

# IMPORTANT - - Read This Developer Prepared Report Before Buying

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

## AMENDMENT 1 TO THE DEVELOPER'S PUBLIC REPORT FOR A CONDOMINIUM

CONDOMINIUM PROJECT NAME:	WAIOHA II AT KOA RIDGE – PHASE I
PROJECT ADDRESS:	Kamehameha Highway, Waipahu, Hawaii
REGISTRATION NUMBER:	8987
EFFECTIVE DATE OF REPORT:	<b>October 12, 2023</b>
THIS AMENDMENT:	<input checked="" type="checkbox"/> Must be read together with: <input checked="" type="checkbox"/> Developer's Public Report: Effective Date <span style="float: right;"><u>July 26, 2023</u></span> <input type="checkbox"/> Amended Or Amendment Report: Effective Date <span style="float: right;">_____</span> <input type="checkbox"/> Supersedes all prior amendments. Includes all prior amendment(s) and <u>must</u> be read together with: <input type="checkbox"/> Developer's Public Report: Effective Date <span style="float: right;">_____</span> <input type="checkbox"/> Amended Report: Effective Date <span style="float: right;">_____</span>
DEVELOPER(S):	Castle & Cooke Homes Hawaii, Inc.

### Preparation of this Amendment

The Developer prepared this amendment pursuant to the Condominium Property Act, Section 514B-56, Hawaii Revised Statutes ("HRS"), as amended from time to time. Section 514B-56, HRS, requires that after the Hawaii Real Estate Commission ("Commission") has issued an effective date for the Developer's Public Report, if there are any changes, either material or pertinent changes, or both, regarding the information contained in or omitted from the Developer's Public Report, or if the Developer desires to update or change the information set forth in the Developer's Public Report, the Developer shall immediately submit to the Commission an amendment to the Developer's Public Report or an amended Developer's Public Report clearly reflecting the change, together with such supporting information as may be required by the Commission, to update the information contained in the Developer's Public Report.

The law defines "material change" as used in parts IV and V of Chapter 514B, HRS, as any change that directly, substantially, and adversely affects the use or value of (1) a purchaser's unit or appurtenant limited common elements or (2) those amenities of the project available for the purchaser's use.

---

*For all sales information, please contact the Developer and real estate broker on page 9 of the Developer's Public Report.*

*Individuals with special needs may request this material by calling the State of Hawaii Real Estate Commission at 586-2644.*

The law defines "pertinent change", as determined by the commission, as a change not previously disclosed in the most recent public report that renders the information contained in the public report or in any disclosure statement inaccurate, including, but not limited to (1) the size, construction materials, location, or permitted use of a unit or its appurtenant limited common element, (2) the size, use, location, or construction materials of the common elements of the project, or (3) the common interest appurtenant to the unit. A pertinent change does not necessarily constitute a material change.

The filing of an amendment to the Developer's Public Report or an amended Developer's Public Report, in and of itself, shall not be grounds for a purchaser to cancel or rescind a sales contract. A purchaser's right to cancel or rescind a sales contract shall be governed by sections 514B-86 and 514B-87, HRS, the terms and conditions of the purchaser's contract for sale, and applicable common law.

This Amendment has not been prepared or issued by the Commission or any other governmental agency. The issuance by the Commission of an effective date for this amendment to the Developer's Public Report (1) does not mean that the Commission approves or disapproves of the project, (2) does not mean that the Commission thinks that either all material facts, material changes, or pertinent changes about the project have been fully or adequately disclosed, and (3) is not the Commission's judgment of the value or merits of the project.

The law defines "material facts" as any fact, defect, or condition, past or present, that to a reasonable person, would be expected to measurably affect the value of the project, unit, or property being offered or proposed to be offered for sale. This amendment may be used by the Developer for promotional purposes only if it is used with the last Developer's Public Report in its entirety.

Prospective purchasers and purchasers are encouraged to read this amendment carefully and to seek professional advice.

