

# REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS  
STATE OF HAWAII  
1010 RICHARDS STREET  
P. O. BOX 3469  
HONOLULU, HAWAII 96801

## SECOND SUPPLEMENTARY HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

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

REGISTRATION NO. 1303

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

It was prepared as a supplement to an earlier Report dated August 14, 1980, March 17, 1981 and October 4, 1982 issued by the Real Estate Commission on the above 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: August 22, 1983  
Expires: May 4, 1984

### 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 AUGUST 17, 1983. 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, Supplementary Public Report of March 17, 1981 and Final Public Report of October 4, 1982, 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 Second Supplementary Public Report (pink paper stock) amends the Final Public Report (white paper stock), Supplementary Public Report (pink paper stock), and 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 Second Supplementary Public Report, (pink paper stock), the Preliminary Public Report (yellow paper stock), and the revised Disclosure Abstract dated July 19, 1983, 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 Second Supplementary 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 Bureau of Conveyances, 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, and on July 14, 1983 at Liber 17179, Page 222. The material changes are reflected in this Second Supplementary Public Report.

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 Second Supplementary Public Report automatically expires on May 4, 1984, unless a Third 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 PRIOR PRELIMINARY, SUPPLEMENTARY AND FINAL PUBLIC REPORTS, THE INFORMATION UNDER ALL OTHER HEADINGS AS RECITED IN THE PRIOR PUBLIC REPORTS REMAINS UNCHANGED.

LIMITED COMMON ELEMENTS. The Final Public Report is amended to reflect that in addition to parking stalls 8 and 26, stalls 31 through 36 and 9 and 25 are also compact stalls. Of these, stalls 31 through 36 are tandem stalls; the others are not.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE. The apartments shall be occupied and used as apartments on a permanent or transient basis and may be sold, leased, rented or used for any time period or periods, subject to the Declaration, By Laws and laws governing the use of the project. The parking stalls are intended and shall be used primarily for parking purposes.

NOTE: In the event any person, including the Developer, desires to sell any time-share interest in any apartment in the project, such person(s) will have to comply with the provisions of Chapter 514-E of the Hawaii Revised Statutes and any rules and regulations promulgated thereunder prior to selling any such time-share interest.

ENCUMBRANCES AGAINST TITLE. A Preliminary Title Report prepared by Island Title Corporation dated July 1, 1983 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 to 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.

Said Declaration was amended by an instrument dated August 31, 1982, recorded September 13, 1982, in Book 16568, Page 308.

7. Covenants, conditions, restrictions, reservations, agreements, obligations and other provisions set forth in the Declaration, dated August 12, 1982, recorded September 13, 1982, in the Bureau of Conveyances, State of Hawaii, in Book 16568, Page 301.
8. Mortgage dated December 13, 1982, recorded December 14, 1982, in the Bureau of Conveyances, State of Hawaii, in Book 16737, Page 488, to secure the repayment of \$3,750,000.00, and any additional advances and other amounts secured thereby, under the terms and provisions thereof,

Mortgagor: Sunset Shores Partners, a joint venture registered as a Hawaii general partnership.

Mortgagee: First Federal Savings Bank of Rogers.

9. A Financing Statement covering certain personal property as therein described, recorded in the Bureau of Conveyances, State of Hawaii, in Book 16737, Page 527.
10. 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 and N.D.P. Inc. are the General Partners.  
  
Mortgagee: Investment Mortgage International, Inc., a Delaware corporation.  
  
Said Mortgage was modified by an instrument dated December 13, 1982, recorded December 14, 1982, in Book 16737, Page 479.
11. Terms, provisions, covenants and conditions in that certain instrument dated December 13, 1982, recorded December 14, 1982, in the Bureau of Conveyances, State of Hawaii, in Book 16737, Page 534.
12. Terms, provisions, covenants and conditions in that certain instrument dated December 13, 1982, recorded December 14, 1982, in the Bureau of Conveyances, State of Hawaii, in Book 16737, Page 538.

PARK DEDICATION: The Developer has informed the Commission that in accordance with the requirements of the City and County of Honolulu a certain portion of the project has been dedicated for park purposes as set forth in Declaration of Restrictive Covenants (Private Park) dated August 12, 1982, recorded in the Bureau of Conveyances, State of Hawaii in Book 16568, Page 301.

FINANCING PROGRAM: The Developer amends the Final Public Report by stating that the construction loan is now provided by First Federal Savings Bank of Rogers, Arkansas.

MANAGEMENT OF PROJECT: The Developer amends the Final Public Report by stating that Rex Bickford Properties, P. O. Box 340, Haleiwa, Hawaii 96712, is the initial agent selected by the Developer. A copy of their July 5, 1983 agreement has been filed with the Commission.

STATUS OF PROJECT: The Developer advises that construction commenced on or about December 20, 1982 and will be completed on or about September 1, 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 August 17, 1983.

The SECOND SUPPLEMENTARY 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 pink.



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

August 22, 1983