

THE ORIGINAL OF THE DOCUMENT
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STATE OF HAWAII
BUREAU OF CONVEYANCES
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DATE - TIME August 23, 2023 2:53 PM

LAND COURT SYSTEM

REGULAR SYSTEM

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

Imanaka Asato, LLLC
745 Fort Street, 17th Floor
Honolulu, Hawaii 96813
(808) 521-9500 (OTI)

Tax Map Key Nos. (1) 2-3-016: 048 and :049

Total Pages: 5

**SECOND AMENDMENT TO DECLARATION OF RECIPROCAL EASEMENTS
AND IRREVOCABLE FACILITIES LICENSE; JOINDER AND CONSENT**

THIS SECOND AMENDMENT TO DECLARATION OF RECIPROCAL EASEMENTS AND IRREVOCABLE FACILITIES LICENSE is made this 23rd day of August, 2023 by **JL AVALON CAPBRIDGE, LLC**, a Hawaii limited liability company, with its principal place of business and post office address at 1440 Kapiolani Boulevard, Suite 1509, Honolulu, Hawaii 96814 ("**Developer**").

WITNESSETH:

WHEREAS, Developer and Developer's predecessors-in-interest submitted those certain parcels of land currently identified as Tax Map Key Nos. (1) 2-3-016: 048 and :049 to that certain Declaration of Reciprocal Easements and Irrevocable Facilities License dated March 15, 2019 and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii (the "**Office**") as Document No. T-10668210 (the "**Original Easement Declaration**"); and

WHEREAS, Developer is the developer of the Sky Ala Moana West condominium property regime ("**Sky West Project**") created by that certain Declaration of Condominium Property Regime of Sky Ala Moana West, dated March 15, 2019, and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii ("**Office**") as Document No. T-10669266, as amended ("**Sky West Declaration**"), and that certain Condominium Map No. 2438, as amended; and

WHEREAS, the Association of Unit Owners of Sky Ala Moana West (the "**Sky West Association**") was established by way of said Sky West Declaration and the Bylaws of the Association of Unit Owners of Sky Ala Moana West, dated March 15, 2019, and filed in the Office as Document No. T-10669267, as amended; and

WHEREAS, Developer currently owns all units in the Sky West Project and, accordingly, is the sole member of the Sky West Association; and

WHEREAS, Developer deregistered the land subject to the Original Easement Declaration and the Sky West Declaration from the Land Court system pursuant to Hawaii Revised Statutes Section 501 Part II by those certain Deregistration of Transfer Certificate of Title Nos. 1,131,851, 1,131,852, 1,131,853, 1,131,854, 1,131,855,

1,131,856, 1,131,857, 1,131,858, 1,180,476, and 1,180,477 recorded October 15, 2019 at the Bureau of Conveyances of the State of Hawaii (the "**Bureau**") as Document Nos. A-72270690 through A-72270699, inclusive; and

WHEREAS, Developer is the developer of the Sky Ala Moana East condominium property regime ("**Sky East Project**") created by that certain Declaration of Condominium Property Regime of Sky Ala Moana East, dated January 7, 2021, and recorded at the Bureau of Conveyances of the State of Hawaii ("**Bureau**") as Document No. A-77460189, as amended ("**Sky East Declaration**") and that certain Condominium Map No. 6201, as amended; and

WHEREAS, the Association of Unit Owners of Sky Ala Moana East (the "**Sky East Association**") was established by way of said Sky East Declaration and the Bylaws of the Association of Unit Owners of Sky Ala Moana East, dated January 7, 2021, and recorded at the Bureau as Document No. A-77460190, as amended; and

WHEREAS, Developer currently owns all units in the Sky East Project and, accordingly, is the sole member of the Sky East Association; and

WHEREAS, the Original Easement Declaration was amended by that certain First Amendment to Declaration of Reciprocal Easements and Irrevocable Facilities License dated February 9, 2021 and recorded as Document No. A-77130315 (the Original Easement Declaration, as amended, is referred to herein as the "**Easement Declaration**"); and

WHEREAS, by Joinder in and Consent to Declaration of Reciprocal Easements and Irrevocable Facilities License dated May 18, 2021, and recorded as Document No. A-78181025, the Sky East Association, the Sky West Association, and Sky Ala Moana Management, Inc., a Hawaii corporation (the "**Master Association**") joined in and consented to the Easement Declaration; and

