

**AMENDMENT 2 TO
DEVELOPER'S PUBLIC REPORT
FOR A CONDOMINIUM**

CONDOMINIUM PROJECT NAME:	3820 AND 3820-A NOEAU STREET
PROJECT ADDRESS:	3820 and 3820-A Noeau Street Honolulu, HI 96816
REGISTRATION NUMBER:	7219
EFFECTIVE DATE OF REPORT:	October 26, 2012
THIS AMENDMENT:	<input checked="" type="checkbox"/> Must be read together with <input checked="" type="checkbox"/> Developer's Public Report dated <u>4/30/2012 (See p. 3*)</u> <input type="checkbox"/> Amended Report dated _____ <input type="checkbox"/> Supersedes all prior amendments: Includes all prior amendment(s) and <u>must</u> be read together with <input type="checkbox"/> Developer's Public Report dated _____ <input type="checkbox"/> Amended Report dated _____
DEVELOPER(S):	Shinya Tanaka

Preparation of this Amendment

The Developer prepared this amendment pursuant to the Condominium Property Act, Section 514B-56, Hawaii Revised Statutes (HRS), as amended from time to time. Section 514B-56, HRS, requires that after the Commission has issued an effective date for the Developer's Public Report, if there are any changes, either material or pertinent changes, or both, regarding the information contained in or omitted from the Developer's Public Report, or if the developer desires to update or change the information set forth in the Developer's Public Report, the developer shall immediately submit to the Commission an amendment to the Developer's Public Report or an amended Developer's Public Report clearly reflecting the change, together with such supporting information as may be required by the Commission, to update the information contained in the Developer's Public Report.

The law defines "material change" as used in parts IV and V of Chapter 514B, HRS means any change that directly, substantially, and adversely affects the use or value of (1) A purchaser's unit or appurtenant limited common elements; or (2) Those amenities of the project available for the purchaser's use.

The law defines "pertinent change" to mean, as determined by the commission, a change not previously disclosed in the most recent public report that renders the information contained in the public report or in any disclosure statement inaccurate, including, but not limited to (1) The size, construction materials, location, or permitted use of a unit or its appurtenant limited common element; (2) The size, use, location, or construction materials of the common elements of the project; or (3) The common interest appurtenant to the unit. A pertinent change does not necessarily constitute a material change.

The filing of an amendment to the Developer's Public Report or an amended Developer's Public Report, in and of itself, shall not be grounds for a purchaser to cancel or rescind a sales contract. A purchaser's right to cancel or rescind a sales contract shall be governed by sections 514B-86 and 514B-87, HRS, the terms and conditions of the purchaser's contract for sale, and applicable common law.

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This Amendment has not been prepared or issued by the Real Estate Commission or any other governmental agency. The issuance by the Commission of an effective date for this amendment to the Developer's Public Report (1) does not mean that the Commission approves or disapproves of the project; (2) does not mean that the Commission thinks that either all material facts, material changes, or pertinent changes about the project have been fully or adequately disclosed; and (3) is not the Commission's judgment of the value or merits of the project.

The law defines "material facts" to mean any fact, defect, or condition, past or present that to a reasonable person, would be expected to measurably affect the value of the project, unit, or property being offered or proposed to be offered for sale.

This amendment may be used by the Developer for promotional purposes only if it is used with the last Developer's Public Report in its entirety.

Prospective purchasers and purchasers are encouraged to read this amendment carefully and to seek professional advice.

Summary of Changes from Earlier Developer's Public Report are Described Beginning on the Next Page

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Summary of Changes from Earlier Developer's Public Report:

