

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

on

KEMOO BY THE LAKE

Wahiawa, Hawaii

REGISTRATION NO. 428

IMPORTANT — Read This Report Before Buying

This Report Is Not an Approval or Disapproval of This Condominium Project

It reflects information obtained by the Real Estate Commission in its investigation of the project. This report, based on a principle of disclosure, is issued by the Commission for the purpose of preventing fraud, misrepresentation or deceit.

The developer shall not enter into a binding contract or agreement for the sale of any unit in a Condominium Project until

- (1) A copy of this Report has been given to the prospective purchaser,
- (2) The latter has been given an opportunity to read same, and,
- (3) His receipt taken therefor.

Issued: December 12, 1972

Expires: January 12, 1974

SPECIAL ATTENTION

A comprehensive reading of the report is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the purchaser and prospective purchaser is particularly directed to the following:

THE REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED JANUARY 7, 1972 AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF DECEMBER 11, 1972. THE DEVELOPER, IN NOTIFYING THE COMMISSION OF HIS INTENTION TO SELL AND SUBMITTING ADDITIONAL INFORMATION, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, CHAPTER 514, HAWAII REVISED STATUTES.

1. The Developer has complied with Chapter 514, Hawaii Revised Statutes and has fulfilled the requirements for the issuance of a Final Public Report.
2. Since the issuance of the Commission's Supplementary Public Report on Registration No. 428, dated June 13, 1972, which report supplements the Commission's Preliminary Public Report on Registration No. 428, dated February 2, 1972, the Developer has forwarded additional information reflecting

material changes have been made in the documents and plans for the project.

Kemoo By The Lake is a leasehold condominium project and the purchaser will secure an apartment sublease demising an apartment unit together with the appurtenant common interest.

This Final Public Report is made a part of the registration on Kemoo By The Lake condominium project. The Developer is responsible for placing this Final Public Report (white paper stock) in the hands of all purchasers and prospective purchasers receiving the Preliminary Public Report (yellow paper stock), and the Supplementary Public Report (pink paper stock). Securing a signed copy of the Receipt for Horizontal Property Regime Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.

3. The Developer of the project has submitted to the Commission for examination all documents deemed necessary for the registration of the condominium project and the issuance of this Final Public Report.

The Developer reports that the basic documents (Declaration of Horizontal Property Regime, with By-Laws of the Association of Apartment Owners attached, and a copy of the Approved Floor Plans) have been filed in the Bureau of Conveyances of the State of Hawaii.

The Declaration of Horizontal Property Regime, executed November 20, 1972, with By-Laws attached, was filed in the Bureau of Conveyances of the State of Hawaii in Liber 8748, Page 271.

The approved Floor Plans showing the layout, location, apartment numbers, etc. have been designated Condominium File Plan No. 249.

4. Advertising or promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.
5. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.
6. This Final Public Report expires thirteen months from the date of issuance, December 12, 1972, unless a supplementary report is published or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information in the topical headings of the Preliminary Public Report of February 2, 1972, and the Supplementary Public Report of June 13, 1972, with the exception of DESCRIPTION, COMMON ELEMENTS, LIMITED COMMON ELEMENTS, ENCUMBRANCES AGAINST TITLE, MANAGEMENT OF THE PROJECT, and STATUS OF PROJECT, has not been disturbed.

DESCRIPTION: The Declaration of Horizontal Property Regime and floor plans as filed in the Bureau of Conveyances of the State of Hawaii indicate a leasehold condominium project consisting of a ten (10) story concrete building. There are eighty-eight (88) freehold estates designated in the spaces within the perimeter walls of each of the eighty-eight (88) apartment units contained in the building, which spaces, referred to herein as "apartments", are designated on said plans and described as follows:

