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**TITLE GUARANTY OF HAWAII, INCORPORATED**

LAND COURT SYSTEM

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AOAO Wailea Ekahi  
3300 Wailea Alanui #18B  
Kihei, HI 96753

**CERTIFICATION OF AMENDMENT TO THE SECOND RESTATED BYLAWS  
OF THE ASSOCIATION OF APARTMENT OWNERS OF WAILEA EKAHI**

That we, GENE YOUNG and ALEXANDER HALSEY being, respectively, the President and Secretary of the Association of Apartment Owners of Wailea Ekahi, do hereby certify that the document attached hereto as Exhibit A is a true and correct copy of an amendment to the Second Restated Bylaws of the Association of Apartment Owners of Wailea Ekahi which were filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. 3788147, and noted on the Transfer Certificates of Title for each apartment at Wailea Ekahi, which Transfer Certificates of Title as of January 7, 2009 are listed on Exhibit B attached hereto, which amendment was adopted by the written consent of members of the Association holding 67% or more of the project common interests pursuant to Hawaii Revised Statutes, Section 514B-108(e).



STATE OF HAWAII )

) SS.

COUNTY OF MAUI )

On this 14th day of January, 2009, in the Second Circuit, State of Hawaii, before me personally appeared **ALEXANDER HALSEY**, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the forgoing instrument identified or described as, Certification of Amendment to the Second Restated Bylaws of the Association of Apartment Owners of Wailea Ekahi, as the free act and deed of such person(s), and if applicable, in the capacities shown, having been duly authorized to execute such instrument in such capacities. The foregoing instrument is dated 1/9/2009 and contained 13 pages at the time of this acknowledgment/certification.



Notary Public, State of Hawaii  
 Printed Name: Valerie Varner  
 My Commission Expires: 11/3/2010



Doc. Date: <u>1/14/09</u>	# Pages: <u>13</u>
Notary Name: Valerie Varner Second Circuit	
Doc. Description: <u>Certification of Amendment to the Second Restated Bylaws of the Association of Apartment Owners of Wailea Ekahi</u>	
Notary Signature: <u>[Signature]</u>	Date: <u>1/14/09</u>



EXHIBIT A

Amendment to the Second Restated Bylaws  
of the Association of Apartment Owners of Wailea Ekahi

Article VI Section 4(d) of the Second Restated Bylaws of the Association of Apartment Owners of Wailea Ekahi is amended in its entirety to read as follows:

(d) In conjunction with or as an alternative to foreclosure proceedings, the Association may authorize the managing agent or Board to, after sixty (60) days written notice to the Apartment Owner and to the apartment's first mortgagee of the nonpayment of the apartment's share of the common expenses, terminate the delinquent apartment's access to the common elements and cease supplying a delinquent apartment with any and all services, (including but not limited to utility services), normally supplied or paid for by the Association. Any terminated services and privileges shall be restored upon payment of all amounts owing to render the delinquent owner's account current, including any costs and attorney's fees incurred by the Association in pursuing collection of the delinquent owner's account. Before the Board or managing agent can take the actions permitted in this subsection (d), the Board must adopt a written policy providing for the actions and have the policy approved by a majority vote of the Apartment Owners at an annual or special meeting of the Association or by written consent of a majority of the Apartment Owners.

END OF EXHIBIT A

## TRANSFER CERTIFICATES OF TITLE

### WAILEA EKAHI I

### EXHIBIT B

<u>APT. NO.</u>	<u>HPR NO.</u>	<u>TCT NO(S)</u>
1A	1	750,403
1B	2	525,372
1C	3	642,670
1D	4	724,842
1E	5	689,321
1F	6	407,312
2A	7	534,811
2B	8	687,175
2C	9	363,890
2D	10	478,026
2E	11	762,117
2F	12	477,282
3A	13	312,732
3B	14	179,567
3C	15	331,278
3D	16	786,851
3E	17	451,355
4A	18	636,800
4B	19	721,213
4C	20	525,230
4D	21	692,065
4E	22	397,061
5A	23	757,857
5B	24	637,371
5C	25	691,894
5D	26	317,503
5E	27	691,073
5F	28	577,422
6A	29	806,262
6B	30	801,494
6C	31	513,119
6D	32	271,226
6E	33	322,252
6F	34	483,600
7A	35	294,244
7B	36	500,490
7C	37	406,938
7D	38	283,611
7E	39	481,958
7F	40	628,878

<u>APT. NO.</u>	<u>HPR NO.</u>	<u>TCT NO(S)</u>
7G	41	809,898
7H	42	553,827
7I	43	306,718
7J	44	493,751
8A	45	598,967
8B	46	524,051
8C	47	599,569
8D	48	841,706
8E	49	809,149
8F	50	651,686
9A	51	182,254
9B	52	828,473
9C	53	481,039
9D	54	463,646
9E	55	547,954
10A	56	584,884
10B	57	324,695
10C	58	430,720
10D	59	298,479,298,480
10E	60	639,570
10F	61	429,734
11A	62	639,040
11B	63	596,069
11C	64	807,868
11D	65	898,690
11E	66	743,954
11F	67	648,151
12A	68	438,260
12B	69	600,012
12C	70	642,983
12D	71	448,242
12E	72	492,592
13A	73	456,075
13B	74	645,536
13C	75	495,294
13D	76	578,135
13E	77	248,649
13F	78	847,941
14A	79	321,000
14B	80	425,536
14C	81	569,250
14D	82	288,703
14E	83	647,855

