

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
KUAHELANI APARTMENTS
Mililani Town, Oahu, Hawaii

REGISTRATION NO. 529

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: October 12, 1973
Expires: November 12, 1974

SPECIAL ATTENTION

A comprehensive reading of this report is urged in order that the 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:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED FEBRUARY 12, 1973, AND INFORMATION SUBSEQUENTLY FILED AS OF SEPTEMBER 14, 1973. DEVELOPER IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL AND SUBMITTING INFORMATION ON MATERIAL CHANGES IN THE PROJECT, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES ACT, CHAPTER 514, HAWAII REVISED STATUTES, AS AMENDED.

1. The Developer has fulfilled all the requirements of Chapter 514, Hawaii Revised Statutes, for the issuance of a Final Public Report.

2. Since the issuance of the Commission's Preliminary Report of May 11, 1973, on KUAHELANI APARTMENTS, Registration No. 529, the Developer reports that certain material changes have been made in the project. This Final Public Report (white paper stock) amends the Preliminary Public Report (yellow paper stock), becoming a part of KUAHELANI APARTMENTS registration. The Developer is responsible for placing a true copy of this Final Public Report in the hands of all purchasers and prospective purchasers, along with a copy of the Preliminary Report. The purchaser shall sign the required receipt signifying that he has had an opportunity to read both reports.
3. The Developer 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.
4. The Developer advises that the Declaration of Horizontal Property Regime and Attached Bylaws are filed in the Office of the Assistant Registrar of the Land Court, as Land Court Document No. 647347, and that the Condominium Map has been filed with the Assistant Registrar as Map No. 179.
5. Advertising and promotional materials have been submitted pursuant to the rules and regulations promulgated by the Commission.
6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514, Hawaii Revised Statutes, as amended, and the condominium rules and regulations which relate to Horizontal Property Regimes.
7. This Final Public Report automatically expires thirteen (13) months after the date of issuance, October 12, 1973, unless a Supplementary Public Report issues, or the Commission, upon review of the registration, issues an order extending the effective period of this report.

The information in the Preliminary Report of May 11, 1973, under the topical headings NAME OF PROJECT, LOCATION, TAX KEY, ZONING, DEVELOPER, COMMON ELEMENTS, PURPOSE OF BUILDINGS AND RESTRICTIONS AS TO USE and MANAGEMENT AND OPERATION has not been changed.

ATTORNEY REPRESENTING DEVELOPER: CADES SCHUTTE FLEMING & WRIGHT (Attention: Douglas E. Prior or Bernice Littman), 17th Floor, First Hawaiian Bank Building, Honolulu, Hawaii, Phone: 531-7232.

DESCRIPTION: The apartment numbers, the approximate area of each apartment, the number of rooms contained in each apartment and the interest in the common elements allocable to each apartment are as follows:

<u>APARTMENT NO.</u>	<u>APARTMENT AREA</u>	<u>NUMBER OF ROOMS</u>	<u>INTEREST IN COMMON ELEMENTS</u>
101	1310 Sq. Ft.	7	1.063
102	1310 "	7	1.063
103	1310 "	7	1.063
104	1310 "	7	1.063
105	1310 "	7	1.063
106	1310 "	7	1.063
107	1310 "	7	1.063
108	1310 "	7	1.063
109	1310 "	7	1.063
110	1310 "	7	1.063
111	1310 "	7	1.063
112	1310 "	7	1.063
113	1310 "	7	1.063
114	1310 "	7	1.063
115	1310 "	7	1.063
116	1310 "	7	1.063
117	1310 "	7	1.063
118	1310 "	7	1.063
119	1310 "	7	1.063
120	1310 "	7	1.063
121	1310 "	7	1.063
122	1310 "	7	1.063
123	1310 "	7	1.063
124	1310 "	7	1.063
125	1310 "	7	1.063
126	1310 "	7	1.063
127	1310 "	7	1.063
128	1310 "	7	1.063
129	1310 "	7	1.063
130	1310 "	7	1.063

