



R-1089 STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED
SEP 24, 2003 08:02 AM
Doc No(s) 2003-205915



/s/ CARL T. WATANABE
REGISTRAR OF CONVEYANCES

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LAND COURT SYSTEM

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY MAIL () PICKUP (X) TO:

skana
MOTOOKA YAMAMOTO & REVERE
MILTON M. MOTOOKA
1000 Bishop Street, Suite 801
Honolulu, Hawaii 96813
Tel. No. 532-7900

Royal Kunia Community

No. of Pages: 4

**AMENDMENT OF THE AMENDED AND RESTATED DECLARATION
OF PROTECTIVE COVENANTS FOR ROYAL KUNIA COMMUNITY**

WHEREAS, Halekua Development Corporation, a Hawaii corporation and Kunia Residential Partners, a Hawaii limited partnership, filed at the Bureau of Conveyances of the State of Hawaii, that certain Amended and Restated Declaration of Protective Covenants for Royal Kunia Community dated March 18, 1994 (hereinafter referred to as "Declaration"), said Declaration having been filed as aforesaid as Document No. 94-049225; and

WHEREAS, pursuant to Article VII, Section 7.04 of the Declaration, more than seventy-five percent (75%) of the total vote of the membership voted to amend the Declaration as indicated below;

NOW THEREFORE, the Declaration is hereby amended as hereinafter set forth.

1. That Article VII, Section 7.04 of the Amended and Restated Declaration of Protective Covenants for Royal Kunia Community is amended to read in its entirety as follows: ✓

Section 7.04 Amendment or Repeal; Duration.

(a) In addition to the rights reserved to any Declarant elsewhere in this Declaration, this Declaration or any part hereof may be amended or repealed in the following manner:

(1) by affirmative vote or written consent of Owners having not less than seventy-five percent (75%) of the total votes of the membership, the Owners approve the proposed amendment or amendments or the repeal of any portion or portions of this Declaration at a meeting duly called, the notice of which meeting shall have stated as a purpose the consideration of such amendment or repeal and the substance of the proposed amendments or indicating the provisions to be repealed, as the case may be;

And a certificate of the Secretary or an Assistant Secretary of the Association setting forth in full the amendment or amendments or repeal of such provisions of this Declaration so approved, and certifying that said amendment or amendments or repeal have been approved by vote of the Owners pursuant to this paragraph shall be Recorded; or

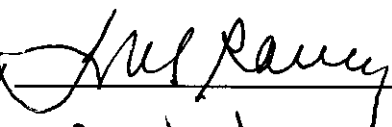
(2) a written instrument also setting forth in full said amendment or amendments or repeal to this Declaration, executed by the Owners having not less than seventy-five percent (75%) of the total votes of the membership shall be Recorded.

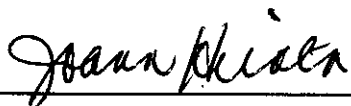
(b) All of the limitations, restrictions, covenants and conditions of this Declaration shall continue and remain in full force and effect with respect to all property included within Royal Kunia, to the Owners and to the Association, for a term of 30 years, and thereafter with automatic extension for successive 10 year periods, unless amended or repealed as provided in subsection (a) above. Notwithstanding the foregoing, if any provision of this Declaration shall be subject to the rule against perpetuities, then such provision shall not be effective for more than 21 years after the death of the last survivor of Robert F. Kennedy (brother of former President of the United States John F. Kennedy) and all his descendants living on the date of this instrument.

In all other respects, the Declaration, as further amended, is hereby ratified and confirmed and shall be binding upon and inure to the benefit of the parties to it and their respective successors and permitted assigns. The undersigned officers of the Association hereby certify that the foregoing amendment to the Declaration was adopted by the vote of not less than seventy-five percent (75%) of the total votes of the membership at a meeting of the Association duly constituted and held on July 9, 2003.

IN WITNESS WHEREOF, the undersigned have executed this instrument this 10 day of September, 2003.

ROYAL KUNIA COMUNITY ASSOCIATION

By 
Its President

By 
Its Treasurer

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

On this 10th day of September, 2003, before me personally appeared Joel Ravey, to be personally known, who being by me duly sworn, did say that he is the President of the Board of Directors of the Royal Kunia Community Association, that the foregoing instrument was signed on behalf of said Association by authority of its Board of Directors, and acknowledged that he executed the same as the free act and deed of said Association. Said Association has no seal.

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Candace MT Villarmia
Notary Public, State of Hawaii
Printed name: Candace MT Villarmia
My commission expires: 07/09/04

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

On this 10th day of September, 2003, before me personally appeared Joann Hirata, to be personally known, who being by me duly sworn, did say that she is the Treasurer of the Board of Directors of the Royal Kunia Community Association, that the foregoing instrument was signed on behalf of said Association by authority of its Board of Directors, and acknowledged that she executed the same as the free act and deed of said Association. Said Association has no seal.

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Candace MT Villarmia
Notary Public, State of Hawaii
Printed name: Candace MT Villarmia
My commission expires: 07/09/04