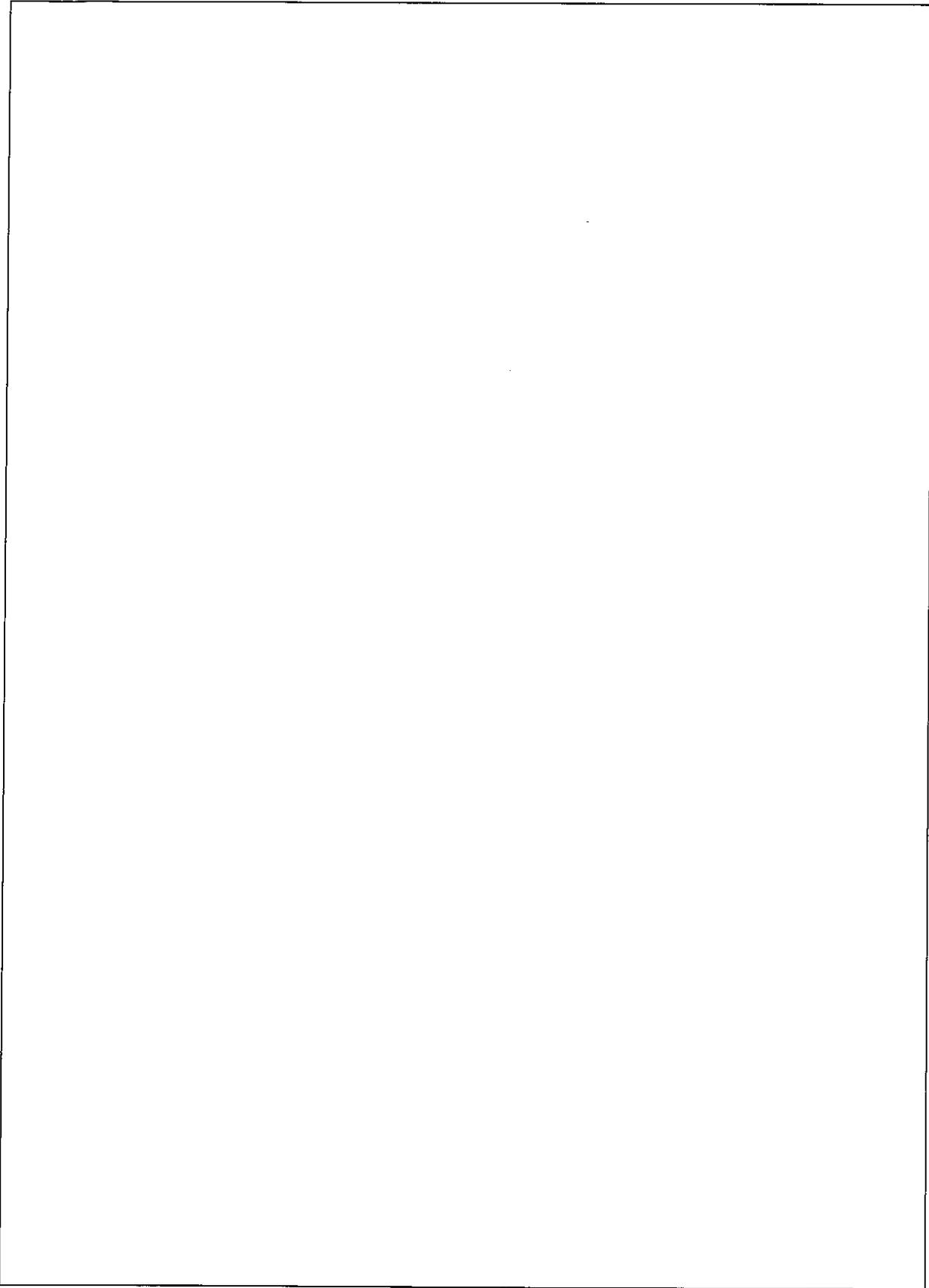
This summary contains a general description of the changes, if any, made by the developer since the last Developer's Public Report was issued an effective date. It is not necessarily all inclusive. Prospective purchasers and purchasers must read this amendment together with the last Developer's Public Report with the effective date as noted on the top of page 1 if they wish to know the specific changes that have been made.

Changes made are as follows (include a description of what the change is and page number and or exhibit alphabet or number; additional pages may be used):

- * Must be read together with Developer's Public Report dated 4/30/2012 and Amendment No. 1 dated August 1, 2012.
1. Amend the Declaration: to delete Amendment Nos. 3 and 4 to the Declaration; to add the cmu wall/ vinyl fence as a common element; to set forth the unit owners responsibilities and costs for maintenance, repair and upkeep of the cmu wall/vinyl fence; to allow the Unit 3820-A owner access over the limited common land area of Unit 3820 for the sole purpose of maintenance, repair and upkeep the cmu wall; to allow the Unit 3820-A owner, at his expense, to alter the eastern portion of the vinyl fence to allow for drainage and to alter the western portion of the vinyl fence to add a retaining wall.
 2. Page 10, Sec. 3.1: Update the recording information of the Fourth and Fifth Amendments to the Declaration.
 3. Page 18. Add paragraph explaining the maintenance, repair and upkeep of the cmu wall/vinyl fence common element and the sharing of the costs of such maintenance, repair and upkeep. Unit 3820-A owner, at his expense, can alter eastern portion of vinyl fence for drainage and alter the western portion of vinyl fence to add retaining wall.
 4. Exhibit A: Add cmu wall/vinyl fence as a common element.

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Changes continued:



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The Developer declares subject to the penalties set forth in Section 514B-69, HRS that this project continues to conform to the existing underlying county zoning for the project, zoning and building ordinances and codes and all applicable permitting requirements adopted by the county in which the project is located, all in accordance with Sections 514B-5 and 32(a) (13), HRS.

For any conversion, if any variances have been granted, they are specified in Section 1.14 of this report as amended, and, if purchaser deposits are to be used by the Developer to cure any violations of zoning, permitting requirements or rules of the county in which the project is located, the violation is specified in Section 1.15 of this report as amended, along with the requirements to cure any violation, and Section 5.5 specifies the date by which the cure will be completed.

The Developer hereby certifies that all the information contained in this report as amended and the exhibits attached to this report (if any) as amended and all documents to be furnished by the Developer to purchasers concerning the project have been reviewed by the Developer and are, to the best of the Developer's knowledge, information and belief, true, correct and complete. The Developer hereby agrees promptly to amend this report as amended to report and include either or all material facts, material or pertinent changes to any information contained in or omitted from this report and to file annually a report to update the material contained in this report as amended at least 30 days prior to the anniversary date of the effective date of this report.

