

L-257 STATE OF HAWAII  
OFFICE OF ASSISTANT REGISTRAR  
RECORDED

OCT 12, 2001 08:01 AM

Doc No(s) 2744150

on Cert(s) 523,281 & 533,464

/s/ CARL T. WATANABE  
ASSISTANT REGISTRAR

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY MAIL  PICKUP

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

TG ACCOM: 310351P

This Document Contains 6 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, 390, 733, 780 and 782, and storage rooms P510 and 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. 533464, MICHAEL JOHN LIGHT and JEANNE ANNETTE LIGHT, (the “Lights”), are the current owners of Hawaiki Tower Apartment No. 705, to which parking stall no. 734 is appurtenant as a limited common element, as established and set forth in the Declaration and as shown on the Condominium Map; and

WHEREAS, NPRH and NPRD and the Lights desire to change the designation of parking stalls appurtenant to Apartments 301 and 705 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. 301 and 705, 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>
301	58, 733, 780 & 782*	P510 P511
705	390, 734	

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

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

\* No storage cabinet appurtenant to the parking stall

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 705, 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 8<sup>th</sup> day of October, 2001.

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

*Michael T. Light*  
\_\_\_\_\_  
MICHAEL JOHN LIGHT

*Jeanne A. Light*  
\_\_\_\_\_  
JEANNE ANNETTE LIGHT

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 8<sup>th</sup> day of October, 2001.

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

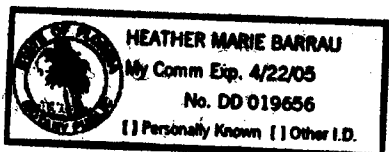
By D. Scott MacKinnon  
Name: D. Scott MacKinnon  
Title: Assistant Secretary

\_\_\_\_\_  
MICHAEL JOHN LIGHT

\_\_\_\_\_  
JEANNE ANNETTE LIGHT

STATE OF Hawaii )  
COUNTY OF Broward ) SS.

On this 8 day of October, 2001, before me personally appeared MICHAEL JOHN LIGHT, proved to me to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.



Heather Marie Barrau  
Name: HEATHER MARIE BARRAU  
Notary Public, State of Hawaii

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

STATE OF Hawaii )  
COUNTY OF Broward ) SS.

On this 8 day of October, 2001, before me personally appeared JEANNE ANNETTE LIGHT, proved to me to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.




Heather Marie Barrau  
Name: HEATHER MARIE BARRAU  
Notary Public, State of Hawaii

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

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


On this 26<sup>th</sup> day of September, 2001, 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

U.S.

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

On this 26<sup>th</sup> day of September, 2001, 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

U.S.