1. There are seven (7) apartments on the Second Floor; six (6) apartments on each of the Third and Fourth Floors; nine (9) apartments on the Fifth Floor; and twelve (12) apartments on each of the Sixth, Seventh, Eighth, Ninth and Tenth Floors. Apartments 201, 202, 204, 205, 206, 210 and 211 are located on the Second Floor; Apartments 301, 302, 305, 306, 310 and 311 are located on the Third Floor; Apartments 401, 402, 405, 406, 410 and 411 are located on the Fourth Floor; Apartments 501, 502, 504, 505, 506, 507, 508, 510 and 511 are located on the Fifth Floor; Apartments 601 to 612, inclusive, are located on the Sixth Floor; Apartments 701 to 712, inclusive, are located on the Seventh Floor; Apartments 801 to 812, inclusive, are located on the Eighth Floor; Apartments 901 to 912, inclusive, are located on the Ninth Floor; and Apartments 1001 to 1012, inclusive, are located on the Tenth Floor.
2. The apartments are constructed according to five (5) different floor plans, designated A, B, C, D and E respectively. A description of each of said floor plans, designating the layout, number of rooms and approximate area thereof is as follows:
 - (a) Twenty (20) apartments, being numbers 201, 205, 206, 210, 211, 301, 302, 305, 306, 310, 311, 401, 402, 405, 406, 410, 411, 501, 510 and 511, are each built according to Floor Plan A, consisting of 3 bedrooms, 2 bathrooms, combined living and dining area, a kitchen, 2 walk-in closets and a lanai and each contains a floor area of approximately 1,737 square feet, including the lanai of approximately 375 square feet. A common interest of 1.8510 percent shall be appurtenant to each of said apartments.
 - (b) Fourteen (14) apartments, being numbers 202, 506, 602, 611, 701, 702, 711, 712, 801, 802, 811, 901, 902 and 1011, are each built according to Floor Plan B, consisting of 1 bedroom, 1 bathroom, a combined living room and dining area and a kitchen and a lanai and each contains a floor area of approximately 868 square feet, including the lanai of approximately 187 square feet. A common interest of .9260 percent shall be appurtenant to each of said apartments.
 - (c) Fourteen (14) apartments, being numbers 204, 508, 604, 609, 703, 704, 709, 710, 803, 804, 809, 903, 904 and 1009, are each built according to Floor Plan C, consisting of 1 bedroom, a bathroom, a combined living room and dining area, a kitchen and a lanai and each contains a floor area of approximately 868

square feet, including the lanai of approximately 187 square feet. A common interest of .9260 percent shall be appurtenant to each of said apartments.

- (d) Twenty (20) apartments, being numbers 502, 505, 601, 605, 606, 612, 705, 706, 805, 806, 812, 905, 906, 911, 912, 1001, 1002, 1005, 1006 and 1012, are each built according to Floor Plan D, consisting of 2 bedrooms, 1 bathroom, a combined living room and dining area, a kitchen and a lanai, and each contains a floor area of approximately 1,158 square feet including the lanai of approximately 277 square feet. A common interest of 1.3890 percent shall be appurtenant to each of said apartments.
- (e) Twenty (20) apartments, being numbers 504, 507, 603, 607, 608, 610, 707, 708, 807, 808, 810, 907, 908, 909, 910, 1003, 1004, 1007, 1008 and 1010, are studio apartments, built according to Floor Plan E, consisting of a combined studio and dining area, 1 bathroom, a kitchen and a lanai, and each contains a floor area of approximately 579 square feet, including the lanai of 98 square feet. A common interest of .4636 percent shall be appurtenant to each of said apartments.
- (f) Each apartment has access to the main corridor of the building on the floor on which it is located leading to elevators and stairways at each end.
- (g) The respective apartments shall not be deemed to include the undecorated or unfinished surfaces of the perimeter walls or interior load-bearing walls, the floors and ceilings surrounding each apartment or any pipes, wires, conduits or other utility or service lines running through such apartment which are utilized for or serve any other apartment, the same being deemed common elements as hereinafter provided. Each apartment shall be deemed to include all the walls and partitions which are not load-bearing within its perimeter walls, the inner decorated or finished surfaces of all walls, floors and ceilings and all fixtures originally installed therein.

NOTE: Any prior representations to the contrary notwithstanding, additions to or alterations of apartments, including the partitioning off of part of an apartment for the purpose of rental of the same to others, requires or may require the approval of the Board of Directors, of the Lessor under that certain Master Lease dated November 12, 1971, recorded as aforesaid in Liber 7941, Page 102, as amended, of the Sublessor under the individual subleases of the apartments, and of a majority of the apartment owners (or such larger percentage as required by law or the Declaration), including all owners of apartments thereby directly affected, in addition to the approval of all appropriate governmental agencies. The Developer advises that no assurance can be given that the aforementioned approvals can be obtained.

