

Minutes – Board of Directors Meetings
Minutes – Annual Homeowners Meeting



A LIMITED LIABILITY COMPANY

Aloha.....

We have been authorized to collect and assemble Homeowners Association Documents related to this transaction.

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These documents are subject to the following limitations and conditions.

1. **Annual Meeting Minutes** of the Homeowners Association contained in this Disclosure are those minutes approved by the Association for publication and distribution. There may have been a more recent annual meeting and meeting minutes that have not been approved for publication and/or distribution as of the date this Disclosure was assembled.
2. **Board of Directors Meeting Minutes** contained in this Disclosure are those minutes approved by the Association for publication and distribution. There may have been more recent Board of Directors Meetings and meeting minutes that have not been approved for publication and/or distribution as of the date this Disclosure was assembled.
3. **Managing Agent’s Report (RR105c).** The information contained therein is subject to the date of the Managing Agent’s report. For more up-to-date information and revisions (if any), contact the Managing Agent and/or your Real Estate Agent.
4. **Conditions, Clauses and Restrictions (CC&Rs) and Subdivision/Title Documents.** These documents are not included in this disclosure. They are not part of the Homeowners Association documentation. To review these documents, refer to the Title Report.

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We wish you much “ALOHA”

In the peaceful enjoyment of your own special “Piece of Paradise” here on Maui.

**Mahanalua Nui Homeowners Association
Board of Directors Meeting
Trailhead Park - Lahaina, Hawaii 96761
Thursday, January 23, 2020**

BOARD MEMBERS PRESENT:

Steve Iverson, President; Paul Ratterman, Vice President; Craig Studwell, Treasurer; Dominic Pistillo, Secretary; Amy Wistoff-Martin, Director; Bill Baley, Director; Mary Anderson, Director; Ted Loberg, Director

OTHER ATTENDEES:

Craig Bode, Management Executive, Hawaiiiana Management Owners – Teresa Jacques, Greg Lang, Susan Varsames, Teri from Wailau, Donna from Huapala, Larry from Iliahi

CALL TO ORDER:

President Iverson called the Board of Directors Meeting of the Association of Homeowners of Mahanalua Nui to order on Thursday, January 23, 2020 at 4:02 p.m. Hawaii Standard Time. The meeting was held at Trailhead Park, Lahaina HI.

Quorum declared

MINUTES:

The minutes from the October 17, 2019 meeting were presented to the board.

Motion:

**To approve the minutes of the October 17th, 2019 meeting.
(Ratterman/Anderson)**

CARRIED unanimously.

PRESIDENT'S REPORT

Steve Iverson gave a short ag water update. Watering alert is at green and the board continues to work with LIC. Steve commented that owners should continue conserving water.

OWNERS FORUM

Teri from Wailau street reported on the dog pack issues. The issue was present a few years ago and the Animal Control was called in and the issue went away. The goat form owner presented the issue she has experienced. They shot two dogs which seemed to help. They alerted the Humane Society and the police.

Owners were encouraged to take pictures and if owners know where the dogs come from to file a complaint form which is on the HOA website. Donna from Huapala Place said called the Animal Control after their sheep were killed and they said that they must identify the dogs. It was decided to check into some of the opportunities to help with the issue in a separate meeting or committee.

Larry from 80 Iliahi Way brought up water issue – asked what the board is doing. It was explained that the issue seems to be that the water company is eventually changing over from stream water to groundwater/well water. Dominic stated that MNHA has more water available but the infrastructure needs to be furnished.

TREASURER’S REPORT

Craig Studwell gave the treasurer’s report and report was approved. There are 2.3 month’s worth of expenses in available cash. The investments were discussed and also the A/R accounts were discussed.

Motion:

**To approve the November 2019 financial statements as presented.
(Ratterman/Loberg)
CARRIED unanimously.**

HMC Report

Craig Bode reported on signs being repaired Curtis Coon is reporting and repairing signs and is doing a good job.

Continued landscape inspections basins are clean but not sure water is diverted properly – Culverts are cleared but large culverts are totally clear

Minutes discussed – meeting being recorded – if need more information may need to hire transcriber but will stay as is for now and I will try to add more comments

Irrigation-This is ongoing and there are about three calls a week or more. Andres is fairly responsive but is reactive and not proactive. This is constant and Andres has been told to keep equipment operable and not be a hindrance. Self-flushing valves were considered and will be on the next agenda. Board asked to get filters and valve options. Craig will get bids – Ratterman referred Friendly Island. Steve said he wanted a committee so an email will go out.

Design Review Report and violation report will be in Executive session.

Evac Committee report – Ted gave report that the south evac route is being eroded by rains because of the drainage near Varsames home. A proposal was given to place boulders on one side. The road is drivable but concern is the washout from a larger rain. Kimo was to give a proposal for annual contract and a one-time fix. The committee to get dollar amount for one-time fix.

Fire Safety Committee report – Amy gave report and the committee proposing that at the annual meeting a policy is given to the owners via the letter that has been drafted. Also could add Firewise pamphlet to go with the 60 day annual meeting notice.

Trail Committee report – No report

Policy Documentation – Dominic will send out new standing committee listing

Elections/Nominations – No person has sent in request to be a candidate to be on the board

Water Supply – Report already given

Invasive Species – Bill gave a report that there is not a big issue for fire ants in the immediate area. He provided a report/letter from the county that showed where the ants have been found. Landscapers and contractors can be the biggest spreaders of the ants or ant eggs. Bill suggests an item should be put on the web site to advise owners how to test for them.

Roadway Project debrief – Dominic said did a really good job on the road and timing was well done. They actually did some extra work for the HOA over the contract scope.

OLD BUSINESS

Dominic reported on the completion of the culvert work – the work was in compliance with the HOA requirements

Security - Cameras - Mary Anderson reported on the camera issue and how the need has arisen with more trespassing recently. Mary will get proposals on cameras and storage, as well as getting viability for location of cameras.

Neighborhood Watch – Discussed and consensus to keep away from having an HOA sponsored Watch group based on advice from counsel.

Web site maintenance – This is reported by Steve as there should be a web site committee that can work with Randy Strong who is our outsourced web manager. Amy and Mary volunteered to be on the website committee. Dominic wants the complaint part on the noise be put back on the owners as HOA is not responsible and has no authority over noise.

