

# 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

SUNSET SHORES  
68-121 Au Street  
Mokuleia, Oahu, Hawaii

Registration No. 1303

#### **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 4, 1982  
Expires: November 4, 1983

#### SPECIAL ATTENTION

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

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION TO SELL SUBMITTED ON APRIL 29, 1980, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF SEPTEMBER 24, 1982. THE DEVELOPER, BY NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY ACT, CHAPTER 514A, HAWAII REVISED STATUTES, AS AMENDED.

1. Since the issuance of the Commission's Preliminary Public Report of August 14, 1980 and its Supplementary Public Report of March 17, 1981, on SUNSET SHORES, Registration No. 1303, the Developer reports that further changes have been made in the plan or set up as previously presented. The changes are determined to be a material revision to the information disclosed earlier.
2. This Final Public Report (white paper stock) amends the Supplementary Public Report (pink paper stock) which in turn amended the Preliminary Public Report (yellow paper stock), and becomes a part of the SUNSET SHORES registration. The Developer is responsible for placing a true copy of this Final Public Report (white paper stock), the Supplementary Public Report (pink paper stock), the Preliminary Public Report (yellow paper stock), and the revised Disclosure Abstract in the hands of all purchasers and prospective purchasers, and obtaining a signed receipt therefor.
3. Advertising and promotional materials required to be filed pursuant to the rules and regulations promulgated by the Commission will be submitted prior to public exposure.
4. The Developers have filed all documents and materials deemed necessary by the Commission for the registration of this condominium project and issuance of this Final Public Report.
5. The basic documents (Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners, and a copy of the approved floor plans) have been filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii.

The Declaration of Horizontal Property Regime with the By-Laws attached was recorded in the Bureau of Conveyances of the State of Hawaii on June 25, 1980, at Liber 14813, page 635; the Floor Plans were assigned as Condominium Map No. 738. Said Declaration and Floor Plans have since been amended and recorded at the Bureau of Conveyances on September 13, 1982 at Liber 16568, page 308. The material changes are reflected in this Final Public Report.

The recorded amendment includes revisions to the Condominium Map for the project (Condominium Map No. 738) and reflects a change in the floor plans and sizes of all apartments in the project, parking stall designations, configurations, sizes and locations, types of common elements and their sizes and locations. Copies of the revised floor plans and the filed amendment are available for inspection at the office of the Real Estate Commission.

6. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514A, Hawaii Revised Statutes, as amended, and the Real Estate Commission's rules and regulations relating to horizontal property regimes.
7. This Final Public Report automatically expires thirteen (13) months after date of issuance, October 4, 1982 unless a Supplementary Public Report is issued or the Commission, upon review of the registration, issues an order extending the effective period of this report.

Except for the information under the following topical headings of the Preliminary and Supplementary Public Reports and that under the new heading FINANCING PROGRAM, the information under all other headings as recited in both of the aforesaid reports remain unchanged.

DEVELOPER: The Developer has informed the Commission that the Developer is SUNSET SHORES PARTNERS, a Hawaii registered joint venture, whose partners are KAM LAND CORPORATION, a Hawaii corporation, and N.D.P., INC., also a Hawaii corporation. Both corporate partners now have their principal places of business and offices at 130 Merchant Street, Suite 1101, Honolulu, Hawaii, with their telephone number being 537-4977.

ATTORNEY REPRESENTING DEVELOPER: PYUN, KIM & OKIMOTO, Rodney H. S. Kim, Suite 1601, 615 Piikoi Street, Honolulu, Hawaii 96814; Phone number: 524-1633.

DESCRIPTION OF THE PROJECT: The Developer has informed the Commission that the Declaration of Horizontal Property Regime has been revised to reflect all the changes mentioned in the Supplementary Public Report. Also, Section 1 under this topical heading of the Preliminary Report should reflect deletion of a manager's office on the ground floor.

COMMON ELEMENTS: Paragraph "E" under this topical heading of the Preliminary Public Report has been revised to reflect deletion of the Manager's Office on the ground floor under subparagraph E and the addition of the jacuzzi, shuffle board, and storage office.

LIMITED COMMON ELEMENTS: Exhibit "A" attached to the Supplementary Public Report has been substantially revised with respect to parking stalls. The latest revision is attached hereto as Exhibit "A".

INTEREST TO BE CONVEYED TO PURCHASER: The Exhibit "A" attached to the Supplementary Public Report has again been revised, but the column pertaining to "Undivided Interest in Common Elements" reflects no revision.

ENCUMBRANCES AGAINST TITLE: A Preliminary Title Report prepared by Island Title Corporation dated August 3, 1982 shows that title to the land is subject to the following encumbrances:

1. For any taxes which are due and owing, reference may be made with the Office of the Tax Assessor, First Division.
2. Title to all minerals and metallic mines reserved to the State of Hawaii.
3. The property borders on the ocean and is subject to the provisions of Hawaii Revised Statute 205, Sections 31 to 37 relative to shoreline setbacks and prohibitions on use, and to the regulations of the Land Use Commission and the County Planning Department.
4. Covenants, conditions, restrictions, reservations, agreements, obligations and other provisions set forth in the Instrument, dated December 1, 1972, recorded December 5, 1972, in the Bureau of Conveyances, State of Hawaii, in Book 8782, Page 445.
5. Condominium Map No. 738, filed in the Bureau of Conveyances, State of Hawaii.
6. Covenants, conditions, restrictions, reservations, agreements, obligations, provisions, easements and by-laws set forth in the Declaration of Horizontal Property Regime dated June 25, 1980, recorded June 26, 1980, in the Bureau of Conveyances, State of Hawaii, in Book 14813, Page 635.
7. Mortgage dated June 25, 1980, recorded June 26, 1980, in the Bureau of Conveyances, State of Hawaii, in Book 14813, Page 614, to secure the repayment of \$137,500.00 and any additional advances and other amounts secured thereby, under the terms and provisions thereof,  
Mortgagor: Sunset Shores Partners, a  
registered Hawaii joint venture.  
Mortgagee: Hawaii Thrift and Loan Incorporated,  
a Hawaii corporation.
8. Mortgage dated August 24, 1981, recorded August 3, 1982 in the Bureau of Conveyances, State of Hawaii, in Book 16496, Page 1, to secure the repayment of \$472,500.00, and any additional advances and other amounts secured

