

This is a copy of Bureau of Conveyances

Document No. 4267 0537, and / or

Land Court Document No. _____

affecting Certificate of Title No. _____

recorded on Dec. 16, 2011 at 8:01 o'clock am.

TITLE GUARANTY OF HAWAII, INCORPORATED

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY: MAIL () PICK-UP ()

TG: 201146024
TGE: 11001286
22261714
Total No. of Pages: 6

Tax Map Key Nos.: (2) 3-9-045-012 C.P.R.0020, -0021 and -0022
Unit Nos. 120, 121 and 122

**AMENDMENT TO DECLARATION OF CONDOMINIUM
PROPERTY REGIME FOR KIHEI COMMERCIAL PLAZA
(Change in Designation of Parking Stalls for Unit Nos. 120, 121 and 122)**

THIS Amendment to Declaration of Condominium Property Regime for Kihei Commercial Plaza, made this 9th day of December, 2011, by KCCC, LLC, a Hawaii limited liability company, whose mailing address is 99-1324 Koaha Place, Aiea, Hawaii 96701 (the "**First Party**"), and MARY L. HULTQUIST and JOHN A. HULTQUIST, JR., Trustees of the Hultquist Family Revocable Living Trust dated June 24, 2010, whose mailing address is 188 Noe Street, Kihei, Hawaii 96753 (the "**Second Party**");

WITNESSETH:

WHEREAS, First Party is the Declarant under that certain Declaration of Condominium Property Regime Kihei Commercial Plaza and the holder of title to Unit 120, for which no Unit Deed has yet been issued, together with appurtenant easements and interests in Parking Stall Nos. 145 and 150 in that certain Condominium Project known as "Kihei Commercial Plaza" (the "Project"), created pursuant to Declaration of Condominium Property Regime for Kihei Commercial Plaza dated September 26, 2005, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2005-237137, as amended by instruments recorded as aforesaid as Document No. 2006-022040 and Document No. 2008-007823 (collectively, "**Declaration**"), and the By-Laws of the Association of Unit Owners of Kihei Commercial Plaza recorded as aforesaid as Document No. 2005-237138, as amended by instrument recorded as aforesaid as Document No. 2006-022041 (collectively, "**By-Laws**"), and as shown on Condominium File Plan No. 4122; and

WHEREAS, Second Party is the owner of Unit 121 of the Project pursuant to that certain Warranty Deed recorded as aforesaid on September 13, 2010 as Document No. 2010-135013 in favor of Second Party as grantee, and which Warranty Deed covers Unit No. 121 in the Project, together with an appurtenant easement and interest in Parking Stall Nos. 151 and 152 in said Project; and

WHEREAS, Second Party is also the Owner of Unit 122 of the Project pursuant to that certain Warranty Deed recorded as aforesaid on September 13, 2010 as Document No. 2010-135014 in favor of Second Party as grantee, and which Warranty Deed covers Unit No. 122 in the Project, together with an appurtenant easement and interest in Parking Stall Nos. 153 and 154 in said Project; and

WHEREAS, First Party and Second Party desire to exchange parking stalls, so that Parking Stall No. 154, together with existing Parking Stall No. 145 shall be appurtenant to Unit No. 120; Parking Stall No. 150 together with existing Parking Stall No. 151 shall be appurtenant to Unit No. 121; and Parking Stall No. 152 together with existing Parking Stall No. 153 shall be appurtenant to Unit No. 122; and

WHEREAS, First Party, as the Declarant, and Second Party, as a unit owner, have the right to change the designation of parking stalls which are appurtenant to their respective units by amendment of the Declaration of Condominium Property Regime and their respective unit deeds, as provided for in Section 514A-14 of the Hawaii Revised Statutes and the Declaration;

NOW, THEREFORE, in consideration of the foregoing, First Party and Second Party, pursuant to Section 514A-14 of the Hawaii Revised Statutes, hereby establish, declare and agree that said Declaration of Condominium Property Regime and said Deeds covering Unit Nos. 121 and 122 are amended so as to provide that said Unit No. 120 shall have as appurtenant easements Parking Stall Nos. 145 and 154, said Unit No. 121 shall have as appurtenant easements Parking Stall Nos. 150 and 151, and said Unit No. 122 shall have as appurtenant easements Parking Stall Nos. 152 and 153 as follows:

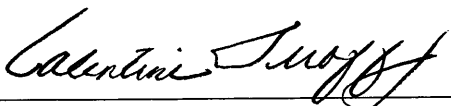
Unit Number	Parking Stall Number
120	145, 154
121	150, 151
122	152, 153

This instrument may be executed in several counterparts, each of which shall be deemed an original, but together shall constitute one and the same instrument. For all purposes including, without limitation, filing and delivery of this instrument, duplicate unexecuted pages of the counterparts may be discarded and the remaining pages assembled as one document.