<u>APARTMENT NO.</u>	<u>APARTMENT AREA</u>	<u>NUMBER OF ROOMS</u>	<u>INTEREST IN COMMON ELEMENTS</u>
131	1310 Sq. Ft.	7	1.063
132	1310 "	7	1.063
133	1310 "	7	1.063
201	1240 "	8	1.002
202	1240 "	8	1.002
203	1240 "	8	1.002
204	1240 "	8	1.002
205	1240 "	8	1.002
206	1240 "	8	1.002
207	990 "	7	.800
208	1240 "	8	1.002
209	1240 "	8	1.002
210	1240 "	8	1.002
211	1240 "	8	1.002
212	1240 "	8	1.002
213	1240 "	8	1.002
214	1240 "	8	1.002
215	1240 "	8	1.002
216	1240 "	8	1.002
217	1240 "	8	1.002
218	1240 "	8	1.002
219	1240 "	8	1.002
220	1240 "	8	1.002
221	1240 "	8	1.002
222	1240 "	8	1.002
223	1240 "	8	1.002
224	1240 "	8	1.002
225	1240 "	8	1.002
226	1240 "	8	1.002
227	1240 "	8	1.002
228	1240 "	8	1.002

<u>APARTMENT NO.</u>	<u>APARTMENT AREA</u>	<u>NUMBER OF ROOMS</u>	<u>INTEREST IN COMMON ELEMENTS</u>
229	1240 Sq. Ft.	8	1.002
230	1240 "	8	1.002
231	1240 "	8	1.002
232	1240 "	8	1.002
233	1240 "	8	1.002
234	1240 "	8	1.002
235	1240 "	8	1.002
236	1240 "	8	1.002
237	1240 "	8	1.002
238	1240 "	8	1.002
239	1240 "	8	1.002
240	1240 "	8	1.002
241	1240 "	8	1.002
242	1240 "	8	1.002
243	1240 "	8	1.002
244	990 "	7	.800
245	990 "	7	.800
246	1240 "	8	1.002
247	1240 "	8	1.002
248	1240 "	8	1.002
249	1240 "	8	1.002
250	990 "	7	.800
251	1240 "	8	1.002
252	1240 "	8	1.002
253	1240 "	8	1.002
254	1240 "	8	1.002
255	990 "	7	.800
256	1240 "	8	1.002
257	1240 "	8	1.002
258	1240 "	8	1.002

<u>APARTMENT NO.</u>	<u>APARTMENT AREA</u>	<u>NUMBER OF ROOMS</u>	<u>INTEREST IN COMMON ELEMENTS</u>
259	1240 Sq. Ft.	8	1.002
260	1240 "	8	1.002
261	990 "	7	.801
262	1240 "	8	1.002
263	1240 "	8	1.002
264	1240 "	8	1.002
265	1240 "	8	1.002
266	1240 "	8	1.002

OWNERSHIP OF TITLE: Developer has filed with the Commission an updated Preliminary Report dated September 4, 1973, prepared by Title Guaranty of Hawaii, Inc., which certifies that Mililani Town, Inc. owns fee simple title to the land involved.

ENCUMBRANCES AGAINST TITLE: The Preliminary Report prepared by Title Guaranty of Hawaii, Inc. certifies that as of the date thereof (September 4, 1973) title to the land is subject to:

1. Additional Charge and Additional Security Mortgage made by MILILANI TOWN, INC. in favor of AETNA LIFE INSURANCE COMPANY dated June 18, 1969, filed as Land Court Document No. 476187, which Mortgage was amended by Land Court Document No. 476649, Document No. 527458, Document No. 566680, and Document No. 633441.
2. An easement for utility purposes in favor of Hawaiian Electric Company, Inc., dated April 4, 1973, filed as Land Court Document No. 626091.
3. Easement 838 as shown on Maps 326 and 335 for electrical purposes as set forth in Land Court Order No. 32670, filed January 22, 1971.
4. Grant of Easement 838 in favor of the Hawaiian Electric Co., Inc. for utility purposes, dated September 3, 1971, and filed as Document No. 551612 on September 13, 1971, said interest of Hawaiian Electric Co., Inc. having been assigned by Document No. 551613 to Hawaiian Trust Company, Limited, Trustee, Mortgage Document No. 45945, as amended.
5. Mortgage made by MILILANI TOWN, INC. to CASTLE & COOKE, INC. dated June 18, 1969, filed as Land Court Document No. 476188. CASTLE & COOKE, INC., Mortgagee under Document No. 476188, subordinates said Mortgage to Additional Charge and Additional Security Mortgage filed as Document No. 476187, as set forth by Subordination Agreement dated June 18, 1969, filed as Document No. 476650.
6. Declaration of Horizontal Property Regime and Bylaws dated August 29, 1973, filed as Land Court Document No. 647347 and Condominium Map No. 179.
7. Easements 1395, 1396 and 1397 as shown on Map No. 383 for water purposes, as set forth by Land Court Order No. 38058 filed August 2, 1973. The foregoing easements were granted to the Board of Water Supply, City and County of Honolulu, by document dated August 20, 1973, filed as Land Court Document No. 646439.
8. A grant in favor of Oceanic Cablevision, Inc. dated May 30, 1973 and filed as Land Court Document No. 632076.
9. Real property taxes for the fiscal year 7/1/73 - 6/30/74.

The Developer has advised the Commission that the mortgages identified in items 1 and 5 above will be released prior to conveyance of any apartment as to the apartment conveyed.

Prior to the conveyances of any apartment in the project, the property will be annexed to Mililani Town pursuant to, and so as to become subject to the provisions of, the Declaration of Covenants, Conditions and Restrictions for Mililani Town, a copy of which has been filed with, and which is available for public inspection at, the Office of the Real Estate Commission and which, additionally, has been filed with, and is available for public inspection at the Office of the Assistant Registrar of the Land Court as Document No. 441561 as amended.

This Declaration provides for certain monthly maintenance assessments to pay the expenses of the Mililani Town Community Association, and reserves a lien upon each apartment to secure the payments of these assessments. The amount of the current monthly assessment is \$5.75, subject to increase in case of an increase in the cost of living, or in case 66-2/3% of the members of the Community Association approve an increase.

The documents filed with the Notice of Intention reveal that the Developer has reserved the right to grant the State of Hawaii, City and County of Honolulu, or any other governmental agencies or any public utility or other corporation easements under such terms and conditions as it shall be deem appropriate, and it further states that each purchaser will be obligated upon request to join in the designating and granting of any such easement.

PURCHASE MONEY HANDLING: The Developer reports that it has waived the right reserved in the Sales Contract to cancel the Sales Contract if less than fifty (50) Sales Contracts were executed or financing commitments were not obtained by the Buyers.


At the closing of the initial purchase of each apartment, a special assessment of \$100.00 will be imposed by Mililani Town Community Association, which special assessment is permitted by the above described Declaration of Covenants, Conditions and Restrictions for Mililani Town, Inc.

STATUS OF PROJECT: The Developer reports that a building permit has been issued by the Building Department of the City and County of Honolulu for the project. No construction contract is necessary because the Developer proposes to act as its own general contractor. Construction has commenced; the estimated date of completion is February 15, 1974. The Developer reports that financing for construction has been obtained from Bank of Hawaii by letter of credit, and that permanent financing has been arranged with First Hawaiian Bank. The remaining sections of the Preliminary Report have not been altered.

A purchaser or prospective purchaser should be cognizant of the fact that this Public Report represents information disclosed by the Developer in the required Notice of Intention submitted February 12, 1973, and additional information filed as of September 14, 1973.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 529 filed with the Commission on February 12, 1973.

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. SODEYAN, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution:

DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING COMMISSION,
CITY AND COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

October 12, 1973
REGISTRATION NO. 529