

KAHANA SUNSET OWNERS ASSOCIATION
HOUSE RULES
December 2003

I. RULES PERTAINING TO COMMON AREAS

A. BUILDING AND GROUNDS

1. The grounds, walkways, stairways, building entrances, driveways and other common elements shall be used strictly for ingress to and egress from the parking and apartment areas and must be at all times kept free from obstruction.
2. Move-in and moving of large items shall be coordinated through the Manager. Any damage to the building caused by moving of furniture, trade fixtures, or inventory or personal effects shall be repaired at the expense of the owner on whose behalf such moving is being done.
3. Bicycles and related vehicles shall not be operated on walkways, sidewalks or lawns.
4. Skateboards, rollerblades, heely's, scooters and roller-skates are prohibited anywhere on the property.
5. No barbecues, hibachis, braziers, etc. shall be used on any lanai or elsewhere on the property. Barbecues furnished by Kahana Sunset are to be used.
6. Furniture, furnishings and equipment for the common elements have been provided for the safety, comfort and convenience of all residents and guests of the residential apartments and therefore shall not be altered, extended, removed or transferred to other areas without permission from the Manager.
7. Each apartment occupant shall be held personally responsible for any damage or destruction to any common or limited common elements caused by himself, his children, his guests, his employees, agents or any occupants of his apartment.
8. Surfboards and bicycles shall be stored only in the apartments and not in any common element of the project or on any lanai.
9. None of the project's landscaping is to be removed, picked, or transplanted by any resident or guest. Minor trimming by owners may be permitted with permission and discretion of the Manager.
10. No livestock, poultry, rabbits or other animals including cats and dogs shall be allowed or kept in any part of the project

B. PARKING AREAS

1. Damage to cars and other objects or common areas shall be the responsibility of the person causing the damage.
2. No vehicle belonging to a unit owner or to a member of the family or guest, tenant, agent or employee of a unit owner shall be parked in such a manner as to impede or prevent ready access to any entrance and/or to any exit of the building or walkways by other tenants or emergency vehicles.
3. Automobiles shall be centered in parking spaces.
4. Vehicles shall travel at no more than five (5) miles per hour while on the project. Drivers are expected to observe traffic signs for the safety of all.
5. Automobiles left unattended (stored) in the parking lot for a period of fourteen (14) days or longer, without the Manager's approval, will be towed off the site at the vehicle owner's expense. Stored vehicles may be parked only in the areas designated by the Board of Directors.
6. No repairs to automobiles, motorcycles or mopeds are permitted in the project without the prior consent of the Manager. No racing of motors is permitted and all vehicles must be equipped with quiet mufflers.
7. All vehicles parked in the parking areas must be in operation condition with current vehicle licenses and safety stickers required by law. Vehicles in violation of this rule will be towed off the site at the owner's expense.
8. Vehicles (other than maintenance) are prohibited from driving or parking on landscaped areas.
9. Overnight parking is limited to a maximum of one vehicle per occupied unit.
10. The Board of Directors shall designate the parking stalls and areas for the apartment units.
11. All Guests with vehicles will secure a Parking Pass from the Office upon check-in and display the pass in their vehicles at all times while parked on site.

II. RULES PERTAINING TO APARTMENTS AND OCCUPANTS

1. An apartment shall be used only as a residence and shall not be used for business or other purposes.
2. No Venetian blinds, window guards, radio or television antenna etc. shall be attached to or hung from the exterior of any building or protrude through the walls, windows or roof thereof. Any awnings installed by an owner must first be approved by the Board of Directors.
3. No notice, advertisement, bill, poster, illumination or other signs shall be inscribed or posted on or about the project unless approved in writing by the Board of Directors.
4. If an owner wishes to change the draperies originally provided with the apartment, the side of all draperies or curtains placed against the windows, doors or openings facing toward the exterior of the building shall be as nearly identical in color to those originally provided.
5. There are to be no modifications to the exterior of the buildings such as louvers, skylights etc. without written approval of the Board of Directors. Requests for any such modifications shall be accompanied with a drawing and specification for such modifications.
6. The repair and maintenance of apartment interiors is the responsibility of the individual owners.
7. Nameplates and names of the owners may be displayed only in the form and at such places as are approved by the Board of Directors.
8. Plants etc. should be placed in containers so as to prevent the drippings of water or soil on to other apartments or the common elements. Care should be taken in scrubbing lanais so as to prevent water from running down the exterior of the building or on to the unit below.
9. Garments, rugs, mops or other objects shall not be dusted, shaken or hung from lanais, windows, stairways or cleaned by beating or sweeping on any exterior part of the buildings. Dust, rubbish or litter shall not be swept or thrown from any apartment or any other room of the buildings on to any part of the project.
10. Textile items such as towels, bathing apparel, clothing, wind-socks, brooms, mops etc. shall not be placed or hung on lanais or passages or in windows so as to be in view from the outside of the building or from the apartment above except for hooks provided by the Owner.
11. Waterbeds are prohibited.
12. Storage of any flammable or combustible materials is prohibited except in areas so designated by the Board of Directors.