Summary of Changes from Earlier Developer's Public Report are Described Beginning on the Next Page

Summary of Changes from Earlier Developer's Public Report:

This summary contains a general description of the changes, if any, made by the Developer since the last Developer's Public Report was issued an effective date. It is not necessarily all inclusive. Prospective purchasers and purchasers must read this amendment together with the last Developer's Public Report with the effective date as noted on the top of page 1 if they wish to know the specific changes that have been made. **Developer shall include the updated pages of the Developer's Public Report with the relevant changes as part of the amendment.**

Changes made are as follows (include a description of what the change is and page number and/or exhibit alphabet or number; additional pages may be used):

1. The Type D, Type DR, Type DP and Type DPR floor plans for the Project were modified, resulting in a change to the approximate net living area of the Type D, Type DR, Type DP and Type DPR units (Unit Nos. 3, 4, 6, 10, 13, 17, 19, 20, 26, 37, 43, 46 and 47) from 1,361 square feet to 1,359 square feet. In connection with the modification of the floor plans and the approximate net living area for the Type D, Type DR, Type DP and Type DPR units, the following has occurred:
  - a. Pursuant to reserved rights under Section T, Paragraph 1 of the Declaration of Condominium Property Regime for the Project (the "Declaration"), Developer has executed and recorded a First Amendment to Declaration of Condominium Property Regime (the "First Amendment") that includes (i) amended pages of Condominium File Plan No. 6512 (the "Condominium Map") to modify the floor plans and approximate net living area for the Type D, Type DR, Type DP and Type DPR model types, and (ii) the amendment of Exhibit "B" of the Declaration to amend the approximate net living area for the Type D, Type DR, Type DP and Type DPR units (Unit Nos. 3, 4, 6, 10, 13, 17, 19, 20, 26, 37, 43, 46 and 47) and optional floor plans (Options D-1 through D-6, inclusive, DR-1 through DR-6, inclusive, DP-1 through DP-4, inclusive, and DPR-1 through DPR-4, inclusive).

Page 10 of the Developer's Public Report has been revised to reflect the recordation of the First Amendment. Exhibit A of the Developer's Public Report has been revised to amend the approximate net living area of the Type D, Type DR, Type DP and Type DPR units. Exhibit H of the Developer's Public Report has been revised to reflect the First Amendment. Revised page 10 and Exhibits A and H are attached to this Amendment 1 to Developer's Public Report.

The matters referred to in this Amendment 1 to Developer's Public Report do not constitute a material change to any units in the Project, and the issuance of the effective date of this Amendment 1 to Developer's Public Report will not be the basis for purchasers of units in the Project to rescind a binding sales contract.

**The Developer declares subject to the penalties set forth in Section 514B-69, HRS, that this project continues to conform to the existing underlying county zoning for the project, zoning and building ordinances and codes, and all applicable permitting requirements adopted by the county in which the project is located, all in accordance with Sections 514B-5 and 32(a) (13), HRS.**

For any conversion, if any variances have been granted, they are specified in Section 1.14 of this report as amended, and, if purchaser deposits are to be used by the Developer to cure any violations of zoning, permitting requirements, or rules of the county in which the project is located, the violation is specified in Section 1.15 of this report as amended, along with the requirements to cure any violation. Section 5.5 specifies the date by which the cure will be completed.

The Developer hereby certifies that all the information contained in this report as amended and the exhibits attached to this report (if any) as amended and all documents to be furnished by the Developer to purchasers concerning the project have been reviewed by the Developer and are, to the best of the Developer's knowledge, information, belief, true, correct, and complete. The Developer hereby agrees to promptly amend this report to report and include either or all material facts, material or pertinent changes to any information contained in or omitted from this report, and to file annually a report to update the material contained in this report as amended at least 30 days prior to the anniversary date of the effective date of this report.

See page 5a

\_\_\_\_\_  
Castle & Cooke Homes Hawaii, Inc.

