

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII

BUREAU OF CONVEYANCES

DATE 11-7-2013 TIME \_\_\_\_\_  
DOCUMENT NO. A-50590429

LAND COURT

REGULAR SYSTEM

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CHRISTOPHER SHEA GOODWIN AAL LLLC  
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**AMENDMENT TO THE DECLARATION OF CONDOMINIUM PROPERTY REGIME  
OF KALELE KAI AUTHORIZING SURFBOARD, KAYAK  
AND/OR PADDLEBOARD STORAGE RACKS**

WHEREAS, by Declaration of Condominium Property Regime (hereinafter referred to as, "Declaration") recorded at the Bureau of Conveyances of the State of Hawaii (hereinafter referred to as the "Bureau") as Document No. 93-087469 (Condominium Map No. 1865), Kapalele Associates, a Hawaii limited partnership, as developer and lessee under that certain Lease No. 28587 dated October 9, 1990 issued by the Trustees of the Estate of Bernice Pauahi Bishop and recorded at said Bureau as Document No. 90-158696, did submit the property described in said Declaration to the provisions of the Condominium Property Act, Chapter 514A, Hawaii Revised Statutes, as amended;

WHEREAS on April 7, 2009, the Revised Amendment of the Declaration of Condominium Property Regime of Kalele Kai and By-Laws of the Association of Owners of Kalele Kai Adopting Hawaii Revised Statutes Chapter 514B was recorded with the

Bureau of Conveyances of the State of Hawaii as Document No. 2009-051942, which amended Paragraph 19 of the Declaration to provide the Declaration could be amended upon obtaining of the affirmative vote or written consent of sixty-seven percent (67%) of the owners of the common interest;

WHEREAS on July 16, 2009, more than sixty-seven percent (67%) of the owners of the common interest granted their written consent to approval of amending the Declaration to permit the storage of surfboard, kayak or paddleboards in designated racks along the common element marina walkway in accordance with rules adopted by the Board of Directors;

NOW, THEREFORE, Paragraph 9(g) of the Declaration of Condominium Property Regime of Kalele Kai is revised to now read as follows (new language appears in **bold underline**):

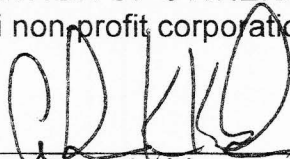
- (g) No owner, occupant or tenant shall place, store or maintain boats, canoes, rafts or other water craft in his respective parking stalls and other areas designated as common and limited common element of the Project; provided, however, that this subparagraph (g) shall not apply to any boat kept in the water at said owner's, occupant's or tenant's boat mooring, **or any surfboard, kayak or paddleboard stored in designated racks along the common element marina walkway in accordance with rules adopted by the Board of Directors.**

In all other respects, the Declaration, as amended, is hereby ratified and confirmed, shall be binding upon and inure to the benefit of the parties to it and their respective successors and permitted assigns, and shall remain unchanged by reason of this Amendment except as specifically set forth herein. The undersigned officers of the Association hereby certify that the Amendment described herein was adopted upon obtaining the written consent of more than sixty-seven percent (67%) of the owners of the

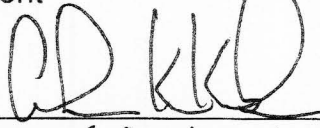
common interest within three hundred sixty-five days after mailing of the proposed  
Declaration Amendment to owners.

Signed this 27<sup>th</sup> day of September, 2013.

ASSOCIATION OF OWNERS OF KALELE KAI,  
a Hawaii non-profit corporation

By   
Printed Name Colin K. Kurata  
Its President

kw N.P.

vice   
By Colin K. Kurata  
Printed Name Colin K. Kurata  
Its Secretary


common interest within three hundred sixty-five days after mailing of the proposed Declaration Amendment to owners.

Signed this 3rd day of October, 2013.

ASSOCIATION OF OWNERS OF KALELE KAI,  
a Hawaii non-profit corporation

By 

Printed Name PAUL A. JORDAN

 Its ~~President~~ TREASURER

By \_\_\_\_\_

Printed Name \_\_\_\_\_

Its Secretary \_\_\_\_\_

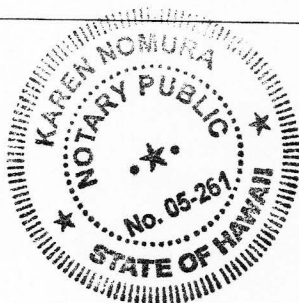
**NOTARY ACKNOWLEDGMENT**

STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

On this 27<sup>th</sup> day of September, 2013, before me personally appeared Colin K. Kurata, to me known to be the person described in and who executed the foregoing instrument, and did say that [s]he is the vice President of the ASSOCIATION OF OWNERS OF KALELE KAI, a Hawaii non-profit corporation; and acknowledged that [s]he executed the same as his/her free act and deed of and by authority of the Board of Directors of the ASSOCIATION OF OWNERS OF KALELE KAI.

**ADDITIONAL NOTARY CERTIFICATION (H.A.R. §5.11.8)**

This AMENDMENT TO THE DECLARATION OF CONDOMINIUM PROPERTY REGIME OF KALELE KAI AUTHORIZING SURFBOARD, KAYAK AND/OR PADDLEBOARD STORAGE RACKS consisting of 5 pages, dated September 27, 2013, was subscribed and sworn to before me on September 27, 2013, in the First Judicial Circuit of the State of Hawaii.



Karen Nomura  
Notary Public, State of Hawaii

Karen Nomura  
Printed Name of Notary  
My commission expires: 5/1/2017

**NOTARY ACKNOWLEDGMENT**

STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

On this 3 day of Oct, 2013, before me personally appeared Paul A Jordan, to me known to be the person described in and who executed the foregoing instrument, and did say that [s]he is the Treasurer of the ASSOCIATION OF OWNERS OF KALELE KAI, a Hawaii non-profit corporation; and acknowledged that [s]he executed the same as his/her free act and deed of and by authority of the Board of Directors of the ASSOCIATION OF OWNERS OF KALELE KAI.

**ADDITIONAL NOTARY CERTIFICATION (H.A.R. §5.11.8)**

This AMENDMENT TO THE DECLARATION OF CONDOMINIUM PROPERTY REGIME OF KALELE KAI AUTHORIZING SURFBOARD, KAYAK AND/OR PADDLEBOARD STORAGE RACKS consisting of 5 pages, dated Oct 3, 2013, was subscribed and sworn to before me on Oct 3, 2013, in the First Judicial Circuit of the State of Hawaii.

1/5

*Diane C. Garnier*

Notary Public, State of Hawaii

Diane C. Garnier

Printed Name of Notary

Notary Public, State of Hawaii

My commission expires:

My commission expires: **May 7, 2016**