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STATE OF HAWAII

BUREAU OF CONVEYANCES

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Return by Mail  Pickup  To:

Kiefer & Garneau LLC  
Attention: Richard Kiefer, Esq.  
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Kahului, Maui, Hawaii 96732  
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TITLE OF DOCUMENT:

**FIRST AMENDMENT TO THE BYLAWS OF THE  
ASSOCIATION OF APARTMENT OWNERS OF THE BREAKERS  
(Formerly Known As "The West Maui Breakers")**

PARTIES TO DOCUMENT:

DECLARANTS: Douglas E. Myers; and

3702 LOWER HONOAPIILANI, LLC a Colorado limited liability  
company

TAX MAP KEY(S): (2) 4-3-6:69; CPR Nos. 1 through 114

(This document consists of 5 pages.)

**FIRST AMENDMENT TO THE BYLAWS OF THE  
ASSOCIATION OF APARTMENT OWNERS OF THE BREAKERS  
(Formerly Known As "The West Maui Breakers")**

THIS FIRST AMENDMENT TO THE BYLAWS OF THE ASSOCIATION OF APARTMENT OWNERS OF THE BREAKERS (Formerly Known As "The West Maui Breakers") ("Amendment") is made on September 24, 2009, by DOUGLAS E. MYERS, Trustee of The Douglas E. Myers Revocable Trust dated June 8, 2005, with full powers to sell, lease, mortgage, exchange, or otherwise dispose of, or deal with any property of said Trust ("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 Bylaws of the Association of Apartment Owners of The West Maui Breakers ("Bylaws") dated effective February 25, 2005 and recorded the Bylaws in the State of Hawaii Bureau of Conveyances ("Bureau") as Document Number 2005-069182.

B. Developer and LLC are the owners of all of the Apartments in the condominium project established by the Bylaws and has not conveyed any Apartments.

C. Declarant, as the owners of all of the apartments in the Project, have also agreed to and approved such amendments pursuant to Section J.14 of the Bylaws.

NOW THEREFORE, pursuant to Section J.14 of the Bylaws, the Bylaws is hereby amended as follows:

1. Change of Project Name. By amendment to the Declaration made concurrently herewith, the name of this Project has been changed to "The Breakers". Accordingly, the name "West Maui Breakers" is deleted in each place it appears in these Bylaws and replaced with "the Breakers".

2. Deletion of Weight Limit on Pet Dogs. Section E.3.b of the Bylaws is amended and restated in its entirety to read as follows:

b. Certain Pets Allowed. Owners and tenants are permitted to keep one dog or one cat. There shall be no more than one pet in each Apartment.

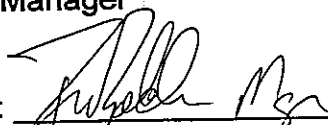
This Amendment may be executed in counterparts, and all such executed counterparts shall constitute the same agreement. Duplicated unexecuted pages of the counterparts may be discarded and the remaining pages assembled as one document.

[Signature Page Follows]

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

  
\_\_\_\_\_  
Douglas E. Myers, Trustee as aforesaid

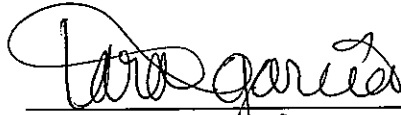
3702 Lower Honoapiilani, LLC  
By Gemini Capital, LLC  
Its Manager

By:   
\_\_\_\_\_  
RV Golden  
Its: MANAGER

STATE OF Colorado )  
 ) ss.  
COUNTY OF Boulder )

On this 1 day of September, 2009, 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.

TARA GARCIA  
NOTARY PUBLIC  
STATE OF COLORADO  
My Commission Expires 07/17/2010

  
Name: Tara Garcia  
Notary Public, State of Colorado  
My commission expires: 7/17/2010

STATE OF Colorado )  
 )  
COUNTY OF Boulder ) ss.

On this 1 day of September, 2009, before me personally appeared RV Golden 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.

TARA GARCIA  
NOTARY PUBLIC  
STATE OF COLORADO  
My Commission Expires 07/17/2010

Tara Garcia  
Name: Tara Garcia  
Notary Public, State of Colorado  
My commission expires: 7/17/2010