NEW BUSINESS

Work Order system- Steve reported on the platform he is proposing for tracking of Work/Projects. Jobber will be used and Craig can help track and assign to the responsible party - \$1,000 for set up and \$100/month.

Motion:

**To approve the format for Work orders as presented. (Pistillo/Anderson)
CARRIED unanimously.**

Motion:

**To approve policy updates. (Ratterman/Loberg)
CARRIED unanimously.**

Annual meeting was discussed-Date is set for April 2nd.

NEXT BOARD MEETING

The next Board meeting will be in March 26th
Meeting was adjourned at 6.12 p.m.

Respectively Submitted by:
Craig Bode

**Mahanalua Nui Homeowners Association
Board of Directors Meeting
Trailhead Park - Lahaina, Hawaii 96761
Thursday, October 17, 2019**

BOARD MEMBERS PRESENT:

Steve Iverson, President; Paul Ratterman, Vice President; Craig Studwell, Treasurer; Dominic Pistillo, Secretary; Amy Wistoff-Martin, Director; Bill Baley, Director; Mary Anderson, Director

OTHER ATTENDEES:

Craig Bode, Management Executive, Hawaiiana Management Owners – Teresa Jacques, Greg Lang, Susan Varsames, Gordon Firestein

CALL TO ORDER:

President Iverson called the Board of Directors Meeting of the Association of Homeowners of Mahanalua Nui to order on Thursday, October 17th, 2019 at 4:02 p.m. Hawaii Standard Time. The meeting was held at Trailhead Park, Lahaina HI.

Quorum declared

MINUTES:

The minutes from the August 15, 2019 meeting were presented to the board.

Motion:

To approve the minutes of the August 15th meeting with corrections to attendees. (Iverson/Studwell)

CARRIED unanimously.

Steve Iverson gave a short ag water update. There should be a new update in next 30 days after another meeting with LIC. Common area water has been cut off and will resume on a schedule to be provided by LIC. There was discussion regarding watering times and watering done as owners can due to availability.

Craig Studwell gave the treasurer's report and report was approved.

Motion:

To approve the financial statements as presented. (Ratterman/Wistoff-Martin)

CARRIED unanimously.

Budget was presented by Craig Studwell and it was noted that expenses are up 31% and the reserve fund is adequate. The reserve study was discussed

Motion:

To accept the Reserve Study. (Ratterman/Baley) Motion passed unanimously.

Craig Studwell presented a Dues resolution motion to raise dues a total of \$37.00 or 26.8%.

Motion:

To approve resolution for dues increase for 2020. (Studwell/Pistillo) Motion passed unanimously.

HMC Report

Craig Bode reported on signs being repaired and Evacuation route being very close to completion. Committee to report. Culverts being cleaned.

Evac Committee report

Evac Committee gave their report. An estimate was given from Curtis Coons to finish up

Motion:

To approve the proposal by Curtis Coons to spend up to \$2,000.00 to finish the evac route. (Ratterman/Anderson) Motion passed unanimously.

Craig Bode gave a report on Design Review. One new fine and it is still outstanding but assessed.

Firewise Committee

Report from Mary asked for line item for mailing and possible signage. Committee to be named Fire Safety committee

Motion:

To approve the proposal to name the committee Fire Safety Committee. (Pistillo/Ratterman) Motion passed unanimously.

OLD BUSINESS

Roadway RFP update was given by Dominic Pistillo.

Motion:

To approve the proposal submitted by T J Gomes to complete roadwork as stated in RFP. (Studwell/Wistoff-Martin) Motion passed unanimously.

NEW BUSINESS

Election Committee report – it was realized that there will be 2 openings on the board and letters should be out by 11/30/2019 with responses by 2/1/2020.

NEXT BOARD MEETING

The next Board meeting will be in January – date to be announced.

Meeting was adjourned at 5:14 p.m. and went into Executive Session.

Meeting came out of Executive Session and was adjourned at 5:56 p.m.

Respectively Submitted by:

Craig Bode

**Mahanalua Nui Homeowners Association
Board of Directors Meeting
Trailhead Park - Lahaina, Hawaii 96761
Thursday, August 15, 2019**

BOARD MEMBERS PRESENT:

Steve Iverson, President; Paul Ratterman, Vice President; Craig Studwell, Treasurer; Dominic Pistillo, Secretary; Amy Wistoff-Martin, Director; Bill Baley, Director; Ted Loberg, Director

OTHER ATTENDEES:

Craig Bode, Management Executive, Hawaiiana Management Owners – Teresa Jacques, Norma Sizemore

CALL TO ORDER:

Vice President Ratterman called the Board of Directors Meeting of the Association of Homeowners of Mahanalua Nui to order on Thursday, August 15, 2019 at 4:05 p.m. Hawaii Standard Time. The meeting was held at Trailhead Park, Lahaina HI.

Quorum declared

Motion:

To approve Mary Anderson as new board member. (Pistillo/Wistoff-Martin)

CARRIED unanimously.

MINUTES:

The minutes from the May 23, 2019 meeting were presented to the board.

Motion:

To approve the minutes of the May 23rd meeting. (Studwell/Wistoff-Martin)

CARRIED unanimously.

Paul Ratterman gave a short report on the state of the property in Steve's absence.

Craig Studwell gave a short ag water update. Common area water has been cut off and will resume on a schedule to be provided by LIC.

Association of Homeowners of
Mahanalua Nui
Board of Directors Meeting
August 3, 2018

Craig Studwell gave the treasurer's report and the report including the reserve numbers and delinquency. Budget is being worked on and should be complete for the next board meeting.

Motion:

To approve the financial statements as presented. (Wistoff-Martin/Baley)

CARRIED unanimously.

Evac Committee report

Evac Committee gave their report. An estimate was given from Kimo of Truth Excavation.

Motion:

To approve the proposal from Truth Excavating to complete the repair to the south evacuation route. (Pistillo/Studwell)

CARRIED unanimously.

Craig Bode gave a report on Design Review.

OLD BUSINESS

Roadway RFP update was given by Dominic Pistillo. The committee is very close to a decision and will bring suggested vendor to next board meeting for approval.

NEW BUSINESS

Discussion on Firewise – Mary Anderson volunteered to chair the committee.

