

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII

BUREAU OF CONVEYANCES

Doc A-46880927

November 1, 2012 1:00 PM

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail  Pickup  To:  
Castle & Cooke Land Company  
for Castle & Cooke Waikoloa, LLC  
680 Iwilei Road, Suite 510  
Honolulu, HI 96817  
C. Kurasaki (548-2909)

This document contains 4 pages.

Tax Map Key No.: (3) 6-8-37-059 CPR 001 to 0092, inclusive

SECOND AMENDMENT TO DECLARATION OF  
CONDOMINIUM PROPERTY REGIME OF  
MAKANA KAI AT WEHILANI - PHASE I

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Declaration of Condominium Property Regime of Makana Kai at Wehilani – Phase I dated July 6, 2006, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2006-127950, as amended by First Amendment to Declaration of Condominium Property Regime of Makana Kai at Wehilani – Phase I dated September 19, 2012, recorded as Document No. A-46471182 (as so amended, the "Declaration"), CASTLE & COOKE WAIKOLOA, LLC, a Hawaii limited liability company, whose principal place of business is 680 Iwilei Road, Suite 510, Honolulu, Hawaii 96817, and whose post office address is 680 Iwilei Road, Box 510, Honolulu, Hawaii 96817 (the "Developer"), did submit certain real property to a condominium property regime known as "Makana Kai at Wehilani – Phase I" (the "Project"), pursuant to Chapter 514A of the Hawaii Revised Statutes, as amended and any successor statute, as amended (the "Act"); and

WHEREAS, the By-Laws of the Association of Unit Owners of Makana Kai at Wehilani – Phase I dated July 6, 2006, were recorded as Document No. 2006-127951, and the condominium map for the Project was filed as Condominium File Plan No. 4294; and

WHEREAS, pursuant to Section T, Paragraph 3 of the Declaration, the Developer has reserved the right to amend the Declaration (including the By-Laws and, when applicable, the Condominium Map), without the approval, consent or joinder of any purchaser of a unit or any of the persons then owning or leasing any unit, to file the "as built" verified statement (with plans, if applicable) required by the Condominium Property Act, (i) so long as such statement is merely a verified statement of a registered architect or professional engineer certifying that the final plans theretofore filed or being filed simultaneously with such amendment fully and accurately depict the layout, location, unit numbers and dimensions of the units as built, or (ii) so long as any plans filed therewith involve only changes to the layout, location, unit numbers or dimensions of or other changes to the units and common elements as built which the Developer is permitted to make in accordance with Paragraph 2 of Section R of the Declaration; and

WHEREAS, the units located within Buildings 25 to 38, inclusive, in the Project have been substantially constructed, and the Developer desires to amend the Declaration to file such "as built" statement with respect to said units as set forth below;


NOW, THEREFORE, the Developer does hereby amend the Declaration as follows:

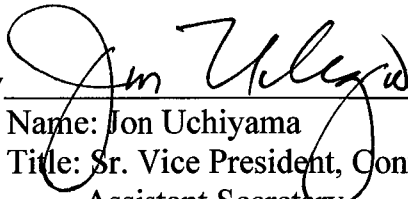
1. Pursuant to Section 514B-34 of the Act and Section T, Paragraph 3 of the Declaration, Condominium File Plan No. 4294 is hereby amended by deleting therefrom Sheets CPR-0.1 and CPR-0.2, and substituting in lieu thereof new Sheets CPR-0.1 and CPR-0.2 (revised October 2012), filed concurrently with the filing of this Amendment. Attached to said new Sheets CPR-0.1 and CPR-0.2 (revised October 2012) is a verified statement of a Hawaii registered architect certifying that upon substitution of said new Sheets CPR-0.1 and CPR-0.2 (revised October 2012), Condominium File Plan No. 4294, as amended, fully and accurately depicts the layout, location, boundaries, dimensions, and numbers of the units in Buildings 25 to 38, inclusive, substantially as built in the Project.

Except as amended hereby, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer has executed this instrument as  
of the 30<sup>th</sup> day of October, 2012.

CASTLE & COOKE WAIKOLOA, LLC  
By Castle & Cooke Homes Hawaii, Inc.  
Its Member

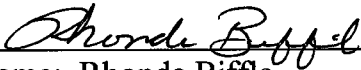
By   
Name: W. Bruce Barrett  
Title: Executive Vice President

By   
Name: Jon Uchiyama  
Title: Sr. Vice President, Controller &  
Assistant Secretary

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

On this 30<sup>th</sup> day of October, 2012, before me personally appeared

W. Bruce Barrett and Jon Uchiyama, to me personally known, who, being by me duly sworn or affirmed, did say that such persons executed this 4-page Second Amendment to Declaration of Condominium Property Regime of Makana Kai at Wehilani – Phase I dated October 30, 2012, in the First Circuit of the State of Hawaii, as the free act and deed of such persons, and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.

  
\_\_\_\_\_  
Name: Rhonda Biffle  
Notary Public, State of Hawaii

My commission expires: Aug. 3, 2016