Printed Name of Developer

\_\_\_\_\_  
Duly Authorized Signatory\*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name & Title of Person Signing Above

Distribution:

Department of Finance, \_\_\_\_\_  
City and County of Honolulu

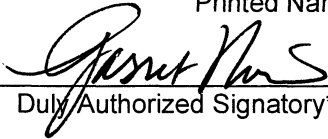
Planning Department, \_\_\_\_\_  
City and County of Honolulu

**\*Must be signed for a corporation by an officer; for a partnership or limited liability partnership (LLP) by the general partner; for a limited liability company (LLC) by the manager or an authorized member; and for an individual by the individual.**

**\*\*In the event of multiple Developers, each Developer must sign on their own signature page.**

Castle & Cooke Homes Hawaii, Inc.

Printed Name of Developer

By:   
Duly Authorized Signatory\*

October 6, 2023

Date

Garret Matsunami, Vice President – Residential Operations

Printed Name & Title of Person Signing Above

By:   
Duly Authorized Signatory\*

October 6, 2023

Date

Lauralei Tanaka, Vice President, Controller & Asst. Treasurer

Printed Name & Title of Person Signing Above

**1.1 Common Elements**

<p><u>Common Elements:</u> Common elements are those parts of the condominium project other than the individual units and any other real estate for the benefit of unit owners. Although the common elements are owned jointly by all unit owners, those portions of the common elements that are designated as limited common elements (see Section 1.10 below) may be used only by those units to which they are assigned. In addition to the common facilities described in Section 1.8 above, the common elements for this project, as described in the Declaration, are set forth below.</p>									
<p>Described in Exhibit <u> E </u> .</p>									
<p>Described as follows:</p>									
<table border="1"> <thead> <tr> <th>Common Element</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Elevators</td> <td>0</td> </tr> <tr> <td>Stairways</td> <td>The walkway areas may include steps.</td> </tr> <tr> <td>Trash Chutes</td> <td>0</td> </tr> </tbody> </table>		Common Element	Number	Elevators	0	Stairways	The walkway areas may include steps.	Trash Chutes	0
Common Element	Number								
Elevators	0								
Stairways	The walkway areas may include steps.								
Trash Chutes	0								

**1.2 Limited Common Elements**

<p><u>Limited Common Elements:</u> A limited common element is a portion of the common elements that is reserved for the exclusive use of one or more but fewer than all units in the project.</p>
<p>Described in Exhibit <u> F </u> .</p>
<p>Described as follows:</p>

**1.3 Special Use Restrictions**

<p>The Declaration and Bylaws may contain restrictions on the use and occupancy of the units. Restrictions for this project include, but are not limited to, those described below.</p>	
<input checked="" type="checkbox"/>	Pets: See Exhibit G
<input type="checkbox"/>	Number of Occupants:
<input checked="" type="checkbox"/>	Other: Refer to the "Rules & Regulations" (House Rules) regarding other possible restrictions.
<input type="checkbox"/>	There are no special use restrictions.

**1.4 Encumbrances Against Title**

<p>An encumbrance is a claim against or a liability on the property or a document affecting the title or use of the property. Encumbrances may have an adverse effect on the property or your purchase and ownership of a unit in the project. Encumbrances shown may include blanket liens which will be released prior to conveyance of a unit (see Section 5.3 on Blanket Liens).</p>
<p>Exhibit <u> H </u> describes the encumbrances against title contained in the title report described below.</p>
<p>Date of the title report: September 27, 2023</p>
<p>Company that issued the title report: Title Guaranty of Hawaii, LLC</p>

3. CREATION OF THE CONDOMINIUM AND CONDOMINIUM DOCUMENTS

A condominium is created by recording in the Bureau of Conveyances (Regular System) or filing in the Office of the Assistant Registrar of the Land Court, or both, a Declaration of Condominium Property Regime, a Condominium Map, and the Bylaws of the Association of Unit Owners. The Condominium Property Act (Chapter 514B, HRS), Declaration, Bylaws, and House Rules control the rights and obligations of the unit owners with respect to the project and the common elements, to each other, and to their respective units.

**3.1 Declaration of Condominium Property Regime**

The Declaration of Condominium Property Regime contains a description of the land, buildings, units, common interests, common elements, limited common elements, and other information relating to the condominium project.