NEXT BOARD MEETING

The next Board meeting will be on Thursday, October 17th, 2019, at 4:00 p.m. at the trailhead park.

Meeting was adjourned at 5:14 p.m.

Respectively Submitted by:

Craig Bode

**Mahanalua Nui Homeowners Association
Board of Directors Meeting
Trailhead Park - Lahaina, Hawaii 96761
Thursday, May 23rd, 2019**

BOARD MEMBERS PRESENT:

Steve Iverson, President; Paul Ratterman, Vice President; Craig Studwell, Treasurer; Dominic Pistillo, Secretary; Eric Fitzgerald, Director; Amy Wistoff-Martin, Director; Bill Baley, Director; Ted Loberg, Director

OTHER ATTENDEES:

Craig Bode, Management Executive, Hawaiiiana Management Owners – Teresa Jacques, Norma Sizemore

CALL TO ORDER:

President Iverson called the Board of Directors Meeting of the Association of Homeowners of Mahanalua Nui to order on Thursday, May 23rd, 2019 at 3:58 p.m. Hawaii Standard Time. The meeting was held at Trailhead Park, Lahaina HI.

Quorum declared

MINUTES:

The minutes from the March 14th, 2019 meeting were presented to the board.

Motion:

To approve the minutes of the March 14th meeting. (Ratterman/Loberg)

CARRIED unanimously.

The minutes from the April 11th Organizational meeting were presented to the board.

Motion:

To approve the Organizational meeting minutes. (Wistoff-Martin/Baley)

CARRIED with seven yeas and one abstention.

The minutes from the April 11th Annual Owners' meeting were presented to the board.

Motion:

To approve the Annual Owners' meeting minutes. (Wistoff-Martin/Ratterman)

CARRIED with seven yeas and one abstention

Steve Iverson gave the president's report. During the presentation, the annual meeting was recapped and the consensus was that the meeting went well and owners were happy with the sound system. One change would be to work at getting better attendance.

Another discussion ensued regarding water update. The consensus was to erect a sign that lets the owners know where the water levels are in the reservoir.

Craig Studwell gave the treasurer's report and the report included the reserve numbers and delinquency.

Motion:

To approve the financial statements as presented. (Loberg/Pistillo)

CARRIED unanimously.

Craig Bode gave a report and discussed the signage. Repair to be done at Kai Hele Ku and Huapala this week.

Landscape and irrigation was discussed with Information given on continued monitoring of irrigation and Craig will ask West Maui Land to share in cost of filters.

An update on culverts/evac routes was given and Craig shared pictures with the board and it was decided to attempt to ask BD Development to help in rebuilding the evac routes.

Craig gave a report on Design Review.

Evac Committee gave their report. An estimate was given from Kimo of Truth Excavation. There will be more information given before starting the work on the evac routes.

OLD BUSINESS

Roadway RFP update was given by Dominic Pistillo. Bids came in and an addendum was given and a new vendor was added to the list of bidders. Hopefully all RFPs will be in by June 15 and decision will be made by August 30.

NEXT BOARD MEETING

Association of Homeowners of
Mahanalua Nui
Board of Directors Meeting
August 3, 2018

The next Board meeting will be on Thursday, August 15th, 2019, at 4:00 p.m.
at the trailhead park.

Meeting was adjourned at 5:40 p.m. and move into Executive Session.

Regular meeting was reconvened at 6:15 p.m.

Motion:

**To approve budget modification by transferring \$11,000.00 from Reserves
to Operating on a monthly basis and it will start as of April 1, 2019.
(Ratterman/Pistillo)**

CARRIED unanimously

Meeting was adjourned at 6:28 p.m.

Respectively Submitted by:

Craig Bode

**Mahanalua Nui Homeowners Association
Board of Directors Meeting
Trailhead Park - Lahaina, Hawaii 96761
Thursday, March 14, 2019**

BOARD MEMBERS PRESENT:

Steve Iverson, President; Paul Ratterman, Vice President; Craig Studwell, Treasurer; Dominic Pistillo, Secretary; Eric Fitzgerald, Paul Ratterman; Amy Wistoff-Martin

OTHER ATTENDEES:

Craig Bode, Management Executive, Hawaiiiana Management Owners – Teresa Jacques, Mary Anderson

CALL TO ORDER:

President Iverson called the Board of Directors Meeting of the Association of Homeowners of Mahanalua Nui to order on Thursday, March 14, 2019 at 4:01 p.m. Hawaii Standard Time. The meeting was held at Trailhead Park, Lahaina HI.

Quorum declared

MINUTES:

The minutes from the January 15th meeting were presented to the board.

Motion:

To approve the minutes of the January 15th meeting. (Studwell/Pistillo)

CARRIED unanimously.

PRESIDENT'S REPORT

Annual meeting update

Menu for annual meeting was discussed. Food cost to stay as close to \$10/per person.

Motion:

To approve budget for both food and sound for annual meeting of Mahanalua Nui HOA at \$1,500.00. (Pistillo/Studwell)

CARRIED unanimously.

There needs to be a focus on getting the word out about the annual meeting –
sign needs to go up on property (Craig)
Eblast next two weeks – (Craig)
Place notice on Neighbor website (Amy)

Ag Water update – On the last week of March a meeting is set with LIC where there will be more news on current status as well as long term water resources for the Launiupoko HOAs. Right now LIC is working on getting the pump up and running after it was damaged in transport from the mainland. It could be 3 or 4 months before new one arrives.

HMC Report

Signage - Craig Bode reported on new signage that is up and the repair that was done on three others. There are two other signs being made for the ends of the south evac route.

Landscape – Inspections were made of all gulches and basins with Andres Domingo and a report will be forthcoming.

Irrigation – Craig has levied fines on behalf of the board and the incidents are a little less. The problems seem to stem from poor initial install as much as the traffic on the grass.

Trash receptacles – The trash receptacles are installed at the park and are being used – they may need lids to keep water out or at a minimum – will discuss with Domingo

Design Review Report – submitted to Board president – gave brief summary to board.

Owners' Forum

Owners forum was conducted – Concern on gulches/culverts – board and HMC to look into different agency recommendations from Count, State and FEMA

The board heard from a possible candidate for the board – Mary Anderson.

NEW BUSINESS

Security plan – new schedule approved.

