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STATE OF HAWAII
OFFICE OF THE ASSISTANT REGISTRAR
RECORDED

September 18, 2025 8:01 AM
Doc No(s) T - 13044074-75 (2)
on Cert(s) As Listed Herein
Issuance of Cert(s)

Pkg 12604711 KM

/s/ MIKE H. IMANAKA
ASSISTANT REGISTRAR

LAND COURT SYSTEM

REGULAR SYSTEM

RETURN BY MAIL (X) PICK-UP () TO:

LC

PHILIP S. NERNEY, ESQ.
335 Merchant Street #1534
Honolulu, Hawaii 96806
Tel. No.: 537-1777

TITLE GUARANTY OF HAWAII HAS
FILED THIS DOCUMENT FOR RECORD
AS AN ACCOMMODATION ONLY. THIS
DOCUMENT HAS NOT BEEN
REVIEWED OR IN ANY WAY EXAMINED
AS TO ITS EFFECT ON REAL PROPERTY.

TG Accom: AC 131549626D

Affects TCT Nos. on attached list
Condominium Map No. (Land Court): 143

Total pages: 9

FIFTH AMENDMENT TO THE RESTATEMENT OF DECLARATION OF HORIZONTAL
PROPERTY REGIME OF KUILIMA ESTATES WEST AND FIFTH AMENDMENT TO
THE RESTATEMENT OF BY-LAWS OF THE ASSOCIATION OF APARTMENT
OWNERS OF KUILIMA ESTATE WEST

WHEREAS the Declaration of Horizontal Property Regime of Kuilima Estates West was filed as Land Court Document 592402; and

WHEREAS the Restatement of Declaration of Horizontal Property Regime of Kuilima Estates West ("Declaration") was filed as Land Court Document 2129799; and

WHEREAS the Declaration was amended by instruments filed as Land Court Documents: 1) 2278787; 2) 2718086; 3) 3772984; and 4) 4091558; and

WHEREAS the Restatement of By-Laws of the Association of Apartment Owners of Kuilima Estates West ("By-Laws") was filed as Land Court Document 2129800; and

WHEREAS the By-Laws were amended by instruments filed as Land Court Documents: 1) 2412758; 2) 2576495; 3) 3772984; and 4) 4091558; and WHEREAS, pursuant to HRS Sections 514B-32(11) and 514B-108(e), owners of sixty-seven percent (67%) of the common interest of Kuilima Estates West gave their written consent in favor of amending the Declaration and the By-Laws as outlined below;

NOW THEREFORE, the Declaration and the By-Laws are hereby amended, as follows:

DECLARATION AMENDMENT

Section F of the Declaration is hereby amended to read as follows:

USE. All apartments of the project may be used only for residential purposes. No apartment shall be used in connection with the carrying on of any trade or business whatsoever. The owners of the respective apartments shall have the absolute right to lease the same subject to the limitations, restrictions, covenants, and conditions of this Declaration.

Notwithstanding the foregoing, the rental or lease of an apartment for any period allowed by law, including for transient vacation use and/or use as a transient vacation unit, is permitted; provided that nothing herein shall be construed to authorize or permit any condominium hotel operator to operate at the project.

BY-LAWS AMENDMENT

Article VI, Section 3(a), of the By-Laws is hereby amended to read as follows:

Section 3. Use of Project.

(a) All apartments of the project shall be used for residential purposes only. No apartment shall be used in connection with the carrying on of any trade or business whatsoever.

Notwithstanding the foregoing, the rental or lease of an apartment for any period allowed by law, including for transient vacation use and/or use as a transient vacation unit, is permitted; provided that nothing herein shall be construed to authorize or permit any condominium hotel operator to operate at the project.

In all other respects, the Declaration and the By-Laws, as amended, are hereby ratified and confirmed and shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns; except with respect to any matters finally determined to be inconsistent with applicable law.

The undersigned officers of the Association of Apartment Owners of Kuilima Estates West hereby certify that the foregoing amendments of the Declaration and of the By-Laws were adopted by holders of 67% of the common interest, by written consent.

