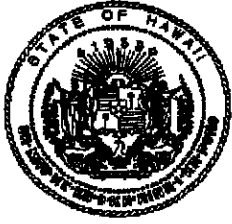
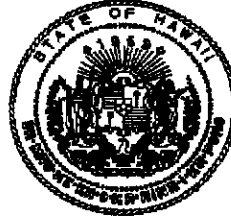


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addlts 315

# DOUBLE SYSTEM



L-547 STATE OF HAWAII  
OFFICE OF ASSISTANT REGISTRAR  
RECORDED  
AUG 05, 2010 02:00 PM  
Doc No(s) 3986607  
on Cert(s) AS LISTED HEREIN



R-894 STATE OF HAWAII  
BUREAU OF CONVEYANCES  
RECORDED  
AUG 05, 2010 02:00 PM  
Doc No(s) 2010-112494



/s/ NICKI ANN THOMPSON  
ASSISTANT REGISTRAR



/s/ NICKI ANN THOMPSON  
REGISTRAR

20 1/1 Z10 R894

20 1/1 Z10 L547

LAND COURT SYSTEM

REGULAR SYSTEM

AFTER RECORDATION, RETURN TO: BY: MAIL  PICKUP

EKIMOTO & MORRIS, LLLC  
JOHN A. MORRIS, ESQ./alt  
AMERICAN SAVINGS BANK TOWER  
1001 BISHOP STREET, SUITE 780  
HONOLULU, HAWAII 96813-3410

Total pages: 10

G:\CLIENT\IONE ARCHER LANE\GMOPT IN TO 514B\Opt in Amendment.doc

Tax Map Key: (1) 2-1-44-41

Condominium Map No. (Land Court): 1139

Condominium Map No. (Bureau): 2351

## **FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM PROPERTY REGIME OF ONE ARCHER LANE**

This FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM PROPERTY REGIME OF ONE ARCHER LANE ("Amendment") is made by **THE ASSOCIATION OF APARTMENT OWNERS OF ONE ARCHER LANE, INC.** (the "Association"), whose address is % Hawaiiiana Management Company, Ltd., 711 Kapiolani Boulevard, Suite 700, Honolulu, Hawaii 96813 ("Association"),

### **WITNESSETH THAT:**

WHEREAS, by Declaration of Condominium Property Regime of One Archer Lane dated February 1, 1996 (the "Declaration"), filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. 2288037 and noted on the Certificates of Title shown on the attached Exhibit "1", and also recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 96-014554, the property described in the Declaration was submitted to a Condominium Property Regime established by Chapter 514A of the Hawaii Revised Statutes, as amended (which has since been recodified as Chapter 514B, Hawaii Revised Statutes); and

WHEREAS, Declarant also recorded the Bylaws of the Association of Apartment Owners of One Archer Lane dated February 1, 1996 (the "Bylaws"), filed as Land Court Document No. 2288038 and also recorded in the Bureau of Conveyances as Document No. 96-014555; and

WHEREAS, simultaneously with the recording of the Declaration and the Bylaws, Declarant also recorded as Condominium Map No. 1139 with said Office and as Condominium Map No. 2351 with said Bureau plans describing the improvements to the project; and

WHEREAS, the Declaration provided for the organization and operation of the Association of Apartment Owners of One Archer Lane (the "Association") to operate and manage the Project in accordance with the Bylaws; and

WHEREAS, the Declaration was amended by instrument dated June 28, 1996, filed as Land Court Document No. 2323606 and also recorded in said Bureau as Document No. 96-101798; by instrument dated December 18, 1997, filed as Land Court Document No. 2427243 and also recorded in said Bureau as Document No. 97-177460; and by instrument dated March 5, 1998, filed as Land Court Document No. 2443254 and also recorded in said Bureau as Document No. 98-032347; and

WHEREAS, the Association was incorporated on May 7, 1998 under Chapter 415B, Hawai'i Revised Statutes, as The Association of Apartment Owners of One Archer Lane, Inc.; and

