

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY MAIL  PICKUP

McCorriston Miho Miller Mukai  
Attention: Sharon H. Nishi, Esq.  
P.O. Box 2800  
Honolulu, Hawaii 96803-3800

This Document Contains 7 Pages

**AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM PROPERTY REGIME  
OF HAWAIKI TOWER**

WHEREAS, the Declaration of Condominium Property Regime for the Hawaiki Tower condominium project (the "Project"), dated December 19, 1997, was filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii (the "Office") as Document No. 2428170, and has been amended by instruments dated March 10, 1998, --- 1999, and June 3, 1999, filed in the Office as Document Nos. 2442735, 2542893 and 2551754 and noted on Transfer Certificate of Title No. 523281 (collectively, the "Declaration"); and

WHEREAS, the plans and elevations for the Project were filed in the Office as Condominium Map No. 1227 (the "Condominium Map").

WHEREAS, Paragraph R.6 of the Declaration provides in pertinent part that the owners of the respective apartments can change the designation of the parking stalls which are

limited common elements appurtenant to their respective apartments by filing in the Office an amendment to the Declaration executed by such apartment owners; and

WHEREAS, as noted on Transfer Certificate of Title No. 523281, NAURU PHOSPHATE ROYALTIES (HONOLULU), INC. , a Delaware corporation (“NPRH”), and NAURU PHOSPHATE ROYALTIES DEVELOPMENT (HONOLULU), INC., a Delaware corporation (“NPRD”), are the current owners of Hawaiki Tower Apartment No. 2611, to which parking stall no. 245 is appurtenant as a limited common element, as established and set forth in the Declaration and as shown on the Condominium Map; and

WHEREAS, HYE-CHA JANG, unmarried (“Jang”), and MARK SEUNG KYUN KIM, unmarried (“Kim”), are the owners of Hawaiki Tower Apartment No. 1611, to which parking stall no. 218 is appurtenant as a limited common element, as established and set forth in the Declaration and as shown on the Condominium Map, pursuant to that certain Apartment Deed dated June 15, 1999, filed in the Office as Document No. 2552006 and duly noted on Transfer Certificate of Title No. 533,527; and

WHEREAS, NPRH, NPRD, Jang and Kim desire to change the designation of parking stalls appurtenant to their respective Apartments as provided hereinbelow.

NOW, THEREFORE, in consideration of the premises set forth hereinabove and pursuant to the provisions of Paragraph R.6 of the Declaration, the parties hereto hereby amend the Declaration as follows:

1. The designation of the parking stalls and storage rooms that are appurtenant to Hawaiki Tower Apartments Nos. 1611 and 2611, as set forth in the Declaration, are changed so that those apartments shall have, as limited common elements appurtenant thereto, the following parking stalls and/or storage rooms, as shown on the Condominium Map:

<u>Apartment No.</u>	<u>Parking Stall<sup>1</sup> No(s).<sup>2</sup></u>	<u>Storage Room</u>
1611	245	
2611	218	

<sup>1</sup> Unless marked with an “\*”, each parking stall has appurtenant to it a storage cabinet located above the parking stall

\* No storage cabinet appurtenant to the parking stall

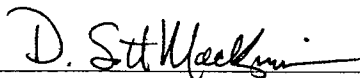
<sup>2</sup> C -- Compact; T -- Tandem; TC -- Tandem Compact; H -- Handicap

2. Exhibit C to the Declaration is revised by deleting the reference to the parking stalls and storage rooms appurtenant to Apartments Nos. 1611 and 2611, and by substituting in place thereof a reference to the parking stalls and storage rooms appurtenant to the respective apartments


as set forth in Paragraph 1 hereinabove. As and from the date of this Amendment to Declaration of Condominium Property Regime of Hawaiki Tower, the parking stalls and storage rooms referred to in Paragraph 1 hereinabove shall be assigned and appurtenant, as limited common elements, to the apartments in accordance with Paragraph 1 hereinabove.