This amendment may be signed in counterparts, each of which shall be deemed an original, and those counterparts shall together constitute one and the same binding instrument. Escrow is expressly authorized to add a list of TCT numbers, to add or change page numbers before or after the document has been signed and notarized, and to add any non-substantive text and/or information to this document to enable filing in the Land Court.

IN WITNESS WHEREOF this instrument has been executed this _____ day of _____, 2025.

ASSOCIATION OF APARTMENT OWNERS OF
KUILIMA ESTATES WEST

By: _____

MIKE DUGAS

Its: Vice President

By: _____

PAUL NACHTIGALL

Its: Secretary

In all other respects, the Declaration and the By-Laws, as amended, are hereby ratified and confirmed and shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns; except with respect to any matters finally determined to be inconsistent with applicable law.

The undersigned officers of the Association of Apartment Owners of Kuilima Estates West hereby certify that the foregoing amendments of the Declaration and of the By-Laws were adopted by holders of 67% of the common interest, by written consent.

This amendment may be signed in counterparts, each of which shall be deemed an original, and those counterparts shall together constitute one and the same binding instrument. Escrow is expressly authorized to add a list of TCT numbers, to add or change page numbers before or after the document has been signed and notarized, and to add any non-substantive text and/or information to this document to enable filing in the Land Court.

IN WITNESS WHEREOF this instrument has been executed this _____ day of _____, 2025.

ASSOCIATION OF APARTMENT OWNERS OF
KUILIMA ESTATES WEST

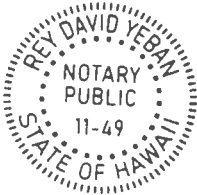
By: _____
MIKE DUGAS
Its: Vice President

By:  _____
PAUL NACHTIGALL
Its: Secretary

STATE OF HAWAII
CITY AND
COUNTY OF HONOLULU

)
) SS:
)

On this 11th day of September, 2025, before me appeared MIKE DUGAS, to me personally known, who, being by me duly sworn, did say that he is the VICE PRESIDENT of the ASSOCIATION OF APARTMENT OWNERS OF KUILIMA ESTATES WEST; that the foregoing instrument was executed in the name and on behalf of the Board of Directors of the ASSOCIATION OF APARTMENT OWNERS OF KUILIMA ESTATES WEST; and that he acknowledged the instrument to be the free act and deed of the Board of Directors of the ASSOCIATION OF APARTMENT OWNERS OF KUILIMA ESTATES WEST.



Rey David Yeban
Notary Public, State of Hawaii
REY DAVID YEBAN
EXPIRATION: March 6, 2027

[print name]

My commission expires: _____

Date of Document: UNDATED

Executed in the First Circuit,
State of Hawaii

FIFTH AMENDMENT TO THE RESTATEMENT OF
DECLARATION OF HORIZONTAL PROPERTY
REGIME OF KUILIMA ESTATES WEST AND FIFTH
AMENDMENT TO THE RESTATEMENT OF BY-LAWS
OF THE ASSOCIATION OF APARTMENT OWNERS OF
KUILIMA ESTATE WEST

(5 pages)

STATE OF HAWAII
City and ~
COUNTY OF HONOLULU

)
) SS:
)

On this _____ day of SEP 09 2025, 2025, before me appeared PAUL NACHTIGALL, to me personally known, who, being by me duly sworn, did say that he is the SECRETARY of the ASSOCIATION OF APARTMENT OWNERS OF KUILIMA ESTATES WEST; that the foregoing instrument was executed in the name and on behalf of the Board of Directors of the ASSOCIATION OF APARTMENT OWNERS OF KUILIMA ESTATES WEST; and that he acknowledged the instrument to be the free act and deed of the Board of Directors of the ASSOCIATION OF APARTMENT OWNERS OF KUILIMA ESTATES WEST.

