

CONDOMINIUM PUBLIC REPORT

Prepared & Issued by: Developer CASTLE & COOKE RESORTS, LLC
Address 1311 Fraser Avenue, P.O. Box 630310, Lanai City, Hawaii 96763
Project Name ^(*): THE TERRACES, MANELE BAY - PHASE IV
Address: Polihua Place, Lanai, Hawaii

Registration No. 4306 Effective date: March 13, 2001
Expiration date: April 13, 2002

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, 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.
 - CONTINGENT FINAL:**
(green) The developer has legally created a condominium and has filed information with the Commission for this report which EXPIRES NINE (9) MONTHS after the above effective date. Contingent Final public reports may not be extended or renewed.
[] No prior reports have been issued.
[] This report supersedes all prior public reports.
 - 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 _____
 - SUPPLEMENTARY:**
(pink): This report updates information contained in the:
[] Preliminary Public Report dated: _____
[X] Final Public Report dated: October 10, 2000.
[] Supplementary Public Report dated: _____
- And [] Supersedes all prior public reports.
[X] Must be read together with Final Public Report dated October 10, 2000.
[] This report reactivates the _____
public report(s) which expired on _____

^(*) Exactly as named in the Declaration
This material can be made available for individuals with special needs. Please call the Senior Condominium Specialist at 586-2644 to submit your request.

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:

1. Effective as of 12:00 o'clock midnight, Hawaii Standard Time, on December 31, 2000, the developer of the Project, Lanai Company, Inc., merged into Castle & Cooke Resorts, LLC, a Hawaii limited liability company, and Castle & Cooke Resorts, LLC is the developer of the Project. The new developer of the Project is disclosed on pages 1, 5, 5a, and 10 of this Supplementary Public Report which replace pages 1, 5, 5a and 10 of the Final Public Report. In connection with the merger, an updated title report was obtained for the Project. The updated title report and the information contained therein are disclosed on page 14 and Exhibit G of this Supplementary Public Report which replace page 14 and Exhibit G of the Final Public Report.

2. The forms of the Deposit Receipt, Reservation and Sales Agreement and the Apartment Deed have been revised.

I. PERSONS CONNECTED WITH THE PROJECT

Developer: Castle & Cooke Resorts, LLC Phone: (808) 565-3000
Name* (Business)
1311 Fraser Avenue, P.O. Box 630310
Business Address
Lanai City, Hawaii 96763

Names of officers and directors of developers who are corporations; general partners of a partnership; partners of a Limited Liability Partnership (LLP); or manager and members of a Limited Liability Company (LLC) (attach separate sheet if necessary):

Castle & Cooke, Inc. - Member
See page 5a for officers of Castle & Cooke Resorts, LLC

Real Estate Broker*: Okamoto Realty LLC Phone: (808) 565-7519
Name (Business)
730 Lanai Avenue
Business Address
Lanai City, Hawaii 96763

Escrow: Title Guaranty Escrow Services, Inc. Phone: (808) 521-0211
Name (Business)
235 Queen Street
Business Address
Honolulu, Hawaii 96813

General Contractor*: Castle & Cooke Resorts, LLC Phone: (808) 565-3000
Name (Business)
1311 Fraser Avenue, P.O. Box 630310
Business Address
Lanai City, Hawaii 96763

Condominium Managing Agent*: Chaney Brooks & Company Phone: (808) 244-4500
Name (Business)
One Main Plaza, 2200 Main Street
Suite 640
Business Address
Wailuku, Hawaii 96793

Attorney for Developer: Goodsill Anderson Quinn & Stifel Phone: (808) 547-5600
(Gail O. Ayabe) (Business)
Name
1099 Alakea Street, 18th Floor
Business Address
Honolulu, Hawaii 96813

For Entities: Name of corporation, partnership, Limited Liability Partnership (LLP), Limited Liability Company (LLC)

Name of officers or general partners of developers who are corporations or partnerships:

Patrick J. Birmingham	President and Chief Executive Officer
Harry A. Saunders, III	Executive Vice President and Chief Operating Officer
Richard K. Mirikitani	Vice President and Secretary
Bonnie E. Freitas	Vice President and Assistant Secretary
Mary J. Garnett	Vice President and Assistant Secretary
Edward C. Roohan	Vice President and Assistant Secretary
Thomas J. Selby	Vice President, Finance & Accounting and Treasurer
Fritz J. Walter	Vice President, Construction Operations
Vince G. Bagoyo, Jr.	Vice President, Utilities & Community Relations
Ralph N. Masuda	Vice President
Dean R. Estrada	Assistant Treasurer
Rosalinda V. Oasay	Assistant Treasurer

Fee Owner: Castle & Cooke Resorts, LLC
 Name
1311 Fraser Avenue, P.O. Box 630310
 Address
Lanai City, Hawaii 96763

Lessor: _____
 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: 5 Floors Per Building 1 and 2

Exhibit _____ contains further explanations.

