

RECEIVED SEP 29 1980

RECORDATION REQUEST BY:

RONALD A. KAWAHARA, C.P.A.

AFTER RECORDATION, RETURN TO:

RONALD A. KAWAHARA, C.P.A.
Suite 300, The Kahului Building
33 Lono Avenue
Kahului, Maui, Hawaii 96732

RETURN BY MAIL.

80-74814

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

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AMENDMENT TO BYLAWS FOR THE
ASSOCIATION OF APARTMENT OWNERS OF
THE KEALIA, A HORIZONTAL PROPERTY REGIME

WHEREAS:

1. The Association of Apartment Owners of The KEALIA composed of all the owners of apartments in the HORIZONTAL PROPERTY REGIME, ("REGIME") known as the KEALIA, ("ASSOCIATION") adopted Bylaws filed with the Bureau of Conveyances of the State of Hawaii in Liber 10383, Page 171, dated January 16, 1975.

2. At a meeting of the Association, duly called and held May 21, 1980, at which meeting were present owners of apartments of the regime to which appertained, in the aggregate, "common interests" in excess of seventy-five percent (75%) of the entire common interests appertaining to all the apartments of the regime, the apartment owners present unani- mously voted to amend the Bylaws for The Kealia by amending thereof the following:

ASSOCIATION OF APARTMENT OWNERS OF THE KEALIAARTICLE IIISECTION 4. ELECTION AND TERM OF OFFICE

As presently reads:

"At the first annual meeting of the Association all five (5) Directors shall be elected for a term of one (1) year. At the expiration of the initial term of office of each Director, his successor shall be elected to serve a term of One (1) year....

Is amended to read:

"At the 1981 annual meeting three (3) Directors will be elected to serve a two (2) year term and two (2) Directors for a one (1) year term. Thereafter, Directors shall be elected to serve for a two-year term.

ARTICLE VSECTION 3. PROHIBITION OF TIME SHARING

- "(1) After recordation of this amendment, in the State of Hawaii, Bureau of Conveyances, no time share plan can be created for or in respect of any apartment, and no apartment shall be the subject of any time share plan created after such date".
- "(2) The phrase time share plan shall have the meaning given by Hawaii Revised Statutes Chapter
- "(3) The Association shall have the right and power, to be exercised by the board of directors, to deny any person entry to, or the possession of, any apartment for which a time share plan has been created in violation of this section, so long as such violation shall continue."
- "(4) The Association may bring an action, by the board of directors, to obtain appropriate injunctive relief to prevent any violation of this section, or to require the observance of this section, without being required to post a bond as a condition to obtaining such injunctive relief, whether temporary, preliminary or permanent. Nor shall the Association be required to show in any such action that other relief is inadequate or that the damages suffered by the Association or by any apartment owner are or may be irreparable".

STATE OF HAWAII)
)
COUNTY OF MAUI) s.s.

On this 2nd day of July,
19 80, before me appeared, Thomas Naddy, to
me personally known, who, being by me duly sworn did
say that he is the President of the Association of
Apartment Owners of The Kealia, and said instrument
was signed in behalf of said Association by authority
of its Board of Directors, and that the said officer
acknowledged said instrument to be the free act and
deed of said Association. Said Association has no seal.

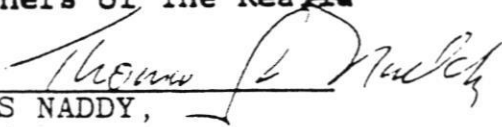
Myra S. Inai
Notary Public in and for
said County of Mau
and State of Hawaii

My commission expires 9/22/81

CERTIFICATE

THOMAS NADDY, President of the Association of Apartment Owners of The Kealia, a horizontal property regime, does hereby certify that the foregoing amendments to the By-Laws for The Association of Apartment Owners of The Kealia, A Horizontal Property Regime, was duly adopted by the apartment owners of the regime, and the Association, at a meeting duly called and held May 21, 1980, and that they have been duly authorized and directed by the apartment owners to the regime, and the Association, to cause the same to be filed with the Bureau of Conveyances of the State of Hawaii.

The Association of Apartment
Owners of The Kealia



THOMAS NADDY,
President

1978

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WHEREAS:

1. The Association of Apartment Owners of The Kealia composed of all the owners of apartments in the Horizontal Property Regime, ("REGIME") known as The Kealia, ("ASSOCIATION") adopted Bylaws filed with the Bureau of Conveyances of the State of Hawaii in Liber 10383, Page 171, dated January 16, 1975.

2. At a meeting of the Association, duly called and held August 19, 1978, at which meeting were present owners of apartments of the regime to which appertained, in the aggregate, "common interests" in excess of seventy-five percent (75%) of the entire common interests appertaining to all the apartments of the regime, the apartment owners present unani- mously voted to amend the Bylaws for The Kealia by amending thereof the following:

ARTICLE II

ASSOCIATION OF OWNERS.

SECTION 6. Proxies and Pledges. The authority given by any Apartment Owner to another person to represent him at meetings of the Association shall be in writing, signed by such Owner and filed with the Secretary, and unless limited by its terms shall continue until revoked by writing filed with the Secretary or by the death or incapacity of such Owner. Voting rights transferred