COMMON ELEMENTS: One freehold estate is designated in all remaining portions of the project, herein called the "common elements", in-

cluding specifically but not limited to:

1. Said land in fee simple;
2. All foundations, columns, beams, supports, load-bearing walls, roofs, chases, entry halls, stairs, walkways, entrances and exits of said building;
3. All yards, grounds, landscaping, recreation and refuse areas;
4. All parking areas;
5. All pipes, cables, conduits, ducts, electrical equipment, wiring and other central and appurtenant transmission facilities and installations over, under and across the project which serve more than one apartment for services such as power, light, gas, water, sewer, telephone and television signal distribution, if any;
6. Swimming pool and adjacent areas;
7. The lobby and portico designated on said plans for the project;
8. Any and all other apparatus and installations of common use and all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

NOTE: Apartment 201, formerly the resident manager's apartment, is no longer a common element for the project, but is now a private apartment being sold by the Developer.

LIMITED COMMON ELEMENTS: Twenty-three (23) parking spaces which were formerly common elements have now been designated limited common elements. These parking spaces are designated "A" through "W" on the File Plan and may be made appurtenant to an apartment by an additional description in the conveyance or by later amendment thereof.

ENCUMBRANCES AGAINST TITLE: A Preliminary Title Report dated September 18, 1972, issued by Title Guaranty of Hawaii Incorporated, as submitted to the Commission, provides that the following are additional encumbrances against title to the property to those listed in the Preliminary Public Report of February 2, 1972:

1. Financing Statement, covering furnishings, fixtures, etc., recorded in the Bureau of Conveyances of the State of Hawaii in Liber 7941, Page 156, in favor of Amfac Financial Corp., as Secured Party, made by GT Corporation, as Debtor.
2. An easement for pole and wire line purposes over across parcel 3-C, as shown on Surveyor's Map dated May 23, 1960.
3. Lease dated November 12, 1971, by and between Carita Fisher Rodby, as Lessor, and Michael Marshall Ross, as Lessee, recorded in the Bureau of Conveyances, State of Hawaii, in Liber 7941, Page 102. Said lease was assigned to GT

Corporation by instrument dated November 12, 1971, and recorded in the Bureau of Conveyances, State of Hawaii, in Liber 7941, Page 129. By instrument dated December 23, 1971, and recorded in the Bureau of Conveyances, State of Hawaii, in Liber 8040, Page 170, said lease was amended.

NOTE: The Developer advises that the following two (2) encumbrances against title to the property set forth in the Preliminary Public Report of February 2, 1972, will be relocated within the lands of the project:

- a. Grant of easement for utility purposes dated April 4, 1960, recorded as aforesaid in Liber 3822, Page 126, in favor of Hawaiian Electric Company, Inc. and Hawaiian Telephone Company.
- b. The reservation and exception contained in deed dated September 16, 1957, recorded as aforesaid in Liber 3317, Page 399, for road and utility purposes.

MANAGEMENT OF THE PROJECT: The By-Laws which are incorporated in the Declaration provide that the operation of the project shall be conducted for the Association of Apartment Owners under the direction of the Board of Directors by a responsible Managing Agent. The Developer advises that Reliance Realty & Management, 1661 Kapiolani Boulevard, Honolulu, Hawaii 96814, has been selected as the initial Managing Agent.

NOTE: Developer advises that no representations or references will be made or have been made to either purchasers or prospective purchasers concerning either rental services or management for profit to be provided directly or indirectly by the Developer or the Managing Agent of the project; rental of the apartments and the provisions of management services in connection therewith is and shall be the sole responsibility of the purchaser.


STATUS OF PROJECT: The Developer advises that it estimates that construction on the project will be completed in December, 1972.

The information contained in the remaining subject headings has not been changed since the issuance of the Supplementary Public Report.

The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the Developer in the required Notice of Intention submitted January 7, 1972, and information subsequently filed as of December 11, 1972.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 428 filed with the Commission on January 7, 1972.

The report, when reproduced, shall be a true copy of the Commission's public report. The paper stock used in making facsimiles must be white.



(for) DOUGLAS R. SODEVANI, CHAIRMAN
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

DEPARTMENT OF TAXATION
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ESCROW AGENT

December 12, 1972

Registration No. 428