Motion:

To approve the new schedule of patrols at one during the day and two at night. (Fitzgerald/Pistillo)

CARRIED unanimously.

The gulch cleanup was discussed and a letter needs to go to owners spelling out responsibility.

Vendor management is ongoing

Evac Route sign-discussed in HMC report

Update on rules – went out with annual meeting notice.

Meeting was adjourned and went into executive session at 5:08 p.m.

Meeting went back into regular session at 5:56 p.m.

OLD BUSINESS

Craig Bode gave an update on the RFP process

Yellow traffic poles should be up in the next ten days

Evacuation Route committee was formed with Eric Fitzgerald as Chair and Amy Wistoff-Martin and Ted Loberg as members.

Motion:

**To approve the Evacuation Route Committee as presented.
(Ratterman/Studwell)**

CARRIED unanimously.

Craig Studwell gave a brief financial update.

Motion:

**To approve the financial statements as presented. (Wistoff-
Martin/Fitzgerald)**

CARRIED unanimously.

NEXT BOARD MEETING

The next Board meeting will be an executive session on Thursday, April 4th, 2019 at 4:00 p.m. at the trailhead park.

Meeting was adjourned at 6:24 p.m.

Respectively Submitted by:

Craig Bode

Mahanalua Nui Homeowners Association
Annual Owners Meeting Minutes
April 11, 2019

Board Members Present: Steve Iverson, President; Paul Ratterman, Vice President; Craig Studwell, Treasurer; and Directors Eric Fitzgerald, Bill Baley, Ted Loberg and Amy Wistoff-Martin

Board Member Excused: Dominic Pistillo, Secretary

Other Attendees: Craig Bode, Kathy Wong, Sheri Paet and Kay Kolbo, Hawaiiana Management Company; and Louise Rockett, Recording Secretary

I. DECLARATION OF QUORUM

A quorum was declared with 31.2252% (79 of 253 lots) of the owners present in person or represented by proxy.

II. CALL TO ORDER

President Steve Iverson called the Mahanalua Nui Homeowners Association Annual Meeting to order at 6:35 p.m. The meeting was held at Princess Nahienaena Elementary School, Lahaina, Maui, Hawaii.

III. MEETING RULES OF CONDUCT

The President announced that meeting business would be conducted in accordance with Robert's Rules of Order, Newly Revised. Customary rules of conduct were briefly reviewed.

Association Meeting Rules were included with the information distributed to owners at registration. Hearing no objections, the President declared the Association Meeting Rules adopted.

IV. PROOF OF NOTICE

It was certified Notice of Annual Meeting was mailed to all owners of record on March 6, 2019, in accordance with the Association governing documents, and it will be filed with these Minutes in the office of the Managing Agent.

V. INTRODUCTIONS

The President welcomed the owners and thanked them for their attendance. Introductions were made at this time.

VI. APPROVAL OF MINUTES

Copies of the 2018 Annual Meeting Minutes were distributed at registration. Hearing no objections, reading of the Minutes was waived.

Mahanalua Nui Association of Apartment Owners

Annual Owners Meeting Minutes

April 11, 2019 -- Page 2

Hearing no objections, the President declared the Board is authorized to approve the 2019 Annual Meeting Minutes.

VII. PRESIDENT'S REPORT

The President began by noting that the past 12 months have been busy for residents and the Association.

The community has grown with many new homes constructed. With a number of homes and cottages sold, new residents have joined the community from the Mainland.

Last year, the Lahaina Bypass extension was finished and included the Punakea Loop Extension. This has proven to be an effective and pleasantly surprising improvement to Association traffic issues.

In August, devastating fires ravaged the West Side of Maui, which included a complete evacuation of the Mahanalua Nui community. The President was moved by how the community came together during and after the emergency, and he was relieved to see no loss of life. The community grieves with those who lost their homes and property. The Association hopes that lessons learned will help reduce future loss. Gordon Firestein will speak about fire prevention at the end of the Meeting.

As Murphy's Law would have it, shortly after the fires, the Association experienced torrential rains that tested the Association's new drainage infrastructure.

In-stream flow standards have been fully implemented by the Commission on Water Resources Management, and the Association hasn't run out of water. This is mostly because West Maui experienced a wet winter, and the Association implemented an irrigation conservation plan that has successfully reduced its consumption.

Treasurer Studwell, along with neighboring Associations, has been working closely with the water company to make sure the Association successfully manages the process and keeps everyone informed on progress. The Board looks forward to answering questions in the Owner's Forum. Glenn Tremble, not able to attend this Meeting, provided the President with an official update from both water companies; it will be presented following adjournment of Annual Owners Meeting.

Turning to accomplishments from last year, the Board hopes everyone is enjoying a cleaner park, with trash/dog waste receptacles.

Even though it's not part of the Association, the newly populated goat and horse farm is a welcome addition to the community.

The landscape vendor celebrated its first anniversary at Mahanalua Nui and improved irrigation infrastructure. More improvements are planned, leading to increased efficiency.

Hawaiiana Management celebrated its first year of service with the Association in February. The transition was successful.

Security patrols were increased to better manage daily and nightly activity. As a result, the

Mahanalua Nui Association of Apartment Owners
Annual Owners Meeting Minutes
April 11, 2019 -- Page 3

Association has successfully reduced nightly activity in the cul-de-sacs as well as illegal contractor parking during the day. The Board continues to look at all options available to help improve security in the neighborhood.

Future projects include the Roadway Project, including requests for proposalst; the Annual Gulch & Culvert Cleanup; and Reserve Study update.

The President emphasized that the focus of the Annual Meeting is hearing from homeowners. Members of the Board are homeowners, too, and they understand the importance of the issues that affect the community.

He concluded by anticipating a productive Owner's Forum filled with ideas and suggestions on how to make the community a safer and better place to live for everyone.

VIII. TREASURERS' REPORT

At registration, owners were provided with a Financial Report based on the Financial Statements and the Annual Audit for the annual period ending December 31, 2018...

Income and Expenses were reviewed, with variances both over and under budget noted and explained.

As of December 31, 2018, the Association had \$1,946,737 on deposit for Reserves in insured, interest-bearing accounts and \$23,768 in operating cash for a sum of \$1,970,505, an increase of \$135,838 from 2018.

Due to the Association's strong cash position, the 2019 Budget was approved with no increases for maintenance fees or Reserves.