--The remainder of this page is intentionally left blank; the next page is the signature page--

IN WITNESS WHEREOF, the parties hereto have executed these presents as of the day and year first above written.

KCCC, LLC,
a Hawaii limited liability company

By: 
Name: Valentine Peroff, Jr.
Title: Manager

First Party

HULTQUIST FAMILY REVOCABLE LIVING
TRUST dated June 24, 2010

MARY L. HULTQUIST,
as Trustee aforesaid

JOHN A. HULTQUIST, JR.,
as Trustee aforesaid

Second Party

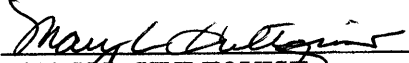
IN WITNESS WHEREOF, the parties hereto have executed these presents as of the day and year first above written.

KCCC, LLC,
a Hawaii limited liability company

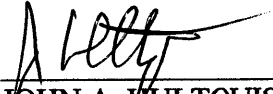
By: _____
Name: Valentine Peroff, Jr.
Title: Manager

First Party

HULTQUIST FAMILY REVOCABLE LIVING
TRUST dated June 24, 2010



MARY L. HULTQUIST,
as Trustee aforesaid



JOHN A. HULTQUIST, JR.,
as Trustee aforesaid

Second Party

STATE OF HAWAII

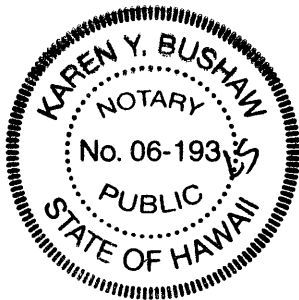
)

) ss.:

CITY AND COUNTY OF HONOLULU

)

On this 9th day of December, 2011, before me personally appeared VALENTINE PEROFF, JR., to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.



Karen Y. Bushaw
(Print or Type Name of Notary)

[Signature]
(Signature of Notary)

Notary Public, State of Hawaii
My Commission Expires: 4/9/14

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: Amendment to Declaration of Condominium Property Regime for Kihei Commercial Plaza

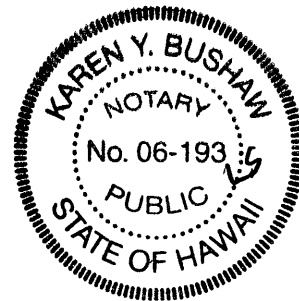
Doc. Date: _____ or ☒ Undated at time of notarization.

No. of Pages: 5 Jurisdiction: First Circuit
(in which notarial act is performed)

[Signature]
Signature of Notary

12/9/11
Date of Notarization and
Certification Statement

Karen Y. Bushaw
Printed Name of Notary



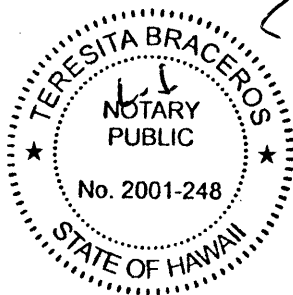
(Official Stamp or Seal)

STATE OF HAWAII

)
) ss.:
)

COUNTY OF MAUI

On this 9th day of DECEMBER, 20 11, before me personally appeared MARY L. HULTQUIST and JOHN A. HULTQUIST, JR., to me personally known, who, being by me duly sworn or affirmed, did say that such persons executed the foregoing instrument 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.



