

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

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This Document Contains _____ 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. 301, to which parking stalls nos. 58, 121, 654, 708, 709, 778, 779 and 780 and storage room P511 are appurtenant as limited common elements, as established and set forth in the Declaration and as shown on the Condominium Map; 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. 3006, to which parking stalls nos. 599 and 600 are appurtenant as limited common elements, as established and set forth in the Declaration and as shown on the Condominium Map; and

WHEREAS, the Fee Owner and the Developer further desire to change the designation of the parking stalls and/or storage rooms which are appurtenant, as limited common elements, to Apartment Nos. 301 and 3006, as set forth hereinbelow; and

NOW, THEREFORE, in consideration of the premises set forth hereinabove and pursuant to the provisions of Paragraph R.6 of the Declaration, the Fee Owner and the Developer hereby amend the Declaration and the Condominium Map as follows:

<u>Apartment No.</u>	<u>Parking Stall¹ No(s).²</u>	<u>Storage Room</u>
301	58, 121, 599, 654H, 708TC*, 709TC, 778T*, 779TC & 780	P511
3006	600	

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. 301 and 3006, 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 D. Scott MacKinnon
Name: D. Scott MacKinnon
Title: Assistant Secretary

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

By D. Scott MacKinnon
Name: D. Scott MacKinnon
Title: Assistant Secretary

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

On this 28th 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.

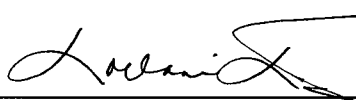


Name: Noelani N. Jinbo
Notary Public, State of Hawaii
My commission expires: 9/22/2002

C.S.

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

On this 28th 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

C.S.



TITLE GUARANTY OF HAWAII

INCORPORATED

235 QUEEN STREET HONOLULU, HAWAII 96813

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

2616952 R NAURU PHOSPHATE ROYALTIES HON IN
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. **2616952**
AND NOTED ON TRANSFER CERTIFICATE
OF TITLE NO. **523281**
ON **APRIL 04, 2000** AT **8:01 A.M.**

DATE OF RECORDING : APRIL 04, 2000

DESCRIPTION : PS 58 APT 301 CM 1227 &C

DOCUMENT TYPE : AM CPR

TCT NO. : 523281

FILE 287347

BY:

A handwritten signature in cursive script, appearing to read 'Janet A. Tulin', written over a horizontal line.