

CONDOMINIUM PUBLIC REPORT

Prepared &

Issued by: Developer HIALOA, LLC

Address 1188 Bishop Street, Suite 1209, Honolulu, Hawaii 96813

Project Name(\*): NUUANU PLACE

Address 24 Hialoa Street, Honolulu, Hawaii 96817

Registration No. 5271 (conversion)

Effective date: March 8, 2004

Expiration date: April 8, 2005

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 by the developer 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.  
 This report supersedes all prior public reports.  
 This report must be read together with \_\_\_\_\_

X SUPPLEMENTARY: This report updates information contained in the:  
(pink)  
 Preliminary Public Report dated: \_\_\_\_\_  
 Final Public Report dated: February 17, 2004  
 Supplementary 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 expire on \_\_\_\_\_

(\*) Exactly as named in the Declaration

**Disclosure Abstract:** Separate Disclosure Abstract on this condominium project:

Required and attached to this report

Not Required - disclosure 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:

- P.6: A Second Amendment to Declaration of Condominium Property Regime was recorded which also amended the Condominium Map. The amendment was to reflect a change in the square footage of the Type B and C lanais and to change the parking stall assignments. Each apartment continues to have one parking stall assigned to it.
- P.11: The Type B lanai was decreased from 100 to 85 square feet and the Type C lanai was decreased from 99 to 84 square feet.
- EXHIBIT A: This Exhibit A was revised to reflect changes to lanai areas for the Type B and C apartments and to reflect the new parking stall assignments..

Except for the foregoing, no other changes were made to the Final Public Report and the apartments and Project.

**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. 2003-256928  
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]:

Amended by a First Amendment of Declaration dated December 24, 2003, recorded in said Bureau, as Document No. 2004-000211.

Second Amendment of Declaration dated March 1, 2004, recorded in said Bureau, as Document No. 2004-043347.

- 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. 3673  
 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]:

Amended by the Second Amendment of Declaration dated March 1, 2004, recorded in said Bureau, as Document No. 2004-043347.

- 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. 2003-256929  
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]:

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:

Pets: Pets are permitted with Board approval (see House Rules, Par. 2.P)

Number of Occupants: \_\_\_\_\_

Other: \_\_\_\_\_

There are no special use restrictions.

6. Interior (fill in appropriate numbers):

Elevators: 0 Stairways: 1 Trash Chutes: 0

<u>Apt. Type</u>	<u>Quantity</u>	<u>BR/Bath</u>	<u>Net Living Area (sf)*</u>	<u>Net Other Area (sf)</u>	<u>(Identify)</u>
<u>A1</u>	<u>4</u>	<u>0/1</u>	<u>283</u>	<u>18</u>	<u>laundry area</u>
<u>A2</u>	<u>2</u>	<u>0/1</u>	<u>286</u>	<u>18</u>	<u>laundry area</u>
<u>B</u>	<u>5</u>	<u>2/1</u>	<u>672</u>	<u>85</u>	<u>lanai</u>
<u>C</u>	<u>8</u>	<u>2/1</u>	<u>661</u>	<u>84</u>	<u>lanai</u>
<u>D</u>	<u>1</u>	<u>1/1</u>	<u>509</u>	<u>54</u>	<u>lanai</u>

Total Apartments: 20

**\*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: (from Par. 4.2 of Declaration of Condominium Property Regime)

Limits of Apartments: The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load bearing walls, the undecorated or unfinished surfaces of each lanai including the railing, the floors and ceilings surrounding each apartment or any pipes, wires, conduits or other utility or service lines running through an apartment which are utilized for or serve more than one apartment, the same being deemed common elements. Each apartment shall be deemed to include all the walls, windows, doors (including all hardware) and partitions which are not loadbearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings, and all fixtures originally installed therein.

Permitted Alterations to Apartments:

Each unit owner may alter the interior of an apartment, but subject to certain restrictions, as provided in paragraph 20 of the Declaration of Condominium Property Regime.

Apartments Designated for Owner-Occupant Only:

Fifty percent (50%) of residential apartments must be so designated; developer has a right to substitute similar apartments for those apartments already designated. Developer must provide this information either in a published announcement or advertisement as required by section 514A-102, HRS; or include the information here in this public report and in the announcement (see attachment 11a). Developer has elected to provide the information in a published announcement or advertisement.