WHEREAS, Section 514B-23, Hawai'i Revised Statutes ("HRS"), empowers the Association to amend the Declaration, with the vote or written consent of a majority of the owners, to achieve any results permitted by HRS Chapter 514B; and

WHEREAS, a majority of the Association's owners gave their written consent in favor of "opting-in" to the provisions of HRS Chapter 514B by amending the Declaration as outlined below;

NOW THEREFORE, the Declaration, as amended, is hereby amended as stated below. To the extent that there is any conflict between the provisions of the Declaration and HRS Chapter 514B, the provisions of the Declaration shall be subordinate to HRS Chapter 514B, including all approval requirements in HRS Chapter 514B.

#### **AMENDMENT**

A new Section T. is added to the Declaration, to generally amend the Project documents to achieve any results permitted by HRS Chapter 514B, and to read as follows:

#### **T. GOVERNING LAW**

Notwithstanding anything to the contrary in the Project governing documents, including but not limited to this Declaration, the Bylaws, the House Rules, and the Condominium Map:

1. This Project shall be governed by the provisions of Hawai'i Revised Statutes, Chapter 514B, as amended;

2. Any apartment deed, and the Project's Declaration, Bylaws, House Rules, and Condominium Map shall be liberally construed to facilitate the operation of the Project under the law;

3. Amendments to the Declaration and Bylaws, including but not limited to amendments relating to the alteration of the Project, shall require approval of 67% of the owners;

4. Approval requirements of 75% for alterations to the common elements shall be reduced to 67%;

5. Punitive damages may not be awarded except as provided in Hawai'i Revised Statutes, Section 514B-10; and

6. Approval requirements for leases or uses of the common elements shall be governed by Hawai'i Revised Statutes, Section 514B-38.


In all other respects, the Declaration, as amended, is hereby ratified and confirmed and shall be binding upon and inure to the benefit of the parties to them and their respective successors and permitted assigns. The undersigned officers of The Association of Apartment Owners of One Archer Lane, Inc. hereby certify that the above amendment was made by the written consent of more than a majority of owners.

Each of the undersigned officers of the Association warrants and represents that he or she is legally authorized to sign this Amendment on behalf of the Association. The officers of the Association agree that this Amendment may be executed in counterparts, each of which shall be deemed an original, and those counterparts shall together constitute one and the same instrument, binding all the Parties, notwithstanding that all the Parties are not signatories to the original or the same counterpart.

27<sup>th</sup> IN WITNESS WHEREOF, the undersigned have executed this instrument on this day of July, 2010.

THE ASSOCIATION OF APARTMENT OWNERS OF ONE ARCHER LANE, INC.

By:   
(Print name: PETER E. BECKNER) ✓  
Its: PRESIDENT

By:   
(Print name: WILLIAM M. FOSTER) ✓  
Its: VICE-PRESIDENT

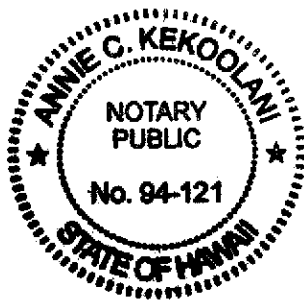
STATE OF HAWAI'I

CITY & COUNTY OF HONOLULU

)  
)  
) ss.

On this 27<sup>A</sup> day of July, 2010, in the First Circuit of the State of Hawai'i, before me personally appeared Peter E. Beckner, personally known to me or proven to me on the basis of satisfactory evidence, who being duly sworn or affirmed, did say that such person was the President of The Association of Apartment Owners of One Archer Lane, Inc., a Hawai'i nonprofit corporation, that said person executed the foregoing instrument identified or described as "Fourth Amendment to Declaration of Condominium Property Regime of One Archer Lane" as such person's free act and deed on having been duly authorized to execute such instrument in such capacity.

The foregoing instrument is dated July 27, 2010 and contained 10 pages at the time of this acknowledgment/certification.