Shinya Tanaka



Printed Name of Developer

Duly Authorized Signatory*

Date

Shinya Tanaka, Developer

Printed Name & Title of Person Signing Above

Distribution:

Department of Finance, City and County of Honolulu

Planning Department, City and County of Honolulu

***Must be signed for a corporation by an officer; for a partnership or limited liability partnership (LLP) by the general partner; for a limited liability company (LLC) by the manager or an authorized member; and for an individual by the individual.**

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3. CREATION OF THE CONDOMINIUM AND CONDOMINIUM DOCUMENTS

A condominium is created by recording in the Bureau of Conveyances (Regular System) or filing in the Office of the Assistant Registrar of the Land Court, or both, a Declaration of Condominium Property Regime, a Condominium Map and the Bylaws of the Association of Unit Owners. The Condominium Property Act (Chapter 514B, HRS), the Declaration, Bylaws and House Rules control the rights and obligations of the unit owners with respect to the project and the common elements, to each other, and to their respective units.

3.1 Declaration of Condominium Property Regime

The Declaration of Condominium Property Regime contains a description of the land, buildings, units, common interests, common elements, limited common elements, and other information relating to the condominium project.

Land Court or Bureau of Conveyances	Date of Document	Document Number
Bureau of Conveyances	3/6/2012	A-44550768

Amendments to Declaration of Condominium Property Regime		
Land Court or Bureau of Conveyances	Date of Document	Document Number
Bureau of Conveyances	4/25/2012	A-44990631
Bureau of Conveyances	7/11/2012	A-45760764
Bureau of Conveyances	7/18/2012	A-45830543
See page 18		

3.2 Bylaws of the Association of Unit Owners

The Bylaws of the Association of Unit Owners govern the operation of the condominium project. They provide for the manner in which the Board of Directors of the Association of Unit Owners is elected, the powers and duties of the Board, the manner in which meetings will be conducted, whether pets are prohibited or allowed and other matters that affect how the condominium project will be governed.

Land Court or Bureau of Conveyances	Date of Document	Document Number
Bureau of Conveyances	3/6/2012	A-44550769

Amendments to Bylaws of the Association of Unit Owners		
Land Court or Bureau of Conveyances	Date of Document	Document Number

3.3 Condominium Map

The Condominium Map contains a site plan and floor plans, elevations and layout of the condominium project. It also shows the floor plan, unit number and dimensions of each unit.

Land Court Map Number	
Bureau of Conveyances Map Number	5073

Dates of Recordation of Amendments to the Condominium Map:

6. MISCELLANEOUS INFORMATION NOT COVERED ELSEWHERE IN THIS REPORT

Developer, Shinya Tanaka, is the father of: (1) Ryan Tanaka, the manager and responsible managing employee of S. Tanaka Construction, LLC., the contractor for the Project; and (2) Aimee Yamamoto, the real estate sales associate for Islands, Inc., the broker for the Project.

CMU Wall/Vinyl Fence. The cmu wall/vinyl is built in accordance with all ordinances, codes, rules and regulations currently in force. Both unit owners shall be responsible for all necessary maintenance, repair and upkeep of the cmu wall/vinyl fence. The costs of the maintenance, repair and upkeep of the cmu wall shall be shared equally by both unit owners. Unit 3820-A owner has a right to access over Unit 3820 limited common land area the cmu wall for maintenance, repair and upkeep. Both unit owners shall maintain the cmu wall in conformity with all applicable laws, ordinances, rules and regulations. Neither unit owner shall in any way alter, remove, relocate or destroy the cmu wall. Any dispute shall be resolved in accordance with Article IX of the By-Laws. In addition, the Unit 3820-A owner, at his expense, can alter the eastern portion of the vinyl fence for drainage and alter the western portion of the vinyl fence to add a retaining wall.

Additional Amendments to Declaration of Condominium Property Regime.

Recordation	Date of Document	Document Number
Bureau of Conveyances	8/14/2012	A-46111014
Bureau of Conveyances	9/04/2012	A-46310775

EXHIBIT A
DESCRIPTION OF COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

COMMON ELEMENTS:

1. The land described in the Declaration.
2. Any chute, flue, duct, wire, conduit.
3. CMU wall/vinyl fence located within the limited common element yard area of Unit 3820 which is a few inches from the boundary line between the limited common element yard areas of Unit 3820 and Unit 3820-A, as shown on the condominium map.
4. The common element driveway shown on the condominium map.
5. Any and all other apparatus and installations of common use and all other parts of the Project necessary or convenient to its existence, maintenance or safety, and normally in common use;

LIMITED COMMON ELEMENTS:

1. The limited common element area of each unit consisting of the land beneath and immediately adjacent thereto (including any yard areas, landscaping, driveway and access areas), as shown and delineated on said Condominium Map. The limited common area of each unit as shown on the site plan of the Condominium Map.
2. Any chute, flue, duct, wire, conduit, or any other fixture that lies partially within and partially outside the boundaries of the unit that serves only that unit.