

IMPORTANT - - Read This Developer Prepared Report Before Buying

This Report Is Not a Commission Approval or Disapproval of This Condominium Project

CONDOMINIUM PUBLIC REPORT

Prepared & Issued by: Developer: White Rock Limited Partnership
Business Address: 2403 Ulu Maika Street, Lihue, Hawaii 96766
Project Name (*): Nawiliwili Estates
Address: 3480 Kahumoku Road, Lihue, Hawaii 96766
Registration No. 3641 Effective date: December 10, 2018
Expiration date: January 10, 2020

Preparation of this Report:

This report has been prepared by the Developer pursuant to the Condominium Property Act, Chapter 514A, Hawaii Revised Statutes, as amended. This report is not valid unless the Hawaii Real Estate Commission has issued a registration number and effective date for the report.

This report has not been prepared or issued by the Real Estate Commission or any other government agency. Neither the Commission nor any other government agency has judged or approved the merits or value, if any, of the project or of purchasing an apartment in the project.

Buyers are encouraged to read this report carefully, and to seek professional advice before signing a sales contract for the purchase of an apartment in the project.

Expiration Date of Reports: Preliminary Public Reports and Final Public Reports automatically expire thirteen (13) months from the effective date unless a Supplementary Public Report is issued or unless the Commission issues an order, a copy of which is attached to this report, extending the effective date for the report.

Exception: The Real Estate Commission may issue an order, a copy of which shall be attached to this report, that the final public report for a two apartment condominium project shall have no expiration date.

Type of Report:

- PRELIMINARY:**
(yellow) The developer may not as yet have created the condominium but has filed with the Real Estate Commission minimal information sufficient for a Preliminary Public Report. A Final Public Report will be issued by the developer when complete information is filed.
- FINAL:**
(white) The developer has legally created a condominium and has filed complete information with the Commission.
 No prior reports have been issued.
 This report supersedes all prior public reports.
 This report must be read together with: _____
- THIRD SUPPLEMENTARY:**
(pink) This report updates information contained in the:
 Preliminary Public Report dated: _____
 Final Public Report dated: _____
Second Supplementary Public Report dated: October 4, 2017
- And Supersedes all prior public reports.
 Must be read together with: Second Supplementary Public Report
 This report reactivates the _____
public report(s) which expired on _____

(*) Exactly as named in the Declaration

This material can be made available for individuals with special needs. Please call the Senior Condominium Specialist at 586-2643 to submit your request.

FORM: RECO-30 286/986/189/1190/892/0197/1098/0800/0203/0104/0107/0816/0317

Disclosure Abstract: Separate Disclosure Abstract on this condominium project:

- Required and attached to this report 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:

See Attachment #1

ATTACHMENT #1

Section V. "MISCELLANEOUS", subsection C. "Additional Information Not Covered Above" (page 20) of the Second Supplementary Public Report is revised by deleting item 2 in its entirety and replacing it as follows:

2. KAHUMOKU ROAD. This road is located within a designated common element of the Project and provides legal access for all apartments to Lala Road, a public street. Kahumoku Road is not fully paved; the paved and unpaved portions of the road are shown on the Project's Condominium Map. The County Planning Department may require that Kahumoku Road be improved as a condition to approval of an application for a building permit for any dwellings to be constructed in the Project. See sec. 8-4.59, Comprehensive Zoning Ordinance. PROSPECTIVE PURCHASERS ARE STRONGLY URGED TO CONSULT WITH LEGAL COUNSEL AND THE PLANNING DEPARTMENT TO INVESTIGATE WHETHER THE IMPROVEMENT OF KAHUMOKU ROAD CAN OR MAY BE IMPOSED AS A CONDITION OF APPROVAL OF ANY BUILDING OR OTHER GOVERNMENTAL PERMIT APPLICATIONS FOR ANY INTENDED USE OF, OR IMPROVEMENTS TO BE CONSTRUCTED WITHIN, AN APARTMENT.

(The deleted version of item 2 said, in relevant part, that the County Planning Department may require Kahumoku Road to be improved as a condition to approval of an application for a building permit for the **fifth dwelling** to be constructed in the Project; the revised version above now states the Planning Department may require that Kahumoku Road be improved as an approval condition for a building permit for **any dwellings** to be constructed in the Project.)

Except for this change, all provisions of the Second Supplementary Public Report remain unchanged and in full force and effect.