*AL*

Print Name: Annie C. Kekoolani  
Notary Public, State of Hawai'i

My Commission Expires: 02-16-2014

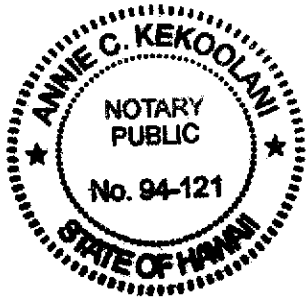
STATE OF HAWAII

CITY & COUNTY OF HONOLULU

)  
) ss.  
)

On this 27<sup>th</sup> day of July, 2010, in the First Circuit of the State of Hawai'i, before me personally appeared William M. Foster, personally known to me or proven to me on the basis of satisfactory evidence, who being duly sworn or affirmed, did say that such person was the Vice Pres of The Association of Apartment Owners of One Archer Lane, Inc., a Hawai'i nonprofit corporation, that said person executed the foregoing instrument identified or described as "Fourth Amendment to Declaration of Condominium Property Regime of One Archer Lane" as such person's free act and deed on having been duly authorized to execute such instrument in such capacity.

The foregoing instrument is dated July 27, 2010 and contained 10 pages at the time of this acknowledgment/certification.



*Annie C. Kekoolani*

Print Name: Annie C. Kekoolani  
Notary Public, State of Hawai'i

My Commission Expires: 02-16-2014

**ONE ARCHER LANE**

<b><u>Apt #</u></b>	<b><u>TCT#</u></b>
1001	506528
1002	506529
1003	506530
1004	506531
1005	506532
1006	506533
1007	506534
1008	506535
1009	506536
1010	506537
1011	506538
1101	531921
1101	958908
1102	760868
1103	511749
1104	737042
1105	577683
1106	541374
1107	816856
1108	506542
1109	617316
1110	772916
1201	891507
1202	566020
1203	883413
1205	602216
1205	816093
1205	922467
1206	673919
1207	518711
1208	506544
1209	825720
1401	685503
1402	878199
1402	915086
1403	860892
1404	815939
1405	632196
1405	899998
1406	546191
1407	555456

**ONE ARCHER LANE**

<b><u>Apt #</u></b>	<b><u>TCT#</u></b>
1408	510293
1409	512714
1410	593524
1501	893875
1502	549778
1502	963242
1503	860893
1504	890825
1505	883265
1506	885950
1507	506612
1507	978944
1508	852080
1509	536928
1509	981501
1510	506545
1510	912259
1601	646999
1602	551352
1603	702030
1603	975750
1604	628035
1605	872087
1606	526748
1607	563361
1608	840655
1609	673667
1610	533812
1701	523369
1702	508671
1703	626996
1704	593527
1705	703607
1706	534155
1707	735171
1708	794481
1709	825873
1710	652529
1801	766719
1801	973370
1802	704762

**ONE ARCHER LANE**

<b><u>Apt #</u></b>	<b><u>TCT#</u></b>
1802	934919
1803	864808
1803	970181
1804	751989
1805	506553
1806	609499
1807	847817
1808	840296
1809	562223
1901	668509
1902	506555
1903	725794
1904	559590
1905	687057
1906	703611
1907	559368
1908	789196
1909	558606
1910	507199
2001	506556
2002	506557
2003	677298
2003	924397
2004	812719
2005	506558
2006	703550
2007	816896
2008	506559
2008	919622
2009	651227
2010	717080
2101	558607
2101	917354
2102	546030
2102	927483
2103	511040
2103	968280
2104	693126
2105	563310
2106	736952
2107	534672

**ONE ARCHER LANE**

<b><u>Apt #</u></b>	<b><u>TCT#</u></b>
2108	615635
2109	875624
2110	564541
2201	858484
2202	553318
2203	849911
2204	833992
2205	865319
2206	604299
2207	841889
2208	519362
2209	548358
2210	509859
2301	752175
2302	607436
2303	575554
2304	692719
2305	664027
2306	536482
2306	967329
2307	533143
2308	534673
2309	548968
2310	627938
2401	635731
2402	845505
2403	870012
2404	618523
2405	623026
2406	650681
2407	664002
2408	871869
2409	654237
2410	545532
2501	506563
2502	506564
2503	577957
2503	906958
2504	545090
2505	506811
2506	859892