Land Court or Bureau of Conveyances	Date of Document	Document Number
Bureau of Conveyances	June 30, 2023	A-85870156
Amendments to Declaration of Condominium Property Regime		
Land Court or Bureau of Conveyances	Date of Document	Document Number
Bureau of Conveyances	September 13, 2023	A-86680268

**3.2 Bylaws of the Association of Unit Owners**

The Bylaws of the Association of Unit Owners govern the operation of the condominium project. They provide for the manner in which the Board of Directors of the Association of Unit Owners is elected, the powers and duties of the Board, the manner in which meetings will be conducted, whether pets are prohibited or allowed, and other matters that affect how the condominium project will be governed.

Land Court or Bureau of Conveyances	Date of Document	Document Number
Bureau of Conveyances	June 30, 2023	A-85870157
Amendments to Bylaws of the Association of Unit Owners		
Land Court or Bureau of Conveyances	Date of Document	Document Number

**3.3 Condominium Map**

The Condominium Map contains a site plan and floor plans, elevations, and layout of the condominium project. It also shows the floor plan, unit number, and dimensions of each unit.

Land Court Map Number & Recording Date:	
Bureau of Conveyances Map Number & Recording Date:	6512, June 30, 2023
Dates of Recordation of Amendments to the Condominium Map: September 13, 2023	

PUBLIC REPORT ON  
WAIOHA II AT KOA RIDGE – PHASE I

EXHIBIT A

UNIT TYPES AND SIZES OF UNITS

Each Type A and Type AR unit is a one-story unit which will have three (3) bedrooms, two (2) bathrooms, a living/dining room, a kitchen, a two-car garage, a foyer, a covered entry and a covered lanai.

Each Type AP and Type APR unit is a one-story unit which will have three (3) bedrooms, two (2) bathrooms, a living/dining room, a kitchen, a two-car garage, a foyer and two (2) covered entries.

Each Type B and Type BR unit is a two-story unit which will have a living/dining room, a kitchen, a powder room (½ bathroom), a two-car garage, a foyer, a covered entry, a covered lanai and an exterior storage on the first floor, and two (2) bedrooms, two (2) bathrooms and a den on the second floor.

Each Type BP and Type BPR unit is a two-story unit which will have a living/dining room, a kitchen, a powder room (½ bathroom), a two-car garage, a foyer, two (2) covered entries, a covered lanai and an exterior storage on the first floor, and two (2) bedrooms, two (2) bathrooms and a den on the second floor.

Each Type D and Type DR unit is a two-story unit which will have a living/dining room, a kitchen, a powder room (½ bathroom), a two-car garage, a foyer, a covered entry, a covered lanai and an exterior storage on the first floor, and three (3) bedrooms, two (2) bathrooms and a den on the second floor.

Each Type DP and Type DPR unit is a two-story unit which will have a living/dining room, a kitchen, a powder room (½ bathroom), a two-car garage, a foyer, two (2) covered entries, a covered lanai and an exterior storage on the first floor, and three (3) bedrooms, two (2) bathrooms and a den on the second floor.



Unit Type	Quantity	Bedroom/ Bath	Approx. Net Living Area in Sq. Ft.	Approx. Net Other Area in Sq. Ft.	Other Areas	Approx. Total Area in Sq. Ft.
A	4	3/2	950	498	Garage (395), Covered Entry (46), Covered Lanai (57)	1,448
AR	3	3/2	950	498	Garage (395), Covered Entry (46), Covered Lanai (57)	1,448
AP	1	3/2	950	511	Garage (395), Covered Entry (116)	1,461
APR	4	3/2	950	511	Garage (395), Covered Entry (116)	1,461
B	3	2/2½	1,138	551	Garage (401), Covered Entry (31), Covered Lanai (100), Exterior Storage (19)	1,689
BR	5	2/2½	1,138	551	Garage (401), Covered Entry (31), Covered Lanai (100), Exterior Storage (19)	1,689
BP	4	2/2½	1,138	604	Garage (401), Covered Entry (84), Covered Lanai (100), Exterior Storage (19)	1,742
BPR	2	2/2½	1,138	604	Garage (401), Covered Entry (84), Covered Lanai (100),	1,742