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 have been given an effective date by the Hawaii Real Estate Commission.
  - B) Declaration of Condominium Property Regime
  - C) Bylaws of the Association of Apartment Owners
  - D) House Rules, if any.
  - E) Condominium Map
  - 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: \_\_\_\_\_

Copies of the condominium and sales documents and amendments made by the developer are available for review through the developer or through the developer's sales agent, if any. The Condominium Property Regime law (Chapter 514A, HRS) and the Administrative Rules (Chapter 107) are available online. Please refer to the following sites:

Website to access official copy of laws: [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov)

Website to access unofficial copy of law: [www.hawaii.gov/dcca/hrs](http://www.hawaii.gov/dcca/hrs)

Website to access rules: [www.hawaii.gov/dcca/har](http://www.hawaii.gov/dcca/har)

This Supplementary Public Report is part of Registration No. 5271 filed with the Real Estate Commission on February 3, 2004.

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

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## EXHIBIT "A"

### Description of Apartments

The apartments in the Project consist of five types of apartments.

a. Studio Apartments (Type A1). There are 4 separately designated and described freehold estates. Each of the studio type A1 apartments consists of 2 rooms. One room contains the kitchen and living/sleeping area and the other room is the bathroom. The net living area of the studio type A1 apartment is approximately 283 square feet.

b. Studio Apartments (Type A2). There are 2 separately designated and described freehold estates. Each of the studio type A2 apartments consists of 2 rooms. One room contains the kitchen and living/sleeping area and the other room is the bathroom. The net living area of the studio type A2 apartment is approximately 286 square feet.

c. Two-Bedroom Apartments (Type B). There are 5 separately designated and described freehold estates. Each of the two-bedroom type B apartments consists of 2 bedrooms, 1 bathroom, a kitchen and living room, and a lanai. The net living area of the two bedroom type B apartment is approximately 672 square feet and the limited common element lanai contains approximately 85 square feet.

d. Two-Bedroom Apartments (Type C). There are 8 separately designated and described freehold estates. Each of the two-bedroom type C apartments consists of 2 bedrooms, 1 bathroom, a kitchen and living room, and a lanai. The net living area of the two bedroom type C apartment is approximately 661 square feet and the limited common element lanai contains approximately 84 square feet.

e. One-Bedroom Apartments (Type D). There is one separately designated and described freehold estate. The one-bedroom type D apartment consists of 1 bedroom, 1 bathroom, a kitchen and living room, and a lanai. The net living area of the 1 bedroom type D apartment is approximately 509 square feet and the limited common element lanai contains approximately 54 square feet.

f. Floor Area. The floor area of an apartment is the net living area and is measured from the interior surface of the apartment's perimeter walls.

Common Interest/Parking Stall Assignments

The common percentage interest and parking stall assignments are as follows:

<u>Apt. No.</u>	<u>Floor</u>	<u>Type</u>	<u>Percentage Interest</u>	<u>Parking Stall (Compact/Regular)</u>	
11	1st	A1	2.6056	21	Regular
12	1st	A2	2.6333	1	Compact
14	1st	A1	2.6056	2	Compact
15	2nd	A1	2.6056	22	Regular
16	2nd	A2	2.6333	3	Regular
17	2nd	A1	2.6056	4	Compact
21	2nd	B	6.1873	8	Regular
22	2nd	C	6.0860	10	Regular
23	2nd	C	6.0860	9	Regular
24	2nd	C	6.0860	11	Regular
25	2nd	B	6.1873	15	Regular
31	3rd	B	6.1873	12	Regular
32	3rd	C	6.0860	14	Regular
33	3rd	C	6.0860	5	Regular
34	3rd	C	6.0860	17	Regular
35	3rd	B	6.1873	7	Regular
41	4th	B	6.1873	16	Regular
42	4th	C	6.0860	6	Regular
43	4th	C	6.0860	13	Regular
44	4th	D	<u>4.6865</u>	18	Regular
			100.0000		

Parking - compact stall nos. 19 and 20 are not assigned.