANAGING
AGENT: Self-Managed by the Association
of Apartment Owners
2. Breakdown of annual maintenance fees and monthly estimate costs for each unit are more fully described on Exhibit "1" attached hereto (revised and updated every twelve (12) months and certified to have been based on generally accepted accounting principles).
3. DESCRIPTION OF ALL WARRANTIES COVERING THE UNITS AND COMMON ELEMENTS:

The Developer is not making any warranties relating to the materials and workmanship of the Units in the Project.
4. USE OF UNITS. The GARDEN VIEW Condominium Project will consist of nine (9) apartments which will be used for residential purposes by the respective owners thereof, their tenants, families and domestic servants and social guests, and for no other purpose.
5. EXISTING STRUCTURES BEING CONVERTED. Based upon a report prepared by EDWARD A. RESH, Registered Professional Architect, the Developer states:
 - a. The present conditions of all structural components and mechanical and electrical installation material to the use and enjoyment of the Project appears to be good.
 - b. The Developer makes no statement with respect to the expected useful life of each item set forth in paragraph (a); and
 - c. There are no outstanding notices of uncured violations of building code or other municipal regulations.

EXHIBIT "1"
ESTIMATED OPERATING EXPENSES
For Period August 1, 1996 to July 31, 1997
As Prepared by Developer

Estimated Annual Expenses

Grounds Maintenance	\$ 1,200.00
Water/Sewer/Electricity (common area):	\$ 3,528.00
Fire/Liability Insurance:	\$ 3,000.00
Property Tax:	\$ -0-
Management Fee:	\$ 3,000.00
Reserve Account:	\$ 5,472.00

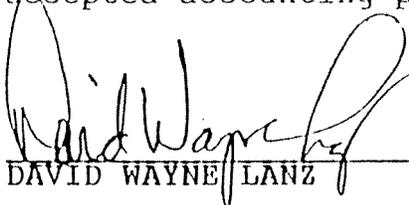
TOTAL ANNUAL EXPENSES \$16,200.00

Estimated Monthly Expenses \$ 1,350.00

Estimated Monthly Maintenance Fee for Each Apartment:

Unit A	-	\$132
Unit B	-	\$118
Unit C	-	\$119
Unit D	-	\$161
Unit E	-	\$113
Unit F	-	\$155
Unit G	-	\$166
Unit H	-	\$235
Unit I	-	\$151

The Developer certifies that the maintenance fees and costs as estimated by the Developer is based on generally accepted accounting principles.



DAVID WAYNE LANZ



SHARON SUE LANZ