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STATE OF HAWAII

BUREAU OF CONVEYANCES

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Total No. of Pages: 3

AMENDMENT OF
BY-LAWS OF ASSOCIATION OF APARTMENT OWNERS OF THE SHEARWATER

WHEREAS, by Declaration of Condominium Property Regime dated June 16, 1993, (hereinafter "Declaration") and Condominium Map recorded concurrently therewith, the Declarant submitted the land, described in Exhibit "A" attached to the Declaration and any improvements thereon, to a Condominium Property Regime pursuant to the provisions of Chapter 514A, Hawaii Revised Statutes, said Declaration and Condominium Map having been recorded in the Bureau of Conveyances, State of Hawaii, as Document No. 93-142493, and Condominium Map No. 1914, respectively; and

WHEREAS, the By-Laws of the Association of Apartment Owners of The Shearwater were recorded in said Bureau as Document No. 93-142494; and

WHEREAS, all apartments of the project are subject to the Declaration of Covenants, Conditions and Restrictions for Time Interval Ownership at PAHIO at The Shearwater dated December 7, 1993 and recorded in the Bureau of Conveyances, State of Hawaii, as Document No. 94-48932, as amended ("IOA Declaration"); and

WHEREAS, Article IV, Section 7 of the IOA Declaration provides: "The Time Interval Board shall authorize the person who is to act on behalf of the Time Interval Owners Association in the Condominium Association of The Shearwater Condominium;" and

WHEREAS, pursuant to said authority, the Time Interval Board has appointed the undersigned to so act and has voted to amend the Declaration as hereinafter set forth;

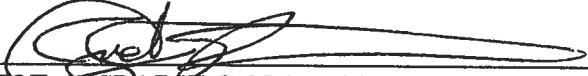
NOW, THEREFORE, Article II, Section 5 of the By-Laws shall be and hereby is amended to read as follows:

Section 5. Vacancies. Vacancies in the Board of Directors caused by any reason other than a vacancy caused by the natural expiration of the term of a director or the removal of a director by the Association shall be filled by vote of a majority of the remaining directors, even though they may constitute less than a quorum, and each person so elected shall be a director until his successor is elected at the next annual meeting of the Association or duly noticed special Association meeting. Notice of a special Association meeting to fill vacancies shall include notice of the election. Any special Association meeting to fill vacancies shall be held on a date that allows sufficient time for owners to declare their intention to run for election and to solicit proxies for that purpose. Death, judicially-declared incapacity or resignation of any director, or the director's ceasing to qualify for the office of director as set forth herein, shall cause the director's office to become vacant. A director's failure to attend two (2) consecutive meetings of the Board shall be deemed to be a resignation and cause the director's office to become vacant upon the call to order of the second missed Board meeting, and the Board shall then and there fill the vacancy so created without any further notice.

IN WITNESS WHEREOF, pursuant to the authority granted by Article IV, Section 7 of the Declaration of Covenants, Conditions and Restrictions for Time Interval Ownership at PAHIO at The Shearwater dated December 7, 1993 and recorded in the Bureau of Conveyances, State of Hawaii, as Document No. 94-48932, the undersigned has executed these presents on this 8th day of MARCH, 2017.

ASSOCIATION OF APARTMENT OWNERS OF
THE SHEARWATER

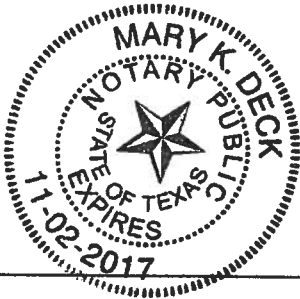
BY:



JOE A. SPARKMAN, President
SHEARWATER INTERVAL OWNERS
ASSOCIATION, a Hawaii nonprofit corporation

STATE OF Texas)
Smith COUNTY)SS:
)

On this 8th day of March, 20 17^{mhd}, before me appeared JOE A. SPARKMAN, to me personally known (or proved to me on the basis of satisfactory evidence), who, being by me duly sworn, 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 capacity shown, having been duly authorized to execute such instrument in such capacity.



Mary K. Deck
Print Name: Mary K. Deck
Notary Public, State of Texas
My Commission Expires: 11-02-17

NOTARY CERTIFICATION (Hawai`i notaries only)
(Hawaii Administrative Rule § 5-11-8)

Document Identification or Description: Amendment of By-Laws

Date of Document: _____ No. of Pages: _____

Circuit
(Jurisdiction of notarial act)

Signature of Notary

Type or Printed Name of Notary

Date of Notary Certificate
(Official Stamp or Seal)