3. Principal Construction Material:

Concrete Hollow Tile Wood

Other galvanized light gauge steel, gypsum board, p.c. plaster, glazed terra cotta roof tiles, glass and other allied construction materials

4. Uses Permitted by Zoning:

	<u>No. of Apts.</u>	<u>Use Permitted By Zoning</u>	
<input checked="" type="checkbox"/> Residential	<u>19</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Commercial	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Mix Res/Comm	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Hotel	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Timeshare	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Ohana	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Industrial	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Agricultural	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Recreational	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Other: _____	_____	<input 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:** Limited 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 E .

as follows:

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 F .

as follows:

- 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 G describes the encumbrances against the title contained in the title report dated March 5, 2001, and issued by Title Guaranty of Hawaii, Incorporated.

Material Change: Binding contracts with the Developer may be rescinded by the buyer if:

- A) There is a material change in the project which directly, substantially, and adversely affects (1) the use or value of the buyer's apartment or its limited common elements; or (2) the amenities available for buyer's use; **AND**
- B) The buyer has not waived the right to rescind.

If the buyer rescinds a binding sales contract because there has been a material change, the buyer is entitled to a full and prompt refund of any moneys the buyer paid.

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 issued 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 Manele Covenants; Declaration of Merger of Condominium Phases

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. 4306 filed with the Real Estate Commission on December 1, 1999.

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

YELLOW paper stock WHITE paper stock PINK paper stock GREEN paper stock

- D. The developer declares subject to the penalties set forth in section 514A-49(b) that this project is in compliance with all county zoning and building ordinances and codes, and all other county permitting requirements applicable to the project, pursuant to Act 251 (SLH 2000) [Section 514A-] (The developer is required to make this declaration for issuance of an effective date for a final public report.)
- E. 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.

CASTLE & COOKE RESORTS, LLC

Printed Name of Developer

By Castle & Cooke, Inc.
Its Member

By:  _____
Duly Authorized Signatory*

March 12, 2001

Date

Harry A. Saunders, Sr. Vice President

Printed Name & Title of Person Signing Above

Distribution:

Department of Finance, County of Maui

Planning Department, County of Maui

*** Must be signed for a: corporation by an officer; partnership or Limited Liability Partnership (LLP) by the general partner; Limited Liability Company (LLC) by the manager or member; and for an individual by the individual.**

CONDOMINIUM PUBLIC REPORT ON
THE TERRACES, MANELE BAY - PHASE IV

EXHIBIT G

ENCUMBRANCES AGAINST TITLE

1. For any real property taxes that may be due and owing, reference is made to the office of the Tax Assessor of the County of Maui.
2. Subdivision Agreement (Large Lot) dated June 9, 1988, by and between Castle & Cooke, Inc., a Hawaii corporation, and the County of Maui, filed as Document No. 1558116.
3. Subdivision Agreement (Large Lot) dated December 28, 1988, by and between Castle & Cooke, Inc., a Hawaii corporation, and the County of Maui, filed as Document No. 1633943.
4. Subdivision Agreement (Three Lots or Less) dated April 26, 1989, by and between Castle & Cooke, Inc., a Hawaii corporation, and the County of Maui, filed as Document No. 1633944.
5. Unilateral Agreement and Declaration for Conditional Zoning dated April 7, 1995, recorded in said Bureau as Document No. 95-049102.
6. Private Water System Agreement dated September 5, 1996, by and between Lanai Company, Inc., a Hawaii corporation, and the Department of Water Supply of the County of Maui, recorded in said Bureau as Document No. 96-131737.
7. Unilateral Agreement dated April 28, 1997, recorded in said Bureau as Document No. 97-069252.
8. The restrictions on use and other restrictions and all other of the covenants, agreements, obligations, conditions, reservations, easements and other provisions set forth in Declaration of Covenants, Conditions and Restrictions for Manele Bay Community dated June 13, 1997, filed as Document No. 2388378, and also recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 97-083242, as supplemented and amended. Said Declaration was annexed by instrument dated July 31, 2000, filed as Document No. 2646480.
9. Declaration of Merger of Condominium Phases dated July 28, 1997, filed as Document No. 2393902, as amended from time to time.

10. Designation of Easements 151, 153 and 156, as shown on Map 17, as set forth by Land Court Order No. 138980, filed July 11, 2000.
11. Declaration of Condominium Property Regime of The Terraces, Manele Bay - Phase IV dated July 31, 2000, filed as Document No. 2646481, as amended from time to time.
12. By-Laws of the Association of Apartment Owners of The Terraces, Manele Bay - Phase IV dated July 31, 2000, filed as Document No. 2646482, as amended from time to time.
13. Condominium Map No. 1366, as amended from time to time.
14. Mortgage, Security Agreement and Financing Statement dated September 19, 2000, filed as Document No. 2652427, and also recorded as Document No. 2000-132865.
15. Financing Statement recorded as Document No. 2000-132866.
16. Assignment of Leases and Rents dated September 19, 2000, filed as Document No. 2655490, and also recorded as Document No. 2000-139600.
17. Grant dated July 12, 2000, filed as Document No. 2661057, in favor of Maui Electric Company, Limited and Verizon Hawaii, Inc., of a perpetual right and easement for utility purposes.
18. Designation of Easement 160, as shown on Map 19, as set forth by Land Court Order No. 160544, filed December 29, 2000.