**ONE ARCHER LANE**

<u>Apt #</u>	<u>TCT#</u>
2507	553244
2508	725283
2509	551977
2510	755621
2510	927223
2601	563801
2602	866658
2603	610304
2603	904374
2604	871655
2605	506566
2606	725421
2607	761909
2608	506567
2609	541590
2610	513403
2701	719845
2702	535842
2702	971140
2703	506613
2704	512419
2705	506569
2706	534579
2707	719375
2708	511253
2709	747129
2710	654655
2801	506614
2802	506572
2803	628003
2804	541171
2805	864173
2806	551042
2807	532551
2808	506573
2809	745371
2810	651104
2810	918137
2901	560801
2902	535633
2902	912194

**ONE ARCHER LANE**

<u>Apt #</u>	<u>TCT#</u>
2902	917843
2903	530768
2904	544213
2905	543718
2906	631154
2907	627133
2908	550315
2909	890041
2910	506576
3001	506577
3002	551860
3003	539890
3004	561035
3005	553955
3006	888245
3007	781901
3008	681061
3009	508572
3010	774202
3101	562684
3101	978960
3102	832242
3103	728122
3104	528254
3105	855808
3106	669939
3107	828889
3108	649918
3109	547626
3110	506580
3201	508273
3201	904901
3201	904902
3202	856945
3202	919096
3203	612918
3204	597561
3205	779342
3206	553378
3207	772228
3207	982301



**ONE ARCHER LANE**

<u>Apt #</u>	<u>TCT#</u>
3208	601229
3208	930369
3209	546776
3210	598989
3301	862233
3302	506615
3303	522438
3304	632778
3305	529603
3306	508584
3307	549640
3308	528335
3310	890859
3310	968467
3310	968468
3310	969006
3310	975262
3310	975263
3401	506584
3402	506585
3403	728159
3404	628497
3405	506587
3406	626442
3407	525392
3408	839795
3409	780377
3410	554454
3501	682730
3502	754342
3503	518379
3504	645372
3505	731246
3505	905287
3506	898570
3507	543371
3508	789388
3508	913351
3509	805415
3510	650988
3601	893096

**ONE ARCHER LANE**

<u>Apt #</u>	<u>TCT#</u>
3602	797429
3602	980988
3603	824766
3604	526617
3604	972758
3605	768528
3605	978639
3606	722497
3607	551351
3608	506591
3608	921842
3608	962017
3609	881955
3610	575560
3701	556275
3702	854980
3703	745961
3704	506593
3705	873406
3705	929144
3706	633406
3707	506594
3708	659559
3709	537997
3709	910521
3710	890419
3802	525222
3802	923831
3803	773950
3803	975072
3804	720363
3804	960163
3805	549094
3806	809012
3807	548792
3808	873230
3809	506597
3810	538190
3901	807189
3902	506599
3903	764700

**ONE ARCHER LANE**

<b><u>Apt #</u></b>	<b><u>TCT#</u></b>
3904	523048
3905	559724
3905	959299
3906	615575
3907	851111
3908	533597
3909	609902
3910	612949
4001	507079
4002	517548
4003	515852
4004	651857
4005	549324
4005	898554
4006	608467
4007	565339
4008	754222
4009	805134
4010	886162
4101	732655
4102	506603
4103	609900
4104	506605
4105	698785
4106	712410
4107	543223
4108	592866
4109	517228
4110	697512
901	768510
902	555020
903	602335
904	507712
905	886986
906	730120
907	590106
908	561547
909	548290
910	760131
I1	582984
PH01	604191

**ONE ARCHER LANE**

<b><u>Apt #</u></b>	<b><u>TCT#</u></b>
PH01	841110
PH02	865801
PH03	526888
PH04	850351
PH05	547686
PH06	566619
PH07	639545
PH08	512655
PH09	762939
PH10	868419