

SYNOPSIS OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

The following is a brief synopsis of the above Covenants, as they pertain to all and any improvements. The complete text, as recorded in the Bureau of Conveyances, State of Hawaii, in Liber 6446, was issued to all property owners at time of purchase.

1. **ARCHITECTURAL COMMITTEE:** Before any building, garage, wall, fence or any other improvement is constructed or maintained upon the lots or any alteration made thereto, a duplicate set of plans and specifications relating to said construction work shall be submitted to the Architectural Committee. (Addressed as above). One set must be the County approved plans, which will be returned (see also item 16).
1. ARCHITECTURAL COMMITTEE. Certificate of Extension Of the Architectural Committee Of The Leilani Community Association. Liber/Page 23129/783 Recorded May 1, 1989).
2. **SINGLE FAMILY RESIDENCE:** All lots shall be used for only single family residence, with only one such residence being permitted on any such lot.
3. **GARAGE:** Every residence shall have a minimum of a 2-car garage or a 2-car carport, which shall be considered as part of the residence.
4. **MINIMUM SIZE:** No residence shall be constructed which contains less than 800 square feet of livable ground floor space, exclusive of porches, lanais and garage.
5. **HEIGHT:** No improvement shall be constructed that will exceed 18 ft. in height from the highest point of land within the perimeter of the structure.
5. HEIGHT. Residences and other structures built on lots must be built so that the highest point in elevation of the structure must be 18 ft. or lower from the highest point of land in elevation on that lot. (No. 92-115 Finds of Fact, Conclusion of Law, Order Granting motion for Partial Summary Judgement; Judgement Recorded June 10, 1993).
6. **TEMPORARY OR SEPARATE IMPROVEMENTS:** No trailer, mobile home, tent, shack, garage or other outbuilding shall be constructed prior to or during construction of a residence.
7. **NUISANCE:** No noxious or offensive activity shall be carried on upon any of said lots, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
8. **MATERIALS:** All materials used in the construction of any improvement upon any portion of the lots shall be new materials only except that used decorative or structural materials may be used to enhance the appearance of the improvement.
9. **FOUNDATIONS:** No conventional sub-floor framing shall be exposed from any side of any residence. All sub-floor framing shall be concealed in a manner acceptable to the Architectural Committee.
10. **DRIVEWAYS:** Driveways shall be a minimum of 12 feet wide at the street and shall be paved during or prior to completion of a residence.
10. **DRIVEWAYS.** Driveway is area between a lot owner's home and the boundary line adjacent to the roadway, the term "paved" allows the use of any smooth surface. (Civil No. 6865 Findings Of Fact, Conclusions Of Law and Judgement Recorded September 28, 1982).
11. **ROOFS:** Cedar shakes, cedar shingles, clay tiles, composite materials or metals, shall be among some of the approved roofing materials.
12. **ANIMALS:** Only dogs, cats or other household pets may be kept on any of said lots, provided that they are not kept, bred or maintained for any commercial purpose and are otherwise kept in accordance with the zoning ordinances, rules and regulations otherwise applicable.
13. **SIGNS:** No signs of any kind shall be displayed to the public view on any of said lots except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent; or signs used by a builder to advertise th property during the construction and sales period.
14. **RUBBISH AND TRASH:** None of the lots shall be used or maintained as a dumping ground for discarded old vehicles, rubbish, trash, garbage or other waste. No such material shall be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean sanitary condition.
15. **ALL CONVEYANCES SUBJECT HERETO:** All deeds, mortgages, agreements of sale, leases, or other conveyances made or delivered by any legal or equitable owner of any lot or interest therein shall be subject to the same covenants, conditions and restrictions as in this Declaration set forth whether expressly contained in such conveyances or not.
16. **BUILDING PERMIT:** No work shall be commenced on the construction of any improvement until such building permit has been obtained from the Building Department of the County of Hawaii as required by law or ordinance.
17. **COMMUNITY ASSOCIATION:** Each owner shall be a member in good standing of the LEILANI COMMUNITY ASSOCIATION, a Hawaii nonprofit corporation, and shall pay all assessments levied and billed according to law. Unpaid assessments shall constitute a lien against subject property, which may be enforced by suit for money judgement or may be foreclosed by the Association in the same manner as a real estate mortgage may be foreclosed.