IX. MANAGING AGENT'S REPORT

Mr. Bode, who has managed the property for a year now, highlighted a few accomplishments and observations.

The landscaping should improve as the Board has been very proactive in maintenance (as owners can see with new trash receptacles at the park). There is also a separate vendor now for tree trimming, which has made the role of the landscaper more defined to basically mowing and irrigation.

Mr. Bode appreciates the information sent to him when owners observe a water leak or about other items needing attention. He is working closely with the Board and also with West Maui Land to help with conservation and monitoring water levels, as well as cleaning up after storms.

He tries to inspect the property once a week and will continue striving for that schedule.

Mr. Bode said the Association has a very strong Board of Directors, and Hawaiiana Management wants to be the Association's partner in keeping owners' properties safe and also maintaining property values.

Mahanalua Nui Association of Apartment Owners
Annual Owners Meeting Minutes

April 11, 2019 -- Page 4

Owners were encouraged to provide email addresses to the Association for timely communication procedures.

X. ELECTION OF BOARD OF DIRECTORS

The Association is governed by a Board of Directors composed of not less than three Directors. There are currently eight Board Members serving on the Board, including Steve Iverson, Paul Ratterman, Craig Studwell, Eric Fitzgerald, Bill Baley, Ted Loberg, Amy Wistoff-Martin and Dominic Pistillo. All are seeking to serve another term. The President called for nominations from the floor. Hearing none, the President declared nominations closed. The candidates present introduced themselves.

MOTION: To elect the slate of candidates by acclamation, as follows: Steve Iverson, Paul Ratterman, Craig Studwell, Eric Fitzgerald, Bill Baley, Ted Loberg, Amy Wistoff-Martin and Dominic Pistillo.

Robert Petty (0211B) / P. Denise LaCosta (Phase 3, Lot 15)

Unanimous Approval

A short Organizational Meeting will be held following adjournment of Annual Meeting business for the purpose of electing officers for the ensuing year.

XI. NEW BUSINESS

A. Controlled Fires for Firefighting Training

Maui Fire Department contacted the President and informed him that controlled burns are scheduled near the bottom of the Punakea Loop Extension on April 17-18 and April 23-24 as a training exercise for firefighters and to clear growth that could fuel brushfires.

B. Tax Rollover Resolution

MOTION: Be it resolved that any excess of membership income over membership expenses for the fiscal year ending December 31, 2019, shall be applied against the subsequent tax year membership assessments as provided by Internal Revenue Service Ruling 70-604.

Hearing no objections, the President declared the Resolution adopted.

C. Roadway Project

The Vice President reported that the Board has been looking very seriously into the next major roadway upgrade; it will be conducted in phases.

The road that is most frequently used is Kai Hele Ku Street. The project's scope of work will be the section of Kai Hele Ku above the street's intersection with the Lahaina Bypass. Plans call for asphalt replacement and/or overlay. The Board is considering several bids, and the Board has asked the contractors to offer ideas on how to best conduct the project. The Board has also hired an engineering consultant to provide guidance on the project. The

goal is to implement the best project that will last the longest at the lowest possible cost.

Estimates range from doing the least amount of work — a 1.5-inch overlay — for close to \$500,000. The price tag to completely remove and rebuild the road is approximately \$1.3 million. The cost will likely be in between at about \$600,000 to \$700,000.

The project will likely be scheduled in late 2019 or early 2020, when some homes under construction will be completed and heavy trucks will be off the street. The crews will use contraflow to manage traffic during work hours, and all lanes will be open once the workers have left for the day. Paving will likely take seven to 15 days. The new asphalt will cure for around ten days, and then the street will be re-stripped.

D. Ratification of Board Actions

MOTION: Resolved, that all of the actions of the Officers of the Association taken since the last Annual Meeting on behalf of the Association are adopted, ratified and approved.

Hearing no objections, the President declared the Motion approved.

E. Reserve Study

Mr. Bode said the Board will prepare the budget for 2020 and strive to keep current Association dues from increasing. He added that the Board is both responsible, thoughtful and prudent.

The previous Reserve Study will be updated in 2019, hopefully by mid-June. The last update was in 2015. The long-range analysis will include roadways, culverts and gulches, trails, evacuation routes, irrigation, signage, the trailhead park and other items.

F. Culvert Clearing Guidelines

The President explained that it's important to maintain gulches and continually remove debris from culverts, so that in the event of a storm, the drainage flows as designed.

Starting next week, owners with culverts or gulches on their property may see heavy equipment come in, via easements, to clear them. Owners were provided maps detailing where maintenance is scheduled, the location of easements, and areas outside of culverts, in the gulches and drainage basins, that homeowners are responsible for maintaining. This information is also available on the Mahanalua Nui Website.

Instances of drainage flow changes by homeowners or builders have been observed. It's important that owners understand that they could be held liable if the flow changes, flooding occurs and a neighbor's house is damaged. That also applies to the dumping of debris into the gulches, such as landscaping clippings and palm fronds. If a gulch or culvert is on a property, owners are responsible for anything put into them blocking the flow of water during storm activity.

During the cleaning process, if the Board is notified about anything that shouldn't be in culverts or gulches, the owner will be notified. If corrective action isn't taken within 14 days,

Mahanalua Nui Association of Apartment Owners

Annual Owners Meeting Minutes

April 11, 2019 – Page 6

the Board will schedule work and bill the owner. Owners were asked to offer easy access to culverts on their property.

XII. ADJOURNMENT

With no further New Business requiring a motion, the Meeting adjourned at 7:18 p.m.

Louise Rockett

Louise Rockett
Transcriptionist

Financial Statements
Budget & Reserve Summary

----- PREPARED FOR -----
 LAUNIUPOKO
 LAHAINA, MAUI HI 96761

ACCT. NO: 1539
 PAGE: 1

MAHANALUA NUI HOMEOWNERS ASSN
STATEMENT OF RECEIPTS AND DISBURSEMENTS
FOR PERIOD ENDED 07/31/2020

----- PREPARED BY -----
 HAWAIIANA MANAGEMENT COMPANY, LTD.