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 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 online. Please refer to the following sites:

Website to access official copy of laws: www.capitol.hawaii.gov

Website to access unofficial copy of laws: www.hawaii.gov/dcca/hrs

Website to access rules: www.hawaii.gov/dcca/har

This Public Report is a part of Registration No. 3641 filed with the Real Estate Commission on October 26, 1996

Reproduction of Report. When reproduced, this report must be on:

YELLOW paper stock

WHITE paper stock

PINK paper stock

C. Additional Information Not Covered Above

PROSPECTIVE PURCHASERS ARE ADVISED THAT THE APARTMENTS COVERED BY THIS SUPPLEMENTAL PUBLIC REPORT INCLUDE ONE SHADE STRUCTURE EACH SUITABLE ONLY FOR AGRICULTURAL/STORAGE USE ON LAND DESIGNATED AS A LIMITED COMMON ELEMENT AS DESCRIBED IN THE PROJECT'S AMENDED AND RESTATED DECLARATION OF CONDOMINIUM PROPERTY REGIME ("RESTATED DECLARATION") AND AS SHOWN ON THE AMENDED CONDOMINIUM MAP RECORDED/FILED IN CONNECTION WITH THIS PROJECT. SOME APARTMENTS ALSO CONTAIN THE REMNANTS OF STORAGE STRUCTURES WHICH EXISTED AT THE TIME THIS PROJECT WAS DEVELOPED IN 1996 BUT WHICH HAVE SINCE BEEN SEVERELY DAMAGED OR DETERIORATED OVER TIME AND HAVE NO REMAINING USEFUL LIFE. DEVELOPER HAS NOT REMOVED THESE STRUCTURES AND IS SELLING ALL APARTMENTS IN "AS IS" CONDITION WITHOUT ANY EXPRESS OR IMPLIED WARRANTIES OF ANY KIND WHATSOEVER. PURCHASERS WILL BE RESPONSIBLE TO REMOVE OR REPAIR THE STRUCTURES IN COMPLIANCE WITH ALL APPLICABLE GOVERNMENTAL LAWS.

SUBJECT TO ALL EXISTING LAWS AND SECTION 14.0 OF THE RESTATED DECLARATION, A COPY OF WHICH IS ATTACHED AS EXHIBIT "G", OWNERS MAY CONSTRUCT ADDITIONAL STRUCTURES AND/OR IMPROVEMENTS WITHIN AN APARTMENT'S APPURTENANT LIMITED COMMON ELEMENT LAND AREA OR ALTER EXISTING STRUCTURES AND/OR IMPROVEMENTS WITHIN THE LIMITED COMMON ELEMENT LAND AREA. EACH OWNER IS SOLELY RESPONSIBLE FOR OBTAINING ALL REQUIRED GOVERNMENTAL APPROVALS AND PERMITS PRIOR TO SUCH ALTERATION OR CONSTRUCTION. OWNERS SHALL ASSUME THE RISK OF CHANGES IN THE REQUIREMENTS FOR THE ISSUANCE OF THE GOVERNMENTAL APPROVALS AND PERMITS FOR ANY STRUCTURE OR IMPROVEMENT THAT THE OWNER DESIRES TO CONSTRUCT IN ADDITION TO WHAT ALREADY EXISTS IN THE APARTMENT. THERE IS NO GUARANTY THAT SUCH APPROVALS AND PERMITS WILL BE OBTAINED. PROSPECTIVE PURCHASERS ARE ADVISED TO CONSULT WITH THE APPROPRIATE KAUAI COUNTY AGENCY WITH JURISDICTION OF THE FOREGOING AND OTHER MATTERS OF CONCERN PRIOR TO PURCHASE OF AN APARTMENT, AND BEFORE CONSTRUCTION.

1. WATER. Purchasers should investigate the availability of water for future development and use prior to purchase of an apartment. Purchasers are advised that the apartments covered by this report are each assigned a water meter except for Apartment 7 and it is the purchaser's responsibility to obtain a water meter for this apartment and its appurtenant limited common element and for any intended future development. Purchasers are also advised that any application for water meters beyond what currently serves the Project will be reviewed by the Department of Water for adequate transmission, storage and fire flow protection requirements and could be denied based on such review.

2. KAHUMOKU ROAD. This road is located within a designated common element of the Project and provides legal access for all apartments to Lala Road, a public street. Kahumoku Road is not fully paved; the paved and unpaved portions of the road are shown on the Project's Condominium Map. The County Planning Department may require that Kahumoku Road be improved as a condition to approval of an application for a building permit for any dwellings to be constructed in the Project. See sec. 8-4.59, Comprehensive Zoning Ordinance. PROSPECTIVE PURCHASERS ARE STRONGLY URGED TO CONSULT WITH LEGAL COUNSEL AND THE PLANNING DEPARTMENT TO INVESTIGATE WHETHER THE IMPROVEMENT OF KAHUMOKU ROAD CAN OR MAY BE IMPOSED AS A CONDITION OF APPROVAL OF ANY BUILDING OR OTHER GOVERNMENTAL PERMIT APPLICATIONS FOR ANY INTENDED USE OF, OR IMPROVEMENTS TO BE CONSTRUCTED WITHIN, AN APARTMENT.

- 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.

White Rock Limited Partnership
 Printed Name of Developer

*By WHITE ROCK CORPORATION
 Its General Partner*

By: *Clinton I. Shiraishi* *12/3/18*
 Duly Authorized Signatory Date

Its President

Clinton I. Shiraishi, President, White Rock Corporation, General Partner of Developer
 Printed Name & Title of Person Signing Above

Distribution:

Department of Finance, County of Kauai

Planning Department, County of Kauai

****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.***