COVENANTS RUNNING WITH THE LAND. The covenants, conditions and restrictions shall run with the land, and are of record with the Bureau of Conveyances of the State of Hawaii.

ADDRESS SERVICE REQUESTED

Leilani Community Association
P.O. Box 361
Pahoa, Hawaii 96778



Leilani Community Association

NEW OFFICE HOURS: Monday - Friday 10:00 am to 3:00 pm

DAILY PARK HOURS: 7:00 AM TO 9:00 PM

NEWSLETTER

LEILANI HALE LOA, 13-3441 MOKU STREET, PAHOA, HAWAII 96778, PHONE/FAX (808) 965-9555

E-mail: Lca@hawaii.rr.com • Website: www.leilaniestates.org

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Aloha from the President

Jay Bondesen

Aloha Leilani Community Association members!

We are already half way through 2013 and it's time for an update on just what has been going on in our neighborhood. Most of you probably know that Jean, for most of us and for many years the first contact here in Leilani, has left the office and been replaced by Pake (Athena). We miss Jean of course but Pake has fit right in and proved to be a great asset bringing experience from doing similar work in another Puna subdivision.

The Office is now open from 10:00 AM until 3:00 PM weekdays and both the office and the lending library are getting more use. In fact the whole Community Center is getting more use with the many classes and groups taking advantage of it. The playground and the basketball court almost always have people using them is now open until 9:00 at night. The Board of Directors is also considering proposals from the Park Committee on both expansion and maintenance projects to enhance and protect our investment in facilities.

Driving around Leilani I see a number of new homes going up and, thankfully, some of the empty homes being bought and occupied again. It's great to see that although it can sometimes be a challenge for both the Architectural Committee and the CC&R Committee. It seems that we need to constantly educate, and sometimes remind, property owners about the rules. These same rules are the ones that made Leilani attractive in the first place. We owe a huge debt to the past members who have served on the Board of Directors and the various committees that are responsible for the fact that Leilani Estates has become the, and I am biased here, best place to live in Puna. The current chairmen and members of both C.E.R.T. and Neighborhood Watch have all put in an amazing amount of volunteer time for a great cause.

Puna, and Pahoa as our village, have been energized by new people moving in and new investments by business and the County of Hawai'i. I see a lot of people using the improved Park and boat ramp just down the hill at Pohoiki and MacKenzie State Park just finished a major upgrade. The local Fire and Police facility is a great improvement over what we had. New commercial development is planned in Pahoa and a major new park next to the Pahoa swimming

pool is in the planning stages. Highway improvements are in the final planning stage for the infamous intersection coming into Pahoa.

There are a lot of great things about where we live and a few things that not everyone is pleased with. Everyone here has the opportunity to speak up as well as participate. We are a small enough community that individuals really can make a difference and those that participate will define what we will become. The Leilani Community Association has only two paid employees so much of what we are is the result of volunteer efforts. Not simply the Board of Directors but all of the committees and work crews, the people that organize the pot lucks and movie nights, who do the training for C.E.R.T., drive the roads for Neighborhood watch, and everyone who just picks up a little trash while out walking. There will always be room for more people helping in these efforts so consider the opportunity to, have a say, meet your neighbors, and make Leilani even better.

NW SUMMER PICNIC

- Sunday, August 25th from 12 noon to 4 pm
- Leilani Community Park
- NW will be doing an imu and supplying drinks. Please bring a pot luck dish to share with your neighbors.
- Entertainment to be provided by the Puka Ukulele Club and The Leilani Hula Club
- If you would like to volunteer to help with the imu, please call and leave your name/number at the office 965-9555.

GENERAL MEMBERSHIP MEETING

Leilani Community Association will hold the General Membership Meeting on **Saturday, September 21, 2013**, at 2:00 p.m. at the Rec Center, 13-3441 Moku Street. All members are encouraged to participate in the meeting, meet your neighbors and meet your new Board of Directors for 2013.

RECREATION COMMITTEE

By Mark Hauanio

In February we decided to extend the park hours on a trial basis. The gate and restrooms are open and the pavilion lights are on until 9:00p.m daily. We have had 99.9% positive feedback on the new hours so will continue the extended hours until further notice.

