

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE ASSOCIATION OF APARTMENT OWNERS OF HAWAII  
TOWER REGARDING RESPONSIBILITY FOR  
WINDOWS IN APARTMENTS 403, 1409, 1611, AND 4409

WHEREAS:

Section D.I (a)(iii) describes and defines the limits of the residential apartments and indicates that apartment owners are responsible for the inner decorated or finished surfaces of the windows and window frames originally installed in the apartments.

The owners of apartments 403, 1409, 1611, and 4409 have replaced the original windows in their apartments with nonstandard windows and window frames. The owners of those apartments or their predecessors in interest agreed to be responsible for: (i) all repair, maintenance, and replacement of the non-standard windows and window frames; and (ii) any additional expenses incurred by the association as a result of the nonstandard windows and window frames.

Section K. of the declaration provides that all charges, costs, and expenses incurred by the association only for or in connection with any specific apartment, including but not limited to, the cost of maintenance, repair, and replacement of additions and improvements to the apartment, constitute a limited common expense of the project for which only the owner of the apartment shall be liable.

Section L. of the declaration requires all apartment owners to comply with and be bound by the provisions of the declaration and bylaws and any agreements of the association.

RESOLVED:

The BOARD OF DIRECTORS OF THE ASSOCIATION OF APARTMENT OWNERS OF HAWAII TOWER adopts the following resolution relating to apartments 403, 1409, 1611, and 4409 at the project:

1. The owners of apartments 403, 1409, 1611, and 4409 and their successors in interest shall be responsible for the costs of repair, maintenance, and replacement of the nonstandard windows and window frames in their apartments and for any additional expenses incurred by the association as a result of those nonstandard windows and window frames.
2. This resolution shall be included in the house rules to confirm the responsibilities of the owners of apartments 403, 1409, 1611, and 4409 and their successors in interest for the nonstandard windows and window frames in their apartments.
3. The Board may conduct periodic inspections of those nonstandard windows and window frames and require the respective apartment owners to maintain, repair and

replace them. If an owner fails to have the work performed within the time specified by the Board, the Board may have the work performed and demand reimbursement from the owner.

4. The rights, powers, and obligations which this resolution provides shall become effective as of the date of the Board's adoption of this resolution, and shall remain effective until this resolution is revoked in writing by the Board.

#### CERTIFICATE

I hereby certify that the above resolution was adopted pursuant to the law and the DECLARATION and BY-LAWS OF THE ASSOCIATION OF APARTMENT OWNERS OF HAWAIKI TOWER, by the Board of Directors of the Association, at a Board meeting on May 24, 2004.

DATED: Honolulu, Hawaii, June 15, 2004.

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Alies Mohan, Secretary