(Print or Type Name of Notary)

My commission expires: June 10, 2013

(Signature of Notary)

Notary Public, State of Hawaii
My Commission Expires:

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: Amendment to Declaration of Condominium Property Regime for Kihei Commercial Plaza

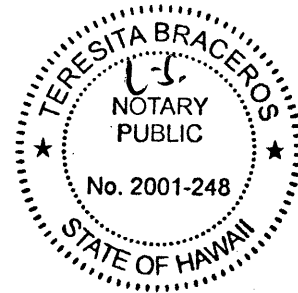
Doc. Date: _____ or ☒ Undated at time of notarization.

No. of Pages: 5 Jurisdiction: 2nd Circuit
(in which notarial act is performed)

Signature of Notary: _____ Date of Notarization and Certification Statement: December 9, 2011

TERESITA R. BRACEROS
My commission expires: June 10, 2013

Printed Name of Notary



(Official Stamp or Seal)

This is a copy of Bureau of Conveyances

Document No. 43670538, and / or

Land Court Document No. _____

affecting Certificate of Title No. _____

recorded on Dec-16, 2011 at 8:01 o'clock AM.

TITLE GUARANTY OF HAWAII, INCORPORATED

LAND COURT

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AFTER RECORDATION, RETURN BY: MAIL () PICK-UP ()

TG: 201146024 (2)
TGE: 11001286
Total No. of Pages: 3

Tax Map Key Nos.: (2) 3-9-045-012 C.P.R.0020, -0021 and -0022
Unit Nos. 120, 121 and 122

CONSENT OF AMERICAN SAVINGS BANK, F.S.B.
(Kihei Commercial Plaza)


KNOW ALL BY THESE PRESENTS:

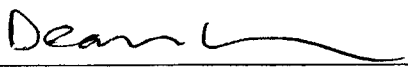
That AMERICAN SAVINGS BANK, F.S.B., a federal savings bank, Mortgagee under that certain Mortgage, Security Agreement and Financing Statement (Fixture Filing) (Accommodation Mortgage) dated June 28, 2011, filed in the Bureau of Conveyances of the State of Hawaii as Document No. 2011-101921, covering, among other units, Unit No. 120 and the interest appurtenant thereto, does hereby consent to that certain Amendment to Declaration of Condominium Property Regime for Kihei Commercial Plaza dated December 9, 2011, recorded in said Bureau as Document No. A-43670537, upon the express condition that no other or further amendment shall be made without the written consent of said AMERICAN SAVINGS BANK, F.S.B. And AMERICAN SAVINGS BANK, F.S.B. does hereby further agree with KCCC, LLC that said Mortgage shall be and is hereby amended to release and discharge from the lien of said Mortgage Parking Stall No. 150 and to substitute in place thereof Parking Stall No. 154, which by the foregoing Amendment to Declaration of Condominium Property Regime for Kihei Commercial Plaza is made appurtenant to Unit No. 120; provided, however, that, except as herein amended, the terms, covenants and conditions of said Mortgage shall remain in full force and effect and binding upon the parties thereto.

--The remainder of this page is intentionally left blank; signature page follows--

IN WITNESS WHEREOF, the undersigned has caused these presents to be
executed this 9th day of December, 2011.

AMERICAN SAVINGS BANK, F.S.B.,
a federal savings bank

By 
Alvin Takahashi
Its Vice President

By 
Dean Hirabayashi
Its Sr. Vice President

STATE OF HAWAII

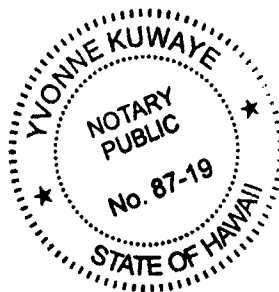
)

) ss.:

CITY AND COUNTY OF HONOLULU

)

On this 9th day of December, 2011, before me personally appeared Alvin Takahashi and Dean Hirabayashi, to me personally known, who, being by me duly sworn or affirmed, did say that such persons executed the foregoing instrument as the free act and deed of such persons, and if applicable, in the capacity(ies) shown, having been duly authorized to execute such instrument in such capacity(ies).



Yvonne Kuwaye
(Print or Type Name of Notary)

[Signature]
(Signature of Notary)

Notary Public, State of Hawaii
My Commission Expires: 01/29/2015

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: CONSENT OF AMERICAN SAVINGS BANK, F.S.B.

Doc. Date: _____ or ☒ Undated at time of notarization.