Ellisa Vendiola

Notary Public, State of Hawaii

[print name] ELLISA VENDIOLA

My commission expires: JUN 23 2027

Date of Document: Undated

Executed in the First Circuit,
State of Hawaii



FIFTH AMENDMENT TO THE RESTATEMENT OF
DECLARATION OF HORIZONTAL PROPERTY
REGIME OF KUILIMA ESTATES WEST AND FIFTH
AMENDMENT TO THE RESTATEMENT OF BY-LAWS
OF THE ASSOCIATION OF APARTMENT OWNERS OF
KUILIMA ESTATE WEST

(5 pages)

Exhibit "A"

**Kuilima Estates West
Land Court Condominium Map No. 143**

List of Current Transfer Certificate of Title Numbers

<u>Unit No.</u>	<u>TCT</u>	<u>Unit No.</u>	<u>TCT</u>	<u>Unit No.</u>	<u>TCT</u>
1	1059104	32	1127144	63	1247640
2	1046172	33	1273962	64	1264063
3	1137825	34	1243054	65	1250848
4	1280218	35	1027778	66	1239635
5	1035648	36	1243054	67	1030675
6	1271345	37	1248643	68	1159486
7	1247829	38	1205462	69	1149939
8	1028850	39	1033381	70	1281654
9	1030288	40	1022949	71	1190751
10	1159402	41	1025150	72	1267665
11	1239755	42	1158423	73	1169019
12	1112505	43	1234340	74	1180411
13	1197957	44	1268329	75	1147080
14	1284798	45	1281067	76	1117041
15	1236419	46	1186943	77	1030351
16	1064664	47	1265985	78	1155393
17	1022949	48	1106392	79	1250700
18	1073558	49	1110103	80	1283342
19	1247056	50	1195121	81	1284148
20	1275555	51	1232950	82	1243746
21	1277049	52	1028852	83	1276878
22	1024325	53	1034296	84	1025924
23	1202925	54	1141329	85	1164032
24	1147849	55	1283511	86	1161638
25	1097845	56	1030080	87	1267887
26	1203139	57	1248989	88	1239211
27	1029667	58	1085405	89	1054377
28	1120966	59	1026744	90	1243822
29	1251404	60	1036416	91	1031593
30	1083042	61	1036417	92	1188958
31	1122050	62	1209293	93	1244344

Exhibit "A"

**Kuilima Estates West
Land Court Condominium Map No. 143**

List of Current Transfer Certificate of Title Numbers

<u>Unit No.</u>	<u>TCT</u>	<u>Unit No.</u>	<u>TCT</u>	<u>Unit No.</u>	<u>TCT</u>
94	1022949	125	1039966	156	1189393
95	1024323	126	1284074	157	1036270
96	1025925	127	1026381	158	1274158
97	1029475	128	1272758	159	1035060
98	1027626	129	1113130	160	1137102
99	1236723	130	1124479	161	1278943
100	1243655	131	1245191	162	1245734
101	1121223	132	1209198	163	1026745
102	1113258	133	1039720	164	1026746
103	1026380	134	1158382	165	1040281
104	1242136	135	1245388	166	1121649
105	1147996	136	1250694	167	1251756
106	1201695	137	1157708	168	1289712
107	1179691	138	1022949	169	1185607
108	1275647	139	1245839	170	1028348
109	1126619	140	1028853	171	1257216
110	1198951	141	1203363	172	1197956
111	1194479	142	1229837	173	1198496
112	1107791	143	1230235	174	1118041
113	1036275	144	1265435	175	1234363
114	1113923	145	1173595	176	1107883
115	1132150	146	1256910	177	1178738
116	1188645	147	1106000	178	1037471
117	1029962	148	1277086	179	1197198
118	1088906	149	1030042	180	1029103
119	1178094	150	1243236	181	1248417
120	1190253	151	1148940	182	1175075
121	1029029	152	1184762	183	1062834
122	1231140	153	1036325	184	1150183
123	1281497	154	1265543	185	1103361
124	1231623	155	1045915	186	1030733

Exhibit "A"

**Kuilima Estates West
Land Court Condominium Map No. 143**

List of Current Transfer Certificate of Title Numbers

<u>Unit No.</u>	<u>TCT</u>	<u>Unit No.</u>	<u>TCT</u>	<u>Unit No.</u>	<u>TCT</u>
187	1030972	192	1128704	197	1078068
188	1284286	193	1027061	198	1169993
189	1252553	194	1122878	199	1028757
190	1198678	195	1031244		
191	1197347	196	1107524		