					Exterior Storage (19)	
D	4	3/2½	1,359	537	Garage (383), Covered Entry (35), Covered Lanai (100), Exterior Storage (19)	1,896
DR	3	3/2½	1,359	537	Garage (383), Covered Entry (35), Covered Lanai (100), Exterior Storage (19)	1,896
DP	4	3/2½	1,359	590	Garage (383), Covered Entry (88), Covered Lanai (100), Exterior Storage (19)	1,949
DPR	2	3/2½	1,359	590	Garage (383), Covered Entry (88), Covered Lanai (100), Exterior Storage (19)	1,949

Total Units: 39

\*Net Living Area is the floor area of the unit measured from the interior surface of the perimeter walls of the living area.

Other documents and maps may give floor area figures which differ from those above because a different method of determining the floor area may have been used.

PUBLIC REPORT ON  
WAIOHA II AT KOA RIDGE – PHASE I

EXHIBIT H

ENCUMBRANCES AGAINST TITLE

1. For any real property taxes that may be due and owing, reference is made to the Office of the Tax Assessor of the City and County of Honolulu.
2. Mineral and water rights of any nature.
3. The terms and provisions contained in Declaration of Conditions dated August 10, 2012, recorded as Document No. A-46100932.
4. The terms and provisions contained in Unilateral Agreement and Declaration for Conditional Zoning dated November 6, 2013, recorded as Document No. A-50580557.
5. Grant of Easement Agreement dated as of December 23, 2015, of which a Short Form Memorandum of Grant of Easement Agreement (Waipio) is dated as of December 23, 2015, recorded as Document No. A-58400013.

The Grantee's interest was assigned from Renewables Land Holdings, LLC, a Delaware limited liability company, to Waipio Land Holdings, LLC, a Delaware limited liability company, by Assignment and Assumption of Grant of Easement Agreement (Waipio) dated as of September 7, 2016, recorded as Document No. A-61090398A. Consent thereto provided by Castle & Cooke Homes Hawaii, Inc. a Hawaii corporation, by instrument dated September 20, 2016, recorded as Document No. A-61090398B.

First Amendment, Partial Cancellation, and Partial Release of Grant of Easement Agreement (Waipio) and Short Form Memorandum of Grant of Easement Agreement (Waipio) dated January 26, 2021, recorded as Document No. A-77061063A thru A-77061063B.

Second Amendment, Partial Cancellation, and Partial Release of Grant of Easement Agreement (Waipio) and Short Form Memorandum of Grant of Easement Agreement (Waipio) dated October 13, 2021, recorded as Document No. A-79720848-49.

6. Terms and provisions contained in Agreement and Grant of Sanitary Sewer Easement dated December 16, 2016, recorded as Document No. A-61941186.

7. Terms and provisions contained in Agreement and Grant of Sanitary Sewer Easement dated December 27, 2016, recorded as Document No. A-62210793.

8. Designation of Easement "SWQ-127", for storm water quality purposes, referenced on subdivision map prepared by Wayne M. Teruya, Land Surveyor, with ParEn, Inc. dba Park Engineering, dated November 2, 2021, approved by the Department of Planning and Permitting, City and County of Honolulu, DPP File Number 2020/SUB-208, on November 19, 2021.

9. Designation of Easement "SWQ-149", for storm water quality purposes, referenced on subdivision map prepared by Wayne M. Teruya, Land Surveyor, with ParEn, Inc. dba Park Engineering, dated November 8, 2022, approved by the Department of Planning and Permitting, City and County of Honolulu, DPP File Number 2021/SUB-141, on November 18, 2022.

10. Designation of Easement "A-26", for access and utility purposes, referenced on subdivision map prepared by Wayne M. Teruya, Land Surveyor, with ParEn, Inc. dba Park Engineering, dated March 16, 2023, approved by the Department of Planning and Permitting, City and County of Honolulu, DPP File Number 2022/SUB-213, on March 10, 2023.