ACCOUNTANT: SHANE HUNG

DATE PRINTED: 08/14/2020

BLD ACCT: 1539	CURRENT MONTH				YEAR TO DATE		FISCAL BEG: 1		
	DESCRIPTION	---ACTUAL---	---BUDGET---	---VAR.---	-BUD%--	---ACTUAL---	---BUDGET---	---VAR.---	--BUD%--
CASH RECEIPTS:									
5100	MAINTENANCE FEE	37150.65	39510.18	-2359.53	94.0	291423.60	276571.26	14852.34	105.4
5103	MAINT FEE-RESERVES	5447.70	6164.82	-717.12		50597.53	43153.74	7443.79	
5190	LEGAL FEE REIMBURSEMENT	116.52	150.00	-33.48		1566.29	1050.00	516.29	
5270	INTEREST FROM INVESTMENTS	3376.37	2500.00	876.37		17004.78	17500.00	-495.22	
5290	INTEREST FROM CHECKING	2.97	0.00	2.97		27.01	0.00	27.01	
5360	LATE CHARGES	190.41	350.00	-159.59		2856.22	2450.00	406.22	
5361	INTEREST CHARGES	19.69	0.00	19.69		263.11	0.00	263.11	
5377	DESIGN REVIEW FEE	0.00	150.00	-150.00		3000.00	1050.00	1950.00	
5378	FINES	2500.00	100.00	2400.00		2500.00	700.00	1800.00	
5411	RENTAL INCOME	0.00	1100.00	-1100.00		0.00	7700.00	-7700.00	
	TOTAL CASH RECEIPTS	48804.31	50025.00	-1220.69	97.6	369238.54	350175.00	19063.54	105.4
UTILITIES:									
6010	ELECTRICITY	712.01	400.00	312.01		2935.02	2800.00	135.02	
6030	WATER	312.00	3000.00	-2688.00		14668.42	21000.00	-6331.58	
	TOTAL UTILITIES	1024.01	3400.00	-2375.99	30.1	17603.44	23800.00	-6196.56	74.0
BUILDING MAINTENANCE:									
6550	GROUNDS-GENERAL	13511.98	13975.00	-463.02		94583.86	97825.00	-3241.14	
6551	GROUNDS-WAILAU TRAIL MAINT	0.00	87.00	-87.00		0.00	609.00	-609.00	
6552	GROUNDS-TREE TRIMMING	780.00	3200.00	-2420.00		5720.00	22400.00	-16680.00	
6553	GROUNDS-LANDSCAPE/OUTSIDE SVC	260.00	300.00	-40.00		5045.39	2100.00	2945.39	
6554	GROUNDS-RD RPR/MAINT/SIGN	534.91	600.00	-65.09		2384.91	4200.00	-1815.09	
6555	GROUNDS-GUARDRAIL & CULVERT	0.00	250.00	-250.00		0.00	1750.00	-1750.00	
6557	STORM REPAIR	0.00	300.00	-300.00		0.00	2100.00	-2100.00	
6558	GROUNDS-GREENWAY TRAIL MAINT	0.00	100.00	-100.00		0.00	700.00	-700.00	
6600	PEST CONTROL	0.00	150.00	-150.00		0.00	1050.00	-1050.00	
6610	NON A/C PUMP & VENTILATION	0.00	1200.00	-1200.00		0.00	3600.00	-3600.00	
	TOTAL BUILDING MAINTENANCE	15086.89	20162.00	-5075.11	74.8	107734.16	136334.00	-28599.84	79.0
PROFESSIONAL SERVICES:									
6810	ADMIN SUPPLIES & SVCS	1291.48	1291.00	0.48		8955.47	9037.00	-81.53	

----- PREPARED FOR -----
 LAUNIUPOKO
 LAHAINA, MAUI HI 96761

ACCT. NO: 1539
 PAGE: 2

MAHANALUA NUI HOMEOWNERS ASSN
STATEMENT OF RECEIPTS AND DISBURSEMENTS
FOR PERIOD ENDED 07/31/2020

----- PREPARED BY -----
 HAWAIIANA MANAGEMENT COMPANY, LTD.

ACCOUNTANT: SHANE HUNG

DATE PRINTED: 08/14/2020

BLD ACCT 1539		CURRENT MONTH				YEAR TO DATE		FISCAL BEG: 1	
DESCRIPTION	---ACTUAL---	---BUDGET---	---VAR.---	-BUD%-	---ACTUAL---	---BUDGET---	---VAR.---	---BUD%-	
6812 ASSOCIATION ADMIN EXPENSE	0.00	150.00	-150.00		647.19	1050.00	-402.81		
6850 MANAGEMENT SERVICES	3591.57	3591.57	0.00		25140.99	25140.99	0.00		
6870 AUDIT/PUBLIC ACCOUNTING	0.00	350.00	-350.00		3336.96	2450.00	886.96		
6880 LEGAL FEES	425.00	1500.00	-1075.00		4183.91	10500.00	-6316.09		
6890 CONSULTING FEES	426.80	100.00	326.80		1839.80	700.00	1139.80		
6900 SECURITY SERVICES	52.00	1725.00	-1673.00		10608.00	12075.00	-1467.00		
TOTAL PROFESSIONAL SERVICES	5786.85	8707.57	-2920.72	66.5	54712.32	60952.99	-6240.67	89.8	
OTHER EXPENSES:									
7315 INSURANCE-LIABILITY	291.09	275.00	16.09		1338.43	1925.00	-586.57		
7325 INSURANCE-D&O	0.00	250.00	-250.00		3147.00	1250.00	1897.00		
7330 INSURANCE-FIDELITY	0.00	60.00	-60.00		652.00	300.00	352.00		
7340 INSURANCE-UMBRELLA	0.00	140.00	-140.00		1635.00	700.00	935.00		
7540 MEETING EXPENSE-ANNUAL	0.00	175.00	-175.00		0.00	1225.00	-1225.00		
7550 MISCELLANEOUS EXPENSE	0.00	0.00	0.00		-35.00	0.00	-35.00		
7552 MISCL EXP-BANK CHARGES	0.00	0.00	0.00		25.00	0.00	25.00		
7720 STATE GENERAL EXCISE TAX	782.48	250.00	532.48		1793.84	1750.00	43.84		
7730 STATE INCOME TAXES	0.00	0.00	0.00		1583.00	0.00	1583.00		
7740 FEDERAL INCOME TAXES	0.00	750.00	-750.00		9829.00	3750.00	6079.00		
TOTAL OTHER EXPENSES	1073.57	1900.00	-826.43	56.5	19968.27	10900.00	9068.27	183.2	
TOTAL OPERATING EXPENSES	22971.32	34169.57	-11198.25	67.2	200018.19	231986.99	-31968.80	86.2	
OPERATING SURPLUS/DEFICIT	25832.99	15855.43	9977.56	162.9	169220.35	118188.01	51032.34	143.2	
CAPITAL IMPR AND MAJOR REP & REPL:									
8517 PAVING AND SEALCOATING	0.00	0.00	0.00		506726.00	0.00	506726.00		
TOTAL CAPITAL IMPR AND MAJOR	0.00	0.00	0.00	0.0	506726.00	0.00	506726.00	0.0	
TOTAL CASH DISBURSEMENTS	22971.32	34169.57	-11198.25	67.2	706744.19	231986.99	474757.20	304.6	
CHANGE IN SECURITY DEPOSITS	0.00	0.00	0.00	0.0	0.00	0.00	0.00	0.0	

