

THIS IS TO CERTIFY THAT THE ORIGINAL DOCUMENT IS RECORDED IN THE BUREAU OF CONVEY-

ANCES, STATE OF HAWAII, THIS \_\_\_\_\_ DAY

OF JUN 22 2007 AT 801

AS INSTRUMENT NO. 2007-111924

HAWAII ESCROW & TITLE, INC.

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail  Pickup  To:

Kiefer Merchant & Garneau LLC  
Attention: David Merchant, Esq.  
444 Hana Hwy., Ste. 204  
Kahului, Maui, Hawaii 96732  
Telephone: (808) 871-9701

TITLE OF DOCUMENT:

**THIRD AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM PROPERTY REGIME  
OF THE WEST MAUI BREAKERS  
(CONDOMINIUM MAP NO. 813)**

PARTIES TO DOCUMENT:

DOUGLAS E. MYERS

3702 LOWER HONOAPIILANI, LLC, a Colorado limited liability  
company

TAX MAP KEY(S): (2) 4-3-006:002 & 069

(This document consists of 6 pages.)

**THIRD AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM PROPERTY REGIME  
OF THE WEST MAUI BREAKERS**

**THIS THIRD AMENDMENT TO THE DECLARATION OF CONDOMINIUM PROPERTY REGIME OF THE WEST MAUI BREAKERS** ("Amendment") is made on June 1, 2007, by **Douglas E. Myers** ("Developer") and **3702 Lower Honoapiilani, LLC**, a Colorado limited liability company ("LLC") (Developer and LLC are hereinafter collectively referred to as "Declarant").

**RECITALS**

A. Declarant executed the Declaration of Condominium Property Regime of The West Maui Breakers ("Declaration") on February 25, 2005 and recorded the Declaration on April 8, 2005 in the State of Hawaii Bureau of Conveyances ("Bureau") as Document Number 2005-069181 (Condominium Map No. 813), which established the West Maui Breakers condominium project (the "Project"). Condominium Map 813 was amended by the First Amendment to the Declaration dated January 22, 2007, and recorded in the Bureau as Document Number 2007-078772.

B. Developer and LLC are the owners of all of the apartments in the condominium project established by the Declaration.

C. Consistent with rights reserved to the Declarant in Section N.5 and O of the Declaration, Declarant desires to amend the Condominium Map to show all building elevations for the new buildings in the Project.

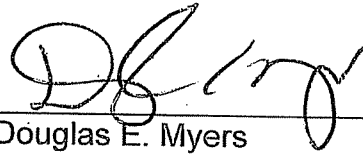
D. Declarant and LLC, as the owners of all of the apartments in the Project, have also agreed to and approved such amendments pursuant to Section O of the Declaration.

NOW THEREFORE, pursuant to Sections N.5 and O of the Declaration, the Condominium Map is hereby amended as follows:

1. **Condominium Map is Amended by the Recordation of Amendment to Condominium Map 813.** By separate recorded instrument, sheets A2.2, A3.1, A4.2, A5.2 and A6.2 are hereby amended to show all four building elevations.

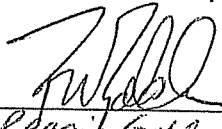

[Signature Page Follows]

IN WITNESS WHEREOF, the Declarant has executed this Amendment to  
as of the date first set forth above.

A handwritten signature in black ink, appearing to read "Douglas E. Myers", is written over a horizontal line. The signature is cursive and somewhat stylized.

Douglas E. Myers

3702 Lower Honoapiilani, LLC

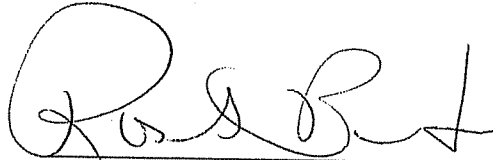
By:    
Reggie Golden  
Its. MANAGER

STATE OF HAWAII

COUNTY OF MAUI

)  
) ss.  
)

On this 1 day of June, 2007, before me personally appeared DOUGLAS E. MYERS to me personally known/proved to me on the basis of satisfactory evidence, 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.



Name:

Rose A. Bento

Notary Public, State of Hawaii

My commission expires: 11/23/07

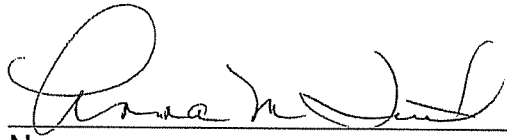
Rose A. Bento  
Notary Public  
State of Hawaii

STATE OF Missouri )  
 )  
COUNTY OF Camden ) SS.

On this 13<sup>th</sup> day of June, 2007, before me personally appeared Reggie Golden to me personally known, who, being by me duly sworn, did say that such person is the Mgr of 3702 LOWER HONOAPIILANI, LLC, a Colorado limited liability company, and that said instrument was duly authorized and executed on behalf of said company, and said managing member further acknowledged said instrument to be the free act and deed of said company.



ANNA M. TUTTLE  
My Commission Expires  
March 15, 2010  
Camden County  
Commission #06439461

  
Name: \_\_\_\_\_

Notary Public, State of ~~Hawaii~~ Missouri

My commission expires: 3-15-2010