thereby, under the terms and provisions thereof,

Mortgagor: Sunset Shores Partners, A General Partnership, of which Kam Land Corporation is the General Partner.

Mortgagee: Investment Mortgage International, Inc., a Delaware corporation.

In addition to the foregoing, the Developer has advised the Commission that the Condominium Map and Declaration (Items 5 and 6 above) have been amended and that in conjunction with Item 3 above, the property is subject to any claim based upon (a) a conflict in the determination of the seaward boundary of said land, (b) a conflict in the location of such seaward boundary, or (c) the assertion that any portion of said land is submerged land or is land beneath tidal waters.

SPECIAL MANAGEMENT AREA PERMIT: The Developer had informed the Commission that the Project is located within a Special Management Area and that the Declaration has been amended to add a new section 21 regarding the requirements of the Special Management Area Permit for the Project.

An up-to-date report regarding provisions D and F under the topical heading SPECIAL MANAGEMENT AREA PERMIT of the Supplementary Public Report is as follows:

- D. Installation of and the first year of operation and maintenance of the sewage treatment facility shall be the responsibility of the applicant/developer.

A permit application has now been filed with the DOH, now known as Permit No. TO-1186. Said permit for the operation of the facility is to be issued when the sewage treatment facility is completely constructed.

- F. A landscape plan indicating mature plant materials for the beachfront area shall be submitted to the DLU for review and approval prior to the issuance of the building permit.

A building permit has now been issued.

FINANCING PROGRAM: The Developer has submitted to the Commission a Final Budget for the project and evidence of financing that will enable it to proceed with construction. The construction loan will be provided by International Savings and Loan Association.

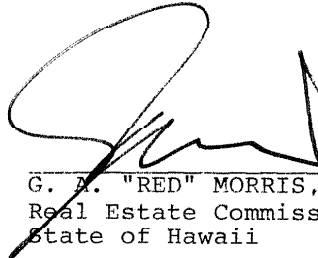
MANAGEMENT OF PROJECT: This topical heading in the Preliminary Public Report has been revised to reflect that the initial agent selected by the Developer is now Chaney Brooks & Company whose business and mailing address is Suite 400, 841 Bishop Street, Honolulu, Hawaii. A copy of their August 30, 1982 Agreement has been filed with the Commission.

STATUS OF PROJECT: The Developer advises that construction should commence on or about October 15, 1982 and be completed on or about July 30, 1983.

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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 April 29, 1980, and additional information subsequently filed as of September 24, 1982.

This FINAL HORIZONTAL PROPERTY REGIME (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 1303 filed with the Commission on April 29, 1980. This report, when reproduced, shall be a true copy of the Commission's Public Report. The paper stock used in making facsimiles must be white.



G. A. "RED" MORRIS, Chairman  
Real Estate Commission  
State of Hawaii

DISTRIBUTION:

Department of Finance  
Bureau of Conveyances  
Planning Department, City and  
County of Honolulu  
Federal Housing Administration  
Escrow Agent

Registration No. 1303

October 4, 1982

EXHIBIT "A"

<u>APARTMENT NUMBER</u>	<u>APPROXIMATE AREA</u>	<u>UNDIVIDED INTEREST IN COMMON ELEMENTS</u>	<u>PARKING STALL</u>
201	981 sq. ft.	0.03446	10
202	860 sq. ft.	0.03018	1
203	860 sq. ft.	0.03018	31, 32
204	860 sq. ft.	0.03018	2
205	860 sq. ft.	0.03018	8*
206	860 sq. ft.	0.03018	30
207	860 sq. ft.	0.03018	12
208	981 sq. ft.	0.03446	40
301	981 sq. ft.	0.03446	7
302	860 sq. ft.	0.03018	3
303	860 sq. ft.	0.03018	33, 34
304	860 sq. ft.	0.03018	4
305	860 sq. ft.	0.03018	5
306	860 sq. ft.	0.03018	9
307	860 sq. ft.	0.03018	37
308	981 sq. ft.	0.03446	28
401	981 sq. ft.	0.03446	11
402	860 sq. ft.	0.03018	6
403	860 sq. ft.	0.03018	35, 36
404	860 sq. ft.	0.03018	17
405	860 sq. ft.	0.03018	16
406	860 sq. ft.	0.03018	15
407	860 sq. ft.	0.03018	18
408	981 sq. ft.	0.03446	21, 22
501	981 sq. ft.	0.03446	19, 20
502	860 sq. ft.	0.03018	25
503	860 sq. ft.	0.03018	27
504	860 sq. ft.	0.03018	26*
505	860 sq. ft.	0.03018	29
506	860 sq. ft.	0.03018	38
507	860 sq. ft.	0.03018	39
508	981 sq. ft.	0.03446	13, 14

\* Compact stalls

Note: Stall Numbers 31 - 36, inclusive are compact - Tandem stalls.

EXHIBIT "A"