WHEREAS, pursuant to the Easement Declaration, the administrator of the Easement Declaration is the Master Association; and

WHEREAS, the sole shareholders of the Master Association are the Sky West Association and the Sky East Association; and

WHEREAS, Developer, as the Sky East Declarant and Sky West Declarant, and as the sole owner of the Sky East Property and Sky West Property, wishes to amend the Easement Declaration to clarify the definitions contained therein; and

WHEREAS, Developer, as the sole member of the Sky West Association and as the sole member of the Sky East Association, and the Master Association desire to join in and consent to the amendment to the Easement Declaration;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer, as the Sky East Declarant and Sky West Declarant, and as the sole owner of the Sky East Property and Sky West Property desires to amend, and Developer, as the sole member of the Sky West Association and as the sole member of the Sky East Association, the sole shareholders of the Master Association, desire to join in and consent to said amendment to the Easement Declaration as follows:

1. Article I, Section B.48 shall be amended to read as follows:

"48. '**Sky East Hotel Units**' are defined in the Recitals and means the one hundred eighty-seven (187) Hotel Units and one hundred twelve (112) Resort Units to be located in the Sky East Project, as more particularly described in the Sky East Declaration."

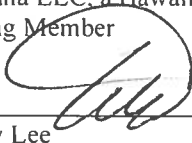
2. In all other respects, said Declaration shall remain unchanged and in full force and effect. Capitalized terms used herein, unless otherwise noted, shall have the meanings set forth in the Declaration, as amended.

(The remainder of this page intentionally left blank.)

IN WITNESS WHEREOF, the undersigned has executed these presents on the date first above written.

JL AVALON CAPBRIDGE, LLC,
a Hawaii liability company

By JL Ala Moana LLC, a Hawaii limited liability company
Its Managing Member

By 

Timothy Lee
Its Manager

"Developer"

SKY ALA MOANA MANAGEMENT INC.,
a Hawaii corporation

By 

Name: Timothy Lee
Its: Chairman/President/Secretary and Treasurer

"Master Association"

**ASSOCIATION OF UNIT OWNERS OF SKY ALA
MOANA WEST**

By JL AVALON CAPBRIDGE, LLC
a Hawaii limited liability company

By JL Ala Moana LLC, a Hawaii limited liability company
Its Managing Member

By 

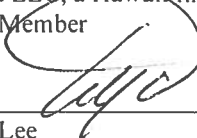
Timothy Lee
Its Manager

"Sky West Association"

**ASSOCIATION OF UNIT OWNERS OF SKY ALA
MOANA EAST**

By JL AVALON CAPBRIDGE, LLC
a Hawaii limited liability company

By JL Ala Moana LLC, a Hawaii limited liability company
Its Managing Member

By 

Timothy Lee
Its Manager

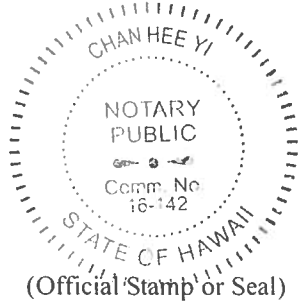
"Sky East Association"

STATE OF HAWAII

SS:

CITY AND COUNTY OF HONOLULU

On this 3rd day of August, 2023, before me appeared Timothy Lee, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable, in the capacities shown, having been duly authorized to execute such instrument in such capacities.



Chan Hee Yi
Print Name: Chan Hee Yi
Notary Public, in and for said State

My commission expires: 04-10-2024

NOTARY CERTIFICATION STATEMENT

Document Identification or Description: SECOND AMENDMENT TO DECLARATION OF RECIPROCAL EASEMENTS AND IRREVOCABLE FACILITIES LICENSE; JOINDER AND CONSENT

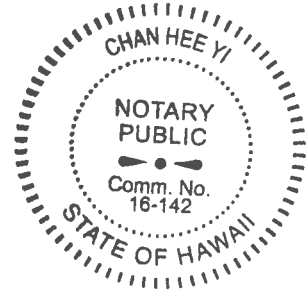
Document Date: — of Undated at time of notarization.

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

Chan Hee Yi 08-03-2023
Signature of Notary Date of Notarization and Certification Statement

Chan Hee Yi
Printed Name of Notary

My commission expires: 04-10-2024



(Official Stamp or Seal)