----- PREPARED FOR -----
LAUNIUPOKO
LAHAINA, MAUI HI 96761

ACCT. NO: 1539
PAGE: 3

MAHANALUA NUI HOMEOWNERS ASSN
STATEMENT OF RECEIPTS AND DISBURSEMENTS
FOR PERIOD ENDED 07/31/2020

----- PREPARED BY -----
HAWAIIANA MANAGEMENT COMPANY, LTD.

ACCOUNTANT: SHANE HUNG

DATE PRINTED: 08/14/2020

BLD ACCT: 1539 DESCRIPTION	CURRENT MONTH				YEAR TO DATE		FISCAL BEG: 1	
	---ACTUAL--	---BUDGET---	---VAR.---	-BUD%-	---ACTUAL-	---BUDGET---	---VAR.---	--BUD%--
CHANGE TO TOTAL CASH & RESERVE	<u>25832.99</u>	<u>15855.43</u>	<u>9977.56</u>		<u>-337505.65</u>	<u>118188.01</u>	<u>-455693.66</u>	

----- PREPARED FOR -----

LAUNIUPOKO
LAHAINA, MAUI HI 96761

ACCT. NO: 1539

PAGE: 1

**MAHANALUA NUI HOMEOWNERS ASSN
CASH REPORT
AS OF 07/31/2020**

----- PREPARED BY -----

HAWAIIANA MANAGEMENT COMPANY, LTD.

ACCOUNTANT: SHANE HUNG

DATE PRINTED: 8/14/2020

BLD NUM: 1539

FISCAL BEG: 01 PAGE: 1

	TERM	MATURES	RATE	BEGINNING BALANCE	TRANSFERS TO/(FROM)	ENDING BALANCE
OPERATIONS						
1000 CHECKING ACCOUNT *				55,753.16	14,456.62	70,209.78
TOTAL OPERATIONS				<u>55,753.16</u>	<u>14,456.62</u>	<u>70,209.78</u>
RESERVES						
1755 EDJON #*****3217				8,380.05	0.04	8,380.09
1756 EDJON #*****9114				1,589,505.22	11,376.33	1,600,881.55
TOTAL RESERVES				<u>1,597,885.27</u>	<u>11,376.37</u>	<u>1,609,261.64</u>
NET ASSOCIATION AVAILABLE CASH AND DEPOSITS				<u>1,653,638.43</u>	<u>25,832.99</u>	<u>1,679,471.42</u>

* CHECKING ACCOUNT MAY INCLUDE PENDING CAPITAL EXPENSES

BEGINNING CASH BAL.-B.O.Y. 2,016,977.07

----- PREPARED FOR -----

LAUNIPOKO
LAHAINA, MAUI HI 96761

ACCT. NO: 1539

PAGE: 1

**MAHANALUA NUI HOMEOWNERS ASSN
CASH BY INSTITUTION
AS OF 07/31/2020**

----- PREPARED BY -----

HAWAIIANA MANAGEMENT COMPANY, LTD.

ACCOUNTANT: SHANE HUNG

DATE PRINTED: 8/14/2020

BLD NUM: 1539

FISCAL BEG: 01 PAGE: 1

CASH BY INSTITUTION:

	BEGINNING BALANCE	TRANSFERS TO/(FROM)	ENDING BALANCE
EDWARD JONES	1,597,885.27	11,376.37	1,609,261.64
OPERATING CHECKING ACCOUNT	55,753.16	14,456.62	70,209.78
TOTAL CASH	<u>1,653,638.43</u>	<u>25,832.99</u>	<u>1,679,471.42</u>

Hawaiiana Management Company, Ltd

2020 Monthly Cash Operating Budget For

Mahanalua Nui

Approved by Board of Directors on October 17, 2019

DESCRIPTION	JAN 2020	FEB 2020	MAR 2020	APR 2020	MAY 2020	JUNE 2020	JULY 2020	AUG 2020	SEPT 2020	OCT 2020	NOV 2020	DEC 2020	ANNUAL TOTAL
REVENUE													
MAINTENANCE FEES	38,450	38,450	38,450	38,450	38,450	38,450	38,450	38,450	38,450	38,450	38,450	38,450	461,396
MAINT FEE-RESERVES	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	72,000
LEGAL FEE REIMBURSEMENT	150	150	150	150	150	150	150	150	150	150	150	150	1,800
INTEREST FROM INVESTMENTS	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	30,000
LATE CHARGES	350	350	350	350	350	350	350	350	350	350	350	350	4,200
DESIGN REVIEW FEE	150	150	150	150	150	150	150	150	150	150	150	150	1,800
FINES	100	100	100	100	100	100	100	100	100	100	100	100	1,200
ROAD MAINT REIMB	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	13,200
TOTAL REVENUE	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800	585,596

UTILITIES	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
ELECTRICITY	400	400	400	400	400	400	400	400	400	400	400	400	4,800
WATER	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	36,000
TOTAL UTILITIES	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	40,800