We have dog training classes on Monday nights and people are taking advantage of the extended hours by playing basketball and roller blading.

We are working on getting a plan together to add additional playground space and equipment. Any suggestions for the park would be appreciated and can be dropped off at the office. Suggestions for all ages including adults are welcomed.

WEST SIDE COVENANTS REVIEW -

By Richard J. Robbins

Aloha Neighbors: As a newly elected member of BOD I will be reviewing the properties in the upper half of the subdivision. Having previously been a member of the BOD, I value the enforcement of the CC&R's as the utmost importance. All anyone can ask is that we abide the covenants, follow the rules and regulations (CC&R's) and keep Leilani Estates the type of community it was intended to be. If a property owner receives a letter from the BOD addressing issues with their respective property, immediate attention should be given to correcting the problem(s). The cost of legal enforcement can be expensive for the BOD and the property owner as well. The BOD must protect the property values of each and every owner. All of us choose Leilani Estates for the beauty of land, the fully paved road system and most importantly the fact that we are a "covenant community." Help us by maintaining your property and sharing the "Aloha of Hawaii."

EAST SIDE COVENANTS

by Rick duPont

Congratulations Leilani Estates residents and owners, again our subdivision has been singled out as one of the finest places to live on the island. This is testament to our fine neighborhood watch, our previous Board of Director members and without question to the people who make up our neighborhood.

It is you the members that have decided to make this subdivision your home that has established this as one of the safest, most secure and cleanest neighborhoods on the east side. These important quality of life attributes are probably one of the prime reasons you choose to purchase your lot or home here, and they are in no small part, directly a result of our communities CC&R's. It is the Board of Directors obligation to enforce these rules, but it is you the members who have the most control of the enforcement and compliance with these rules of which we all agreed to when we purchased in Leilani Estates. First if you own and/or live in one of the homes that is not in compliance, please, please take the proper steps to bring your property into line with the CC&R's. After all, you have already agreed to abide by these rules and it is certainly the prime factor that keeps Leilani such a nice neighborhood which probably affected your buying decision in the first place.

The other way that you can help to encourage CC&R compliance, is through peer pressure. If you are in the vast majority of Leilani residence who believe in the importance of the conveyance's and would like to see them enforced in order to maintain our safe and attractive neighborhood, speak up. I am not suggesting that you confront your non-compliant neighbor or in any way take matters into your own hands, I am simply saying that the next time you see your neighbor ask if they know about the CC&R's and mention to them how important you believe these simple rules are to the overall health of our neighborhood. This non-confrontational push may be all it takes to encourage your neighbor to step up and do the right thing.

Not everyone is going to respond to such subtle pressure or feel comfortable applying it. Please feel free to fill out a compliant form which is available at our Community Center office.

Please remember that neighbors make the neighborhood.

ROAD AND COMMUNITY PROPERTY MAINTENANCE

by Jay Bondesen

Our battle with the jungle is a never-ending one here in Puna, a point those of you living here surely understand. Conditions are such that a few introduced species have been seeing explosive growth; the Albizia tree, the Miconia plant, and the Coqui frog are three with the biggest impact now in Leilani Estates.

In general terms our roads and park are in great shape although clearly vegetation is encroaching in various ways. Falling Albezia branches are creating regular power outages and have devalued several areas in Leilani. It's also recognized by the State as a possible hazard tree and owning property with Albizia trees has become a liability in Hawaii courts. The Association incurs some additional costs regularly by cutting their roots along our roads to prevent damage to them but can do nothing about trees on private property. These plants are everyone's problem and so everyone has to join the battle against them.

Property owner plantings, or private landscaping, are continuing to be a problem for our roadways.

Unfortunately many plants and trees were placed too close to Association owned property which is roughly the 4' to 6' shoulder adjacent to the asphalt. The branches and leaning trees that block our tractor from mowing the frontage and in many cases infringe on the roads will have to be cut or removed. The best, and probably the most attractive, way to do this is for property owners to inspect and clear their frontage as necessary. We do not have the budget or tools to do this work and one option is to pay for the work we see as necessary and then assess those properties owners. It has become a safety issue, blocking visibility and obstructing larger vehicles, and it will need to be addressed.

