



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

Required and attached to this report as Exhibit "H"  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. Developer CHRISTOPHER TODD JOHNSON died on October 21, 2006 at Honolulu, Hawaii. CLYDE JOHNSON JR. and SANDRA KAY JOHNSON, have been appointed as Co-Personal Representatives of the Estate of the decedent, as noted in STATEMENT OF FACTS of the Estate of CHRISTOPHER TODD JOHNSON, deceased, P. No. 06-1-0769 filed in the Circuit Court of the First Circuit on December 19, 2006, filed as Land Court Document No. 3622803, on July 2, 2007.
2. An updated title report dated May 2, 2014 has been filed with the Real Estate Commission, which discloses that the Mortgage dated February 6, 2004, filed as Land Court Document No. 3071377, in favor of Wells Fargo Home Mortgage, Inc., has been released. See revised pages 14 and Exhibit E.
3. The Developer's Final Public Report expired on May 24, 2007. Pursuant to Section 16-107-19, Hawaii Administrative Rules, sales contracts executed during the period that the Public Report was not in effect may be rescinded at the option of the purchaser and all monies refunded to the purchaser. The purchaser's rights to rescind under this rule shall be void thirty (30) calendar days after receipt of written notification of these rights from the Developer or his real estate agent.

**SPECIAL ATTENTION**

The Developer has disclosed the following:

- (a) This is a CONDOMINIUM PROJECT, not a subdivision. The land area beneath and immediately appurtenant to each unit is designated a LIMITED COMMON ELEMENT and does not represent a legally subdivided lot. The dotted lines in the Condominium Map bounding the designated number of square feet in each limited common element land area are for illustration purposes only and should not be construed to be formal subdivision lines.
- (b) Facilities and improvements normally associated with county approved subdivisions, such as fire protection devices, County street lighting, electricity, upgraded water facilities, improved access for owner and emergency traffic, drainage facilities, etc., may not necessarily be provided for, and services such as County street maintenance and trash collection will not be available for interior roads and driveways.
- (c) No warranties are given to the purchaser as to the construction, materials or workmanship of the Project. The Project is being sold in "as is" condition (pages 12 and 15).

This public report does not constitute approval of the Project by the Real Estate Commission or any other governmental agencies, nor does it ensure that all applicable County codes, ordinances, and subdivision requirements have necessarily been complied with. **THE PROSPECTIVE PURCHASERS ARE CAUTIONED TO CAREFULLY REVIEW ALL DOCUMENTS REGARDING THIS CONDOMINIUM PROJECT FOR FURTHER INFORMATION WITH REGARD TO THE FOREGOING.**

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 D.

as follows:

NOTE: Reference to said Exhibit "D" to "Dwelling Areas" does not mean 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 91-434 - 50%  
Unit 91-434 A - 50%

- 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 E describes the encumbrances against the title contained in the title reports dated May 2, 2014 and issued by Title Guaranty of Hawaii.

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 \_\_\_\_\_

Copies of the condominium and sales documents and amendments made by the developer are available for review through the developer and 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 on line. 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 laws: [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 Public Report is a part of Registration No. 5969 filed with the Real Estate Commission on March 31, 2006.

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- 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-1.6] (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.

ESTATE OF CHRISTOPHER TODD JOHNSON, DAVID SAMUEL CATANZARO, MARK ANDREW JOHNSON and AMAL (NMN) EASTON

Printed Name of Developer

By: Clyde Johnson, Jr. 6/19/2014  
 Duty Authorized Signatory\* Date

CLYDE JOHNSON JR., Co-Personal Representative of the Estate of Christopher Todd Johnson  
 Printed Name & Title of Person Signing Above

By: Sandra Kay Johnson 6-19-2014  
 Duty Authorized Signatory\* Date

SANDRA KAY JOHNSON, Co-Personal Representative of the Estate of Christopher Todd Johnson  
 Printed Name & Title of Person Signing Above

Distribution:

Department of Finance, City and County of Honolulu

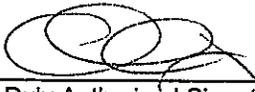
Planning Department, City and County of Honolulu

***\*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.***

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ESTATE OF CHRISTOPHER TODD JOHNSON, DAVID SAMUEL CATANZARO, MARK ANDREW JOHNSON and AMAL (NMN) EASTON

\_\_\_\_\_  
Printed Name of Developer

By:  6-25-14  
Duly Authorized Signatory\* Date

\_\_\_\_\_  
DAVID SAMUEL CATANZARO  
Printed Name & Title of Person Signing Above

Distribution:

Department of Finance, City and County of Honolulu

Planning Department, City and County of Honolulu

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ESTATE OF CHRISTOPHER TODD JOHNSON, DAVID SAMUEL CATANZARO, MARK ANDREW JOHNSON and AMAL (NMN) EASTON

\_\_\_\_\_  
Printed Name of Developer

By: Mark Johnson 6/20/14  
Duly Authorized Signatory\* Date

\_\_\_\_\_  
MARK ANDREW JOHNSON  
Printed Name & Title of Person Signing Above

Distribution:

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ESTATE OF CHRISTOPHER TODD JOHNSON, DAVID SAMUEL CATANZARO, MARK ANDREW JOHNSON and AMAL (NMN) EASTON

\_\_\_\_\_  
Printed Name of Developer

By:  6-30-14  
Duly Authorized Signatory\* Date

AMAL (NMN) EASTON

\_\_\_\_\_  
Printed Name & Title of Person Signing Above

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EXHIBIT "E"

ENCUMBRANCES AGAINST TITLE

1. Assessments or charges levied by Municipal or Governmental Authority or imposed by any other Lawfully Constituted Body Authorized by Statute to Assess, Levy and Collect the Same, if any. For real property taxes, check with the county tax assessor.
2. Matters as shown on Condominium Map No. 1778, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii.
3. Covenants, conditions, restrictions, reservations, agreements, obligations, provisions and easements, but omitting any covenants or restrictions if any, based upon race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under chapter 42, section 3607 of the united states code or (b) relates to handicap but does not discriminate against handicapped persons, as set forth in the Declaration of Condominium Property regime dated February 17, 2006 filed as aforesaid as Document No. 3402505.
4. By-laws of the Association of Apartment Owners of 91-434 and 91-434 A EWA BEACH ROAD dated February 17, 2006, recorded as Document No. 3402506.
5. Mortgage dated July 1, 2005, in favor of New Century Mortgage Corporation, filed in said Land Court as Document No. 3293874.
6. Mortgage dated July 1, 2005, in favor of New Century Mortgage Corporation, filed in said Land Court as Document No. 3293875.

END OF EXHIBIT "E"