14F	84	488,725
<b><u>APT. NO.</u></b>	<b><u>HPR NO.</u></b>	<b><u>TCT NO(S)</u></b>
15A	85	486,460
15B	86	647,284
15C	87	647,284
15D	88	456,056
15E	89	503,557
16A	90	746,076
16B	91	252,783
16C	92	739,490
16D	93	318,774
16E	94	789,947
17A	95	691,405
17B	96	519,853
17C	97	675,606
17D	98	583,171
17E	99	553,093
17F	100	230,766

WAILEA EKAHI II

<u>APT. NO.</u>	<u>HPR NO.</u>	<u>TCT NO(S)</u>
18A	1	249,761
18B	2	197,756,197,741
18C	3	197,756,197,741
18D	4	786,865
18E	5	717,638
18F	6	334,976
19A	7	723,382
19B	8	726,484
19C	9	654,345
19D	10	810,845
20A	11	534,806
20B	12	530,257
20C	13	599,413
20D	14	190,119
20E	15	552,449
20F	16	750,614
20G	17	489,785
20H	18	907,709
20I	19	603,811
20J	20	537,213
21A	21	339,481
21B	22	533,245
21C	23	553,547
21D	24	484,020
21E	25	750,404
21F	26	775,224
22A	27	549,678
22B	28	564,238
22C	29	487,255
22D	30	509,668
22E	31	765,843
22F	32	567,178
23A	33	579,768
23B	34	809,109
23C	35	372,589
23D	36	484,043
24A	37	573,877
24B	38	561,265
24C	39	268,873

24D	40	767,813
25A	41	905,993
25B	42	598,347

<u>APT. NO.</u>	<u>HPR NO.</u>	<u>TCT NO(S)</u>
25C	43	348,071
25D	44	874,685
26A	45	259,227
26B	46	912,556
26C	47	330,675
26D	48	715,468
27A	49	467,968
27B	50	642,324
27C	51	869,051
27D	52	559,980
28A	53	581,944
28B	54	577,485
28C	55	318,965
28D	56	517,250
28E	57	508,704
28F	58	380,809
29A	59	582,762
29B	60	582,762
29C	61	746,819
29D	62	668,505
29E	63	586,921
29F	64	720,063
30A	65	792,179
30B	66	447,783
30C	67	830,672
30D	68	854,531
31A	69	183,002
31B	70	896,097
31C	71	589,430
31D	72	671,571
32A	73	191,831
32B	74	213,190
32C	75	811,285
32D	76	878,118
33A	77	858,038
33B	78	495,468
33C	79	682,649
33D	80	530,745
33E	81	741,330

33F	82	550,968
34A	83	807,867
34B	84	865,654
34C	85	487,858
34D	86	806,678
34E	87	505,014
<b><u>APT. NO.</u></b>	<b><u>HPR NO.</u></b>	<b><u>TCT NO(S)</u></b>
34F	88	675,266
35A	89	501,267
35B	90	479,362
35C	91	272,977

### WAILEA EKAHI III

<u>APT. NO.</u>	<u>HPR NO.</u>	<u>TCT NO(S)</u>
36A	1	412,656
36B	2	841,343
36C	3	733,008
36D	4	325,508
36E	5	542,220
36F	6	358,070
37A	7	535,943
37B	8	869,782
37C	9	741,255
37D	10	540,599
37E	11	614,537
38A	12	789,946
38B	13	631,851
38C	14	430,230
38D	15	768,939
38E	16	513,839
38F	17	260,927
39A	18	670,758
39B	19	825,576
39C	20	188,797
39D	21	583,434
39E	22	648,443
39F	23	436,191
40A	24	547,974
40B	25	638,644
40C	26	196,615
40D	27	303,833
40E	28	436,786
40F	29	188,517
41A	30	562,379
41B	31	820,961
41C	32	543,591
41D	33	702,196
42A	34	281,275
42B	35	634,456

42C	36	802,371
42D	37	504,032
42E	38	761,110
43A	39	891,357
43B	40	754,679

<u>APT. NO.</u>	<u>HPR NO.</u>	<u>TCT NO(S)</u>
43C	41	336,019
43D	42	731,071
43E	43	400,422
43F	44	522,521
44A	45	280,196
44B	46	321,457
44C	47	469,933
44D	48	836,843
44E	49	860,853
45A	50	879,779
45B	51	590,595
45C	52	879,776
45D	53	191,390
45E	54	453,392
45F	55	865,596
46A	56	316,179
46B	57	467,388
46C	58	611,176
46D	59	673,525
46E	60	843,170
46F	61	567,626
47A	62	914,718
47B	63	277,798
47C	64	196,526
47D	65	690,092
47E	66	634,432
47F	67	733,293
48A	68	552,884
48B	69	891,548
48C	70	819,747
48D	71	669,145
48E	72	843,566
49A	73	587,941
49B	74	558,961
49C	75	807,866
49D	76	800,655

49E	77	603,286
49F	78	395,352
50A	79	650,929
50B	80	528,264
50C	81	650,560
50D	82	255,749
50E	83	505,147
50F	84	518,443
<b><u>APT. NO.</u></b>	<b><u>HPR NO.</u></b>	<b><u>TCT NO(S)</u></b>
51A	85	737,534
51B	86	451,478
51C	87	635,047
51D	88	779,559
51E	89	188,259
51F	90	626,079
52A	91	750,742
52B	92	435,156
52C	93	669,947
52D	94	842,163
52E	95	470,718
53A	96	197,862
53B	97	831,720
53C	98	771,958
53D	99	767,665
53E	100	764,961
54A	101	858,568
54B	102	511,665
54C	103	864,620
54D	104	326,352

**END OF EXHIBIT B**

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