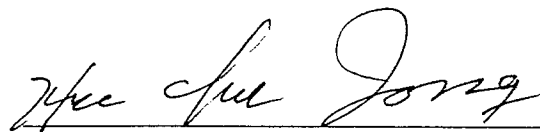
IN WITNESS WHEREOF, the undersigned have, pursuant to the rights expressly reserved to them under the provisions of Paragraph R.6 of the Declaration, executed this Amendment to Declaration of Condominium Property Regime of Hawaiki Tower as of the 30th day of December, 1999.

NAURU PHOSPHATE ROYALTIES (HONOLULU), INC.  
a Delaware corporation

By   
Name: D. Scott MacKinnon  
Title: Assistant Secretary

NAURU PHOSPHATE ROYALTIES DEVELOPMENT  
(HONOLULU), INC.  
a Delaware corporation

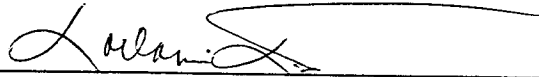
By   
Name: D. Scott MacKinnon  
Title: Assistant Secretary

  
HYE-CHA JANG

  
MARK SEUNG KYUN KIM

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

On this 3rd day of March, 2000, before me appeared D. SCOTT MacKINNON, to me personally known, who, being by me duly sworn, did say that he is the Assistant Secretary of NAURU PHOSPHATE ROYALTIES (HONOLULU), INC., a Delaware corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors and said officer acknowledged said instrument to be the free act and deed of said corporation.



Name: Noelani N. Jinbo  
Notary Public, State of Hawaii  
My commission expires: 9/22/2002

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

On this 3rd day of March, 2000, before me appeared D. SCOTT MacKINNON, to me personally known, who, being by me duly sworn, did say that he is the Assistant Secretary of NAURU PHOSPHATE ROYALTIES DEVELOPMENT (HONOLULU), INC., a Delaware corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors and said officer acknowledged said instrument to be the free act and deed of said corporation.

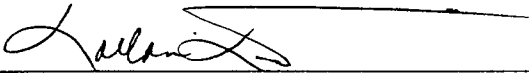


Name: Noelani N. Jinbo  
Notary Public, State of Hawaii  
My commission expires: 9/22/2002

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

On this 26th day of January, 2000, before me appeared HYE-CHA JANG, to me personally known, who, being by me duly sworn or affirmed, did say that she executed the foregoing instrument as her free act and deed.

LS.

  
\_\_\_\_\_  
Name: NOELANI N. JINBO  
Notary Public, State of Hawaii  
My commission expires: 9/24/2002

STATE OF N.Y. )  
 ) SS.  
COUNTY OF N.Y. )

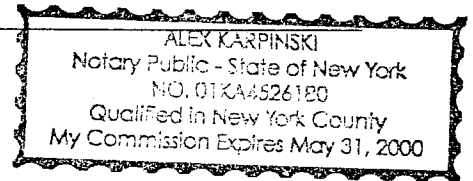
On this 31 day of JAN., 2000, before me appeared MARK SEUNG KYUN KIM, to me personally known, who being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

*Alex Karpinski*

Print Name of Notary: \_\_\_\_\_

NOTARY PUBLIC, State of N.Y.

My commission expires: \_\_\_\_\_





**TITLE GUARANTY OF HAWAII**

INCORPORATED

235 QUEEN STREET HONOLULU, HAWAII 96813

PHONE: (808) 533-6261 FAX: (808) 521-0221

2613233

R KAMIMURA CONSTANCE A TR  
R NAURU PHOSPHATE ROYALTIES HON IN  
R KAMIMURA EARL T TR  
R NAURU PHOSPHATE ROYALTIES DEVMT

TITLE GUARANTY OF HAWAII, INCORPORATED

HEREBY CERTIFIES THAT THIS IS A TRUE COPY

OF THE ORIGINAL DOCUMENT RECORDED AS

LAND COURT DOCUMENT NO. **2613233**

AND NOTED ON TRANSFER CERTIFICATE

OF TITLE NO. **523281**

ON **MARCH 17, 2000** AT **8:01 A.M.**

DATE OF RECORDING : MARCH 17, 2000

DESCRIPTION : DECLN 2428170

DOCUMENT TYPE : AM CPR

TCT NO. : 523281

FILE 286642

BY:

*Just A. Wilson*