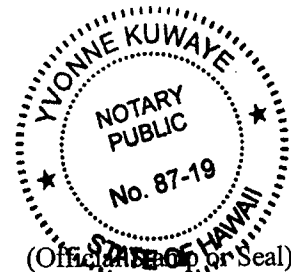
No. of Pages: 3 Jurisdiction: First Circuit
(in which notarial act is performed)

[Signature]
Signature of Notary

12/9/11
Date of Notarization and
Certification Statement

Yvonne Kuwaye

Printed Name of Notary



(Official Seal or Stamp)

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Land Court Document No. _____
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TITLE GUARANTY OF HAWAII, INCORPORATED

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Unit Nos. 120, 121 and 122

CONSENT OF PACIFIC RIM BANK
(Kihei Commercial Plaza)


KNOW ALL BY THESE PRESENTS:

That PACIFIC RIM BANK, a Hawaii corporation, Mortgagee under that certain Mortgage dated June 18, 2007, filed in the Bureau of Conveyances of the State of Hawaii as Document No. 2007-111199, covering Unit No. 121 and the interest appurtenant thereto ("**Unit 121 Mortgage**"), and under that certain Mortgage dated June 18, 2007, filed in the Bureau of Conveyances of the State of Hawaii as Document No. 2007-111207, covering Unit No. 122 and the interest appurtenant thereto ("**Unit 122 Mortgage**") (collectively, the "**Mortgages**") does hereby consent to that certain Amendment to Declaration of Condominium Property Regime for Kihei Commercial Plaza dated December 9, 2011, recorded in said Bureau as Document No. A-43670537, upon the express condition that no other or further amendment shall be made without the written consent of said PACIFIC RIM BANK. And PACIFIC RIM BANK does hereby further agree with John A. Hultquist, Jr. and Mary L. Hultquist, Trustees of the Hultquist Family Revocable Living Trust dated June 24, 2010 that said Unit 121 Mortgage shall be and is hereby amended to release and discharge from the lien of said Mortgage Parking Stall No. 152 and to substitute in place thereof Parking Stall No. 150, which by the foregoing Amendment to Declaration of Condominium Property Regime for Kihei Commercial Plaza is made appurtenant to Unit No. 121, and that said Unit 122 Mortgage shall be and is hereby amended to release and discharge from the lien of said Mortgage Parking Stall No. 154 and to substitute in place thereof Parking Stall No. 152, which by the foregoing Amendment to Declaration of Condominium Property Regime for Kihei Commercial Plaza is made appurtenant to Unit No. 122; provided,

however, that, except as herein amended, the terms, covenants and conditions of said Mortgages shall remain in full force and effect and binding upon the parties.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed this 9th day of December, 2011.

PACIFIC RIM BANK,
a Hawaii corporation

By 
Melvin Tanaka
Its Senior Vice President

rp
np

By _____

Its _____

STATE OF HAWAII

)

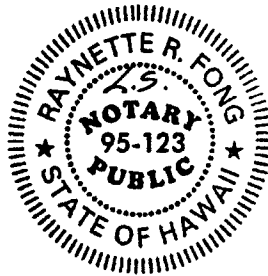
) ss.:

CITY AND COUNTY OF HONOLULU

)

On this 9th day of December, 2011, before me personally appeared
Melvin Tanaka and , to me personally known, who,
being by me duly sworn or affirmed, did say that such persons executed the foregoing instrument
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.

np



Raynette R. Fong

(Print or Type Name of Notary)

Raynette R. Fong
(Signature of Notary)

Notary Public, State of Hawaii

My Commission Expires: 03-24-2015

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: Consent of Pacific
Rim Bank (Kihei Commercial Plaza)

Doc. Date: or ☒ Undated at time of notarization.

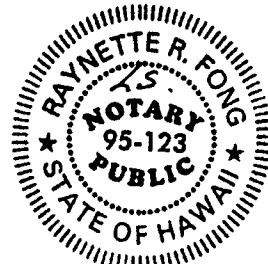
No. of Pages: -3- Jurisdiction: First Circuit
(in which notarial act is performed)

Raynette R. Fong
Signature of Notary

12-09-11
Date of Notarization and
Certification Statement

Raynette R. Fong

Printed Name of Notary



(Official Stamp or Seal)