Considering that we live in a jungle and everything grows so fast, we think we are doing pretty well. That being said, if you have a thought on what we do or how we do it, please drop us a note at the office. What we try to do is protect our investments and maintain the 'feel' of Leilani Estates that brought us here to begin with. And of course, keep an eye out for Michael as he works around our subdivision and remember to keep a safe distance from the tractor operations.

LEILANI HAPPENINGS

DOG TRAINING CLASSES

by Maralyn Renken

There are free dog training classes being offered here in Leilani Estates every Monday night at 7:00 in the clubhouse pavilion. The classes usually last for 30-45 minutes, and you are expected to practice at home in between classes.

We take big dogs, small dogs and in between dogs but we would appreciate no truly aggressive dogs.

The owners get together to put themselves and their canine friends through their paces in the camaraderie of fellow dog lovers. All you need is a 6 foot leash, a slip collar, and a willing heart. A few doggie treats are always welcome. Some of the trainees are using clicker training. For those interested, clickers are provided.

The goal of the class is not to ready you and your dog for competition but rather to make your canine experience more enjoyable for both you and your dog. Some of the things we are working on are the 'come', the 'sit', the 'stand', the 'stay', the 'down', and walking on a loose lead.

I am teaching the class with input from class members always welcome. I have successfully shown my dogs in AKC obedience trials, rally, and sheep herding trials. I have also been involved in canine search and rescue on the mainland. I am a past president of the Santa Ynez Valley Dog Training Club and the Santa Ynez Valley Arabian Horse Association. I have bred, trained, and shown German Shepherd Dogs and Arabian horse for almost 35 years.

COUNTRY DANCE

by R. Robbins

Thanks to the residents who decided an evening of "Country Dancing" was a good idea. The Michael Strand Band provided the music and the entertainment for the night. The well attended event left us with the question, "when is the next one?" People of all age groups seemed to come together for some two step, line dancing and good old "Rock-A-Billy" music. A big Mahalo to the Leilani BOD from all attending for allowing us to provide the residents with so much enjoyment.

LEILANI'S WEEKLY ACTIVITIES - IN THE BUILDING

Mon, Wed, Fri.	8:30am - 9:50 am	Yoga
Wednesdays	4:00 pm - 5:00 pm	Hula - Advanced Adult
Saturdays*	8:00 am - 9:00 am	Hawaiian Language - Beg.
	9:00 am - 10:00 am	Hula - Beginner
	10:00 am - 11:00 am	Hula - Intermediate

*Not on the first Saturday of the month

IN THE PAVILION

Mondays	7:00 am - 8:00 pm	Dog Training
Tuesdays	8:30 am - 9:00 am	Tai-Chi
	9:00 am - 10:00 am	QiGong
Fridays	8:30 am - 9:00 am	Tai-Chi
	9:00 am - 10:00 am	QiGong
Saturdays	9:30 am - 10:30 am	Yoga

ONGOING ACTIVITIES

Call the office 965-9555 for actual dates

MOVIE NIGHT - 4th Friday of each month
Starts at dusk with cartoons

UKELELE CLASSES - 1- 5p.m in the Main Building
Every other Saturday

SEWING, KNITTING & CROCHET CLUB -
10:30a.m. - 3:00p.m

In the Main Building - Every other Thursday

DATES TO REMEMBER

SUMMER NEIGHBORHOOD PICNIC -

Sunday August 25th 12:00p.m - 4:00p.m

Meat & drinks compliments of Neighborhood Watch

Bring a Dish to share with your neighbors

COMMUNITY GARAGE SALE -

1st Saturday of each Month

7:00 - 11:00a.m in the Pavilion

LEILANI GENERAL MEMBERSHIP MEETING -

Saturday September 21, 2013

2:00p.m in the Main Building

CERT TEAM MEETINGS - Last Tuesday of each Month

6:00p.m in the Main Building

NEIGHBORHOOD WATCH MEETINGS -

Last Tuesday of each Month

7:00p.m in the Main Building

LEILANI BOARD OF DIRECTORS MEETINGS -

2nd Thursday of each Month

6:30p.m in the Main Building

NEIGHBORHOOD TRASH CLEAN UP -

Saturday October 18, 2013 & January 18, 2014

Mark your calendars to volunteer to help

clean up the streets of Leilani

Meet at the Community Park at 8:00a.m to

set up teams & get supplies