

STATE OF HAWAII
BUREAU OF CONVEYANCES
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March 12, 2021 1:42 PM

Doc No(s) A - 77411000

Doc 1 of 1
Pkg 11722442 KEO

/s/ LESLIE T KOBATA
REGISTRAR

Conveyance Tax: \$0.00

LAND COURT SYSTEM

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Total pages: 5

**AMENDMENT TO THE SECOND RESTATED AND AMENDED BY-LAWS OF
ASSOCIATION OF APARTMENT OWNERS OF KOA LAGOON, A CONDOMINIUM
PROPERTY REGIME
(Condominium Map No. 493)**

This AMENDMENT TO THE SECOND RESTATED BY-LAWS OF ASSOCIATION OF APARTMENT OWNERS OF KOA LAGOON, A CONDOMINIUM PROPERTY REGIME ("Amendment") is made by the ASSOCIATION OF APARTMENT OWNERS OF KOA LAGOON ("Association"), a Hawai'i nonprofit corporation.

WHEREAS, by Declaration of Horizontal Property Regime dated February 17, 1977 recorded in the Bureau of Conveyances of the State of Hawaii in Liber 12070, Page 20, together with Condominium Map No. 493, the Horizontal Property Regime known as Koa Lagoon was created by Owner of Fee, Koa Development, Inc., a Hawaii corporation; and

WHEREAS, attached to said Declaration and filed therewith were the Declaration of Covenants, Conditions and Restrictions and By-Laws of Association of Apartment Owners of Koa Lagoon, a Horizontal Property Regime; and

WHEREAS, said Declaration and By-Laws were restated by that Koa Lagoon Restated Declaration of Condominium Property Regime adopted July 11, 2000, recorded as aforesaid as Document No. 2000-098963 and by that Second Restated And Amended Declaration Of Covenants, Conditions And Restrictions and By-Laws Of Association Of Apartment Owners Of Koa Lagoon, A Condominium Property Regime recorded as aforesaid on December 1, 2015 as Document No. A58130392 ("Bylaws");

WHEREAS, amendment of the Bylaws requires at least 67% of all unit owners to approve by vote or written consent pursuant to Hawaii Revised Statutes § 514B-108(e);

WHEREAS, on or before February 10, 2021, at least sixty-seven percent of all unit owners approved by written consent to amend the Bylaws as set forth herein.

NOW, THEREFORE, BE IT RESOLVED THAT the Bylaws is amended as follows:

1. Section 5 of the Bylaws is amended to add the following paragraph (e):

(e) Notwithstanding anything to the contrary in these By-Laws, if authorized by the Board of Directors, the voting owners or proxies of owners may participate at an annual or special meeting of the owners by means of the Internet, teleconference, or other electronic transmission technology ("Electronic Meeting") in a manner that allows attendees the opportunity to (a) read or hear the proceedings substantially concurrently with the occurrence of the proceedings; (b) vote on matters submitted to the owners including election of directors; (c) pose questions; and (d) make comments. An owner or proxy of an owner participating in an Electronic Meeting shall be deemed to be present in person at the meeting. The Board may implement reasonable measures to conduct the meeting and to verify that each person deemed present and permitted to vote at the Electronic Meeting is an owner or proxy of an owner. Votes cast at an Electronic Meeting shall not be required to be secret and may be cast by voice vote, roll call vote, directed proxy, written consent, or ballot in accordance with rules established by the Board of Directors.

2. Section 5(a) of the Bylaws is amended to read as follows:

The annual meeting of the Association shall be held on a date designated by the Board of Directors at the Property, or elsewhere within the State of Hawaii as determined by the Board of Directors.

In all other respects, the Bylaws remain unchanged and are in full force and effect and shall be binding upon and inure to the benefit of the parties to them and their respective successors and permitted assigns.

Each of the undersigned officers of the Association hereby warrants and represents that he or she is legally authorized to sign this Amendment on behalf of the Association. The

undersigned officers of the Association hereby certify that the foregoing was adopted with the written consent of more than sixty-seven percent of all unit owners.

The officers of the Association agree that this Amendment may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same instrument, binding the parties thereto, notwithstanding that all the parties are not signatories to the original or the same counterpart. For all purposes, including without limitation, recordation, filing and delivery of this Amendment, duplicate, unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

1st IN WITNESS HEREOF, the parties hereto have executed these presents this
day of March, 2021.

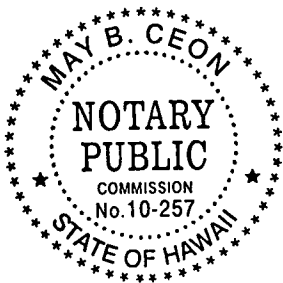
ASSOCIATION OF APARTMENT OWNERS OF
KOA LAGOON

By: Valerie Smith Oliver
Valene Smith Oliver
Its Secretary

By: Barbara Ann Wroblewski
Barbara Ann Wroblewski
Its Treasurer

STATE OF Hawaii)
COUNTY OF Mauai) ss.
)

On March 1, 2021 before me personally appeared Valerie Smith Oliver, to me personally known, who, being by me duly sworn, did say that she is the secretary of Association of Apartment Owners of Koa Lagoon and the said instrument was signed on behalf of said association by authority of its board of directors, and said officer acknowledged said instrument to be the free act and deed of said association. Said association has no seal.



May B. Ceon
Signature:
May B. Ceon
Print Name:
Notary Public, State of Hawaii
My commission expires: 8/15/2022

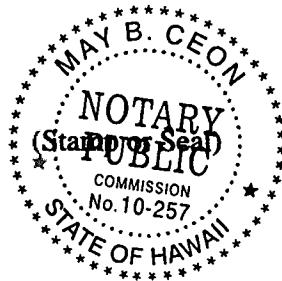
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Notary Name: May B. Ceon second Circuit

Doc. Description: AMENDMENT TO THE SECOND RESTATED AND AMENDED BY-LAWS OF ASSOCIATION OF APARTMENT OWNERS OF KOA LAGOON, A CONDOMINIUM PROPERTY REGIME

May B. Ceon
Notary Signature

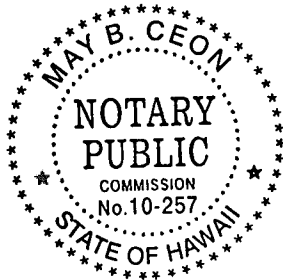
3/1/21
Date

NOTARY CERTIFICATION



STATE OF Hawaii)
COUNTY OF Maui) ss.
)

On March 1, 2021 before me personally appeared Barbara Ann Woblenki, to me personally known, who, being by me duly sworn, did say that she is the Treasurer of Association of Apartment Owners of Koa Lagoon and the said instrument was signed on behalf of said association by authority of its board of directors, and said officer acknowledged said instrument to be the free act and deed of said association. Said association has no seal.



May B. Ceon
Signature:
May B. Ceon
Print Name:
Notary Public, State of Hawaii
My commission expires: 8/15/2022

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May B. Ceon
Notary Signature

3/1/21
Date

NOTARY CERTIFICATION