MAINTENANCE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
GROUNDS-GENERAL	13,975	13,975	13,975	13,975	13,975	13,975	13,975	13,975	13,975	13,975	13,975	13,975	167,700
GROUNDS-WAILAU TRAIL MAINT	87	87	87	87	87	87	87	87	87	87	87	87	1,044
GROUNDS-TREE TRIMMING	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	38,400
GROUNDS-IRRIGATION REPAIR	300	300	300	300	300	300	300	300	300	300	300	300	3,600
GROUNDS-RD RPR/MAINT/SIGN	600	600	600	600	600	600	600	600	600	600	600	600	7,200
GROUNDS-GUARDRAIL & CULVERT	250	250	250	250	250	250	250	250	250	250	250	250	3,000
GROUNDS-STORM REPAIR	300	300	300	300	300	300	300	300	300	300	300	300	3,600
GROUNDS-GREENWAY TRAIL MAINT	100	100	100	100	100	100	100	100	100	100	100	100	1,200
GROUNDS - DRAINAGE BASIN	150	150	150	150	150	150	150	150	150	150	150	150	1,800
GROUNDS - WORK ORDERS	1,200			1,200			1,200			1,200			4,800
TOTAL MAINTENANCE	20,162	18,962	18,962	20,162	18,962	18,962	20,162	18,962	18,962	20,162	18,962	18,962	232,344

2020 Monthly Operating Budget For Mahanalu Nui

Approved by Board of Directors on October 17, 2019

DESCRIPTION	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	ANNUAL
PROFESSIONAL SVCS	2020	2020	2020	2020	2020	2020	2020	2020	2020	2020	2020	2020	TOTAL
ADMIN SUPPLIES & SVCS	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	1,291	15,492
ASSOCIATION ADMIN EXPENSE	150	150	150	150	150	150	150	150	150	150	150	150	1,800
MANAGEMENT SRVCS	3,592	3,592	3,592	3,592	3,592	3,592	3,592	3,592	3,592	3,592	3,592	3,592	43,099
AUDIT	350	350	350	350	350	350	350	350	350	350	350	350	4,200
LEGAL FEES GENERAL	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	18,000
CONSULTING FEES	100	100	100	100	100	100	100	100	100	100	100	100	1,200
SECURITY SERVICES	1,725	1,725	1,725	1,725	1,725	1,725	1,725	1,725	1,725	1,725	1,725	1,725	20,700
TOTAL PROF. SERVICES	8,708	8,708	8,708	8,708	8,708	8,708	8,708	8,708	8,708	8,708	8,708	8,708	104,491

OTHER EXPENSES	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
INSURANCE MASTER POLICY	275	275	275	275	275	275	275	275	275	275	275	275	3,300
D AND O INS			250	250	250	250	250	250	250	250	250	250	2,500
FIDELITY BOND INS			60	60	60	60	60	60	60	60	60	60	600
INSURANCE-UMBRELLA			140	140	140	140	140	140	140	140	140	140	1,400
ASSOC MEETING EXP-ANNUAL	175	175	175	175	175	175	175	175	175	175	175	175	2,100
STATE GET	250	250	250	250	250	250	250	250	250	250	250	250	3,000
FEDERAL INCOME TAXES			750	750	750	750	750	750	750	750	750	750	7,500
TOTAL OTHER EXP.	700	700	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	20,400

TOTAL OP EXPENSE	32,970	31,770	32,970	34,170	32,970	32,970	34,170	32,970	32,970	34,170	32,970	32,970	398,035
LOAN PAYMENTS													
TRANSFER TO RESERVES	15,630	15,630	15,630	15,630	15,630	15,630	15,630	15,630	15,630	15,630	15,630	15,630	187,562

Mahanalua Nui

Calendar Year 2020 Operating Budget and Reserve Study

EXECUTIVE SUMMARY

Prepared By: Craig Bode and Hawaiiana Management Company, Ltd on September 13, 2019

Approved by Board of Directors on October 17, 2019

PRESENT RESERVE LEVELS

Projected 2019 Ending Reserve Balance		\$1,970,284
Required End of 2019 Balance to be 100% Funded		\$1,210,803
Projected End of Year 2019 Percent Funding		162.7%

2020 FULLY FUNDED MAINTENANCE FEES

Required End of Year 2020 Balance to be 100% Funded		\$810,662
Year 2020 Reserve Outlays		\$569,699
Year 2020 Reserve Contribution Required to be 100% Funded		(\$589,923)
Plus Projected Operating Expense		\$398,035
Less Other Income		\$124,200
Fully Funded Maintenance Fee Change/Amount	-212.7%	(\$316,088)
Management Executive Recommendation	64.5%	\$461,396

BOARD APPROVED YEAR 2020 MAINTENANCE FEES

Operating Expenses		\$398,035
Less Other Income		\$124,200
Maintenance Fee Change/Amount	64.5%	\$461,397
Reserve Contribution / FHA Requirement 10%	47%	\$187,562
Projected Funding Level/Balance at the End of Year 2020	195.91%	\$1,588,147

MAHANALUA NUI YEAR 2020 RESERVE PROJECTS AS OF OCTOBER 17, 2019

COST NOW and NORM LIFE values are best estimates by Hawaiiiana Management and vendors who were nice enough to inspect the property or give a best guess.												
It may be advisable to employ an expert to evaluate those projects with high cost.				RESERVE FUND STATUS - PERCENT FUNDED METHOD						M. FEE	RESERVE.	MAINT.
First Plan Year - Calendar	2020	Reference Year	2019	THE MODEL'S FINDINGS FOR % FUNDING			2019 Deficit	CHANGE	CONTRIB	FEES		
Final Plan Year	2039			Recommended Reserve Funding	100%		(759,481)	-213%	(1,159,622)	-316,088		
2019 Maintenance Fees	280,416	2020 Maint Fees	461,396	Target Reserve Funding Level	50%		(1,364,883)	-357.27%	(1,564,953)	-721,419		
2019 Other Income	190,983	2020 Othr Inc	124,200	Minimum Reserve Funding Level	50%		(1,364,883)	-357%	(1,564,953)	-721,419		
2019 Operating Expenses	-409,852	2020 Exp	-398,035	EOY 2020 Funding % @ Approved Lev	195.91%			65%	(382,137)	461,396		
2019 Reserve Contribution	61,547	2020 Contribution	187,562	Condition Codes		Source Codes		Source Codes				
Projected Reserves At Start of 2020	1,970,284	Target Funding L	50%	EXCELNT	E	Contractor Proposal	1	Cost at Similar Project