13. Subject to the terms of the By-Laws of the Association, an apartment owner may lease his apartment or make it available to friends. However, the persons leasing, renting or living in the apartment shall abide the House Rules and the owner shall assume responsibility for the occupant's conduct. The owners must notify the Manager of the names and length of anticipated occupancy of all such occupants.

14. All tradespeople, contractors etc. will check in with the Manager upon arrival and departure from the project.

15. An apartment resident shall be responsible for the conduct of his children at all times, insuring that their behavior is neither offensive to any occupant of the building nor damaging to any portion of common elements.

16. Hawaii State Law requires that each owner, if not present within the State of Hawaii for a period of more than 30 days and is leasing or renting his unit, shall be responsible for designating, in writing, a local agent to represent his or her interest. Such owner shall file with the Manager their out-of state address and telephone number and that of their agent.

17. Air Conditioners

- a. No new external air conditioners are allowed.

III. GENERAL RULES

1. All noises from whatever source shall be controlled so it shall not disturb or annoy other residents. All residents shall maintain quiet between the hours of 9:00 P.M. and 8:00 A.M.
2. If any Owner or Guest displays inappropriate behavior, such as, but not limited to disorderly conduct, drunkenness, excessive noise, harassment to others shall be controlled by the Manager, and in his duty, may, if so necessary have the certain Owner or Guest removed from the premises."
3. If the immediate services of the Police Department, the Fire Department, an ambulance or doctor are required, the desired agency or person should be called directly. Any emergency, particularly such emergencies as flooding, fire, theft etc. should be brought to the immediate attention of the Manager.
4. The Managing Agent, Board of Directors and/or Manager are not responsible for packages or other deliveries left unattended at the door of units or any other designated place in the project, nor for any personal property placed or left in or about the common area. Each owner or tenant shall arrange for delivery of non-mail parcels or items at their respective apartments.
5. All owner occupants, long term tenants and guests in residence over sixty (60) days-will arrange for postal facilities other than the Association post office box. Please use Kahana Sunset street address which is 4909 Lower Honoapiilani Highway, Lahaina, HI 96761 with name and apartment number.
6. No charitable or commercial soliciting for sales of goods and services or religious or political activities shall be permitted in the project unless approved by the Board of Directors.
7. All radio, television or other electrical equipment of any kind or nature installed or used in each apartment unit shall fully comply with all rules, regulations, requirements or recommendations of the public authorities having jurisdiction and the apartment owner shall be liable for any damage or injury caused by any radio, television or other electrical equipment in such apartment owner's unit.
8. Nothing shall be allowed, done or kept in any apartment unit or common area of the Project which would overload or impair the floors, walls or roofs thereof or cause any increase in the ordinary premium rates or the cancellation or invalidation of any insurance thereon maintained by or for the Association nor shall any noxious or offensive activity or nuisance be made or suffered thereon.
9. There is to be NO shooting of fireworks of any type at any time in, from or around the buildings or common areas.
10. All personnel are to be directed solely by the Managing Agent and/or the Manager and, during prescribe working hours, may not be diverted to the private business or employment (on or off premises) of any owner, occupant or guest.
11. All occupants will cooperate with and make access available to designated personnel during the periodic pest control spraying.

IV. VIOLATION OF HOUSE RULES

1. The Manager is empowered, and it is his duty, to enforce all rules. He may delegate members of his staff to enforce certain rules. He may call upon local enforcement agencies for assistance whenever someone within the Project is disturbing others or misusing any facility or common area.
2. Except for emergencies, all complaints should be in writing, signed and addressed to the Manager. Suggestions are also welcome and should be directed to the Manager.
3. Everyone on the Project is governed by and shall observe all rules and regulations adopted by the Board of Directors and shall comply with all requests in this respect made by the Manager.
4. The violation of any of these House Rules or any amendments thereto shall give the Board of Directors or its agent the right to:
 - a. Enter the apartment or common elements in which, or as to which, such violation or breach exists and to summarily abate and remove, at the expense of the defaulting apartment owner and/or resident, any structure, thing or condition that may exist therein contrary to the intent and meaning of the provisions hereof; and, the Board of Directors or the Managing Agent or Manager shall not thereby be deemed guilty in any manner of trespass; or
 - b. Enjoin, abate or remedy by appropriate legal proceeding, either at law or in equity, the continuance of any such breach, and all costs thereof, including attorney's fees, shall be borne by the defaulting apartment and/or resident.