11. Designation of Easement "MB-9", for mailbox purposes, referenced on subdivision map prepared by Wayne M. Teruya, Land Surveyor, with ParEn, Inc. dba Park Engineering, dated March 16, 2023, approved by the Department of Planning and Permitting, City and County of Honolulu, DPP File Number 2022/SUB-213, on March 10, 2023.

12. Designation of Easement "P-19", for parking stall purposes, referenced on subdivision map prepared by Wayne M. Teruya, Land Surveyor, with ParEn, Inc. dba Park Engineering, dated March 16, 2023, approved by the Department of Planning and Permitting, City and County of Honolulu, DPP File Number 2022/SUB-213, on March 10, 2023.

13. Designation of Easement "SWQ-186", for storm water quality purposes, referenced on subdivision map prepared by Wayne M. Teruya, Land Surveyor, with ParEn, Inc. dba Park Engineering, dated March 16, 2023, approved by the Department of Planning and Permitting, City and County of Honolulu, DPP File Number 2022/SUB-213, on March 10, 2023.

14. Designation of Easement "S-2", for sewer purposes, referenced on subdivision map prepared by Wayne M. Teruya, Land Surveyor, with ParEn, Inc. dba Park Engineering, dated March 16, 2023, approved by the Department of Planning and Permitting, City and County of Honolulu, DPP File Number 2022/SUB-213, on March 10, 2023.

15. Declaration of Restrictive Covenants and Unilateral Agreement for Issuance of Conditional Use Permit Under Section 21-5.380 of the Land Use Ordinance dated March 31, 2023, recorded as Document No. A-85080417.

16. The restrictions on use and other restrictions and all other of the covenants, agreements, obligations, conditions, reservations, easements and other provisions set forth in that certain Declaration of Community Covenants for Koa Ridge dated June 8, 2020, recorded as Document No. A-74660352, as amended, restated and supplemented from time to time, including, without limitation, by that certain First Amendment to Declaration of Community Covenants for Koa Ridge dated July 17, 2020, recorded as Document No. A-75070350, that certain Supplemental Declaration Annexing Property (Waioha II at Koa Ridge – Phase I Parcel) dated June 30, 2023, recorded as Document No. A-85870154, and that certain Supplemental Declaration Designating Area of Common Responsibility (Waioha II at Koa Ridge – Phase I Parcel) dated July 11, 2023, recorded as Document No. A-85930727.

17. Construction Mortgage with Absolute Assignment of Leases and Rents, Security Agreement, Fixture Filing and Financing Statement dated February 14, 2020, by Castle & Cooke Homes Hawaii, Inc., a Hawaii corporation, as Mortgagor, in favor of Wells Fargo Bank, National Association, as Administrative Agent on behalf of the Lenders (hereinafter defined therein), recorded as Document No. A-73540068. Amended and Restated Construction Mortgage with Absolute Assignment of Leases and Rents, Security Agreement, Fixture Filing and Financing Statement dated May 24, 2022, recorded as Document No. A-81810440.

18. Financing Statement by Castle & Cooke Homes Hawaii, Inc., as Debtor, in favor of Wells Fargo Bank, National Association, as Administrative Agent, as Secured Party, recorded as Document No. A-81810441.

19. Declaration of Merger of Condominium Phases dated June 30, 2023, recorded as Document No. A-85870155, as amended from time to time.

20. Condominium File Plan No. 6512, as amended from time to time.

21. Declaration of Condominium Property Regime of Waioha II at Koa Ridge – Phase I dated June 30, 2023, recorded as Document No. A-85870156, as amended by First Amendment to Declaration of Condominium Property Regime of Waioha II at Koa Ridge – Phase I dated September 13, 2023, recorded as Document No. A-86680268, as further amended from time to time.

22. By-Laws of the Association of Unit Owners of Waioha II at Koa Ridge – Phase I dated June 30, 2023, recorded as Document No. A-85870157, as amended from time to time.