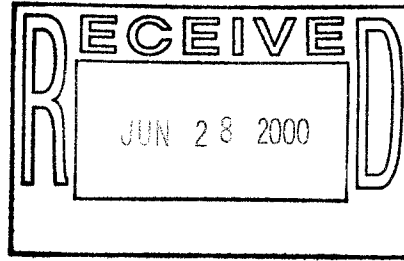


L-53 STATE OF HAWAII
OFFICE OF ASSISTANT REGISTRAR
RECORDED



MAY 11, 2000 08:01 AM

Doc No(s) 2624918

on Cert(s) 523,281

549,869

/s/ CARL T. WATANABE
ASSISTANT REGISTRAR

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY MAIL PICKUP

LC

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

TG: P288742

This Document Contains 8 Pages

AMENDMENT
TO
DECLARATION OF CONDOMINIUM PROPERTY REGIME
OF HAWAII 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. 3907, to which parking stalls nos. 429 and 430 are appurtenant as limited common elements, as established and set forth in the Declaration and as shown on the Condominium Map; and

WHEREAS, TOMONORI MATSUMOTO and SUMIKO MATSUMOTO (the "Matsumotos"), are the owners of Hawaiki Tower Apartment No. 4107, to which parking stalls nos. 519 and 557 are appurtenant as limited common elements, as established and set forth in the Declaration and as shown on the Condominium Map, pursuant to that certain Apartment Deed dated March 8, 2000, filed in the Office as Document No. 2611357 and duly noted on Transfer Certificate of Title No. 549,865; and

WHEREAS, NPRH, NPRD and the Matsumotos 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. 3907 and 4107, 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 Stall¹ No(s).²</u>	<u>Storage Room</u>
3907	519, 557	
4107	429, 430	

¹ 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

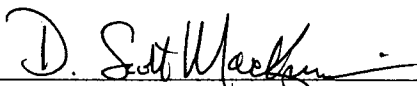
² C -- Compact; T -- Tandem; TC -- Tandem Compact; H -- Handicap

2. Exhibit C to the Declaration is revised by deleting the reference to the parking stalls and storage rooms appurtenant to Apartments Nos. 3907 and 4107, and by substituting in place

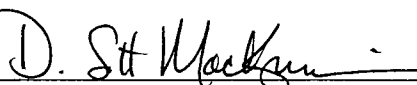
thereof a reference to the parking stalls and storage rooms appurtenant to the respective apartments as set forth in Paragraph 1 hereinabove. As and from the date of this Amendment to Declaration of Condominium Property Regime of Hawaiki Tower, the parking stalls and storage rooms referred to in Paragraph 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


TOMONORI MATSUMOTO


SUMIKO MATSUMOTO

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



On this 25th 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

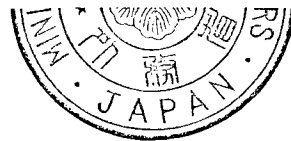
CS

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

On this 25th 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

CS



APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: **JAPAN**

This public document

2. has been signed by Kenichi KITATANI
3. acting in the capacity of Notary Public of the Kobe
District Legal Affairs Bureau
4. bears the seal/stamp of Kenichi KITATANI, Notary Public

Certified

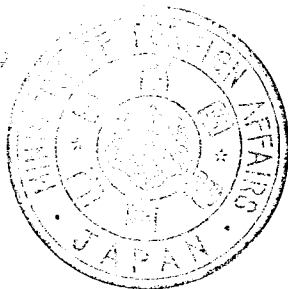
5. at **Osaka**

6. **APR. 13. 2000**

7. by the **Ministry of Foreign Affairs**

8. No. **00794**

9. Seal/stamp:



10. Signature:

M. Yamagishi

Masahiro YAMAGISHI

For the Minister for Foreign Affairs



登簿平成12年第24号

認 証



囑託人松本智典（住所・兵庫県姫路市花田
町高木238、生年月日・昭和26年10月⁴

9日）及び松本寿美子（住所・兵庫県姫路市⁵
花田町高木238、生年月日・昭和33年1⁶

2月12日）の両名は、本公証人の面前で、
前葉の書面に署名した。 _____⁸

よってこれを認証する。 _____⁹

平成12年4月12日 _____¹⁰

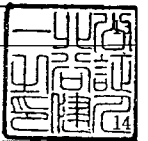
本公証人役場において。 _____¹¹

兵庫県姫路市北条口3丁目50番地 _____¹²

神戸地方法務局所属 _____

公証人

北谷健一



15

16

天

第 187 号



証 明 書

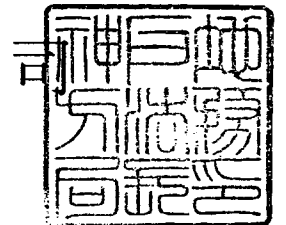
神戸地方法務局所属公証人 北谷健一
平成 12 年 4 月 12 日平成 12 年第 24 号

この認証の付与は、在職中の公証人がその権限に基づいてしたものであり、かつ、その押印は真実のものであることを証明する。

ただし、公証人の欧文証明は省略する。

平成 12 年 4 月 12 日

神戸地方法務局長 小原 紘





Registered No. 24 , 2000



NOTARIAL CERTIFICATE

This is to certify that Tomonori Matsumoto, Sumiko Matsumoto, residing at 238 Takagi Hanada-cho, Himagi City Hyogo-prefecture, Japan, has acknowledged themselves in my very presens to the attached document are their own.

Dated this 12 day of April. 2000.

Notary *Kenichi Kitatani*

Kobe District Legal Affairs Bureau

3-50 Hojoguchi, Himeji-si, Hyogo, Japan