V. EXCEPTIONS

Exceptions to the above rules must be presented in writing to the Board of Directors and can only be granted by same.

The foregoing House Rules with subsequent changes are adopted by the Board of Directors for Kahana Sunset this 25th day of September 2001.

KAHANA SUNSET OWNERS ASSOCIATION

President:

KAHANA SUNSET POOL AREA RULES

1. The Pool and the surrounding areas are for the exclusive use of residents and their guests (LIMIT FOUR (4)) between the hours to be determined by the Board. Presently, the hours are 9:00 A.M. to 9:00 P.M. daily.
2. All suntan oil, bobbie pins, hairpins and other such material shall be removed before entering the Pool. All persons using oils, etc. should protect the furniture and the deck area. Please shower before using the Pool.
3. Children under the age of twelve (12) will not be allowed in the Pool area unless accompanied by an adult responsible for such child. Parents or guardians are completely responsible for their children or wards and shall not permit them to enter the Pool area, regardless of age, if they are not competent swimmers, unless a responsible adult accompanies them at all times. Babies must wear specially designed diapers at all times.
4. "Horseplay", running, screaming or other boisterous conduct is not permitted in the Pool area. No "Marco Polo" or boogie boards allowed.
5. Guests are limited to TWO (2) per unit occupant with a total limit of FOUR (4) guests at any time. All guests must be accompanied by the unit occupant at all times. No residents under the age of twelve (14) shall be permitted to have guests in the Pool area unless such guests are under supervision of a parent or occupant/guardian of the minor resident.
6. Glass or other breakable containers shall not be brought into the Pool area.
7. All personal belongings such as towels, sunglasses, books, etc., shall be removed upon leaving the Pool area.
8. Articles which may cause damage to the filter system or the surface of the Pool are not allowed.
9. Swimming is not allowed in other than proper swimming apparel.
10. KAHANA SUNSET SWIMMING POOL DOES NOT HAVE A LIFEGUARD AND IS NOT A SUPERVISED POOL. SWIM AT YOUR OWN RISK.

DEPARTMENT OF HEALTH REQUIREMENTS

1. All persons known to be suspected of being afflicted with an infectious disease, suffering from a cough, cold or sores or wearing Band-Aids or bandages shall be excluded from bathing in the Pool.

7/15/10

2. Spitting, spouting of water or blowing the nose in the pool shall be prohibited.

October 2001

Dear Kahana Sunset Apartment Owner,

Subject: Awnings

At the last Board Meeting (Sept 26, '01) the use of awnings was approved, provided the awning installed meets the standards outlined below and gets the approval from the Board prior to installation. The standards were established so that the awnings and shades will blend in with the exterior color of the buildings with a degree of uniformity. Two awning designs will be approved: A Cantilever Roll Out design and a Drop Down Design.

Cantilever Roll Out Awning Specifications:

1. This Cantilever Design is the only option for use on the upstairs lanais.
2. Must be full width of the lanai.
3. Material: Sunbrella Canvas or equivalent. "Sunbrella" is a trade name for a high quality, widely used awning canvas.
4. Color: Sunbrella Beige or Equivalent.
5. Manual or power assisted mechanism is available and acceptable.

Drop Down Shade Specification:

1. This design is to be used for the ground level patios. The Cantilever design will not be approved for the patios.
2. Material: Sunbrella Canvas or equivalent.
3. Color: Sunbrella Beige or equivalent.

Owners Responsibility:

1. Maintenance of the Awning.
2. Any damage caused by the awning is the responsibility of the owner.
3. Prior to installation the owner must submit the details of the awning (style, canvas mfg. and color name, sample of canvas, and dimensions) to the Board for approval. If the canvas is Sunbrella Beige a sample is not required. Send awning details to the office. A decision will be made within 30 days of submission.
4. Currently installed awnings and shades will not be automatically approved (grand fathered) and must be replaced if they do not meet the above standards.

Supplier:

One supplier of Sunbrella Canvas Awnings and Shades is:

K Deck Canvas
1944 Vineyard
Wailuku, Maui
(808) 242-2889

K Deck supplies custom-made awnings and shades made with the Sunbrella material and are familiar with Kahana Sunset. They will give a volume discount if multiply orders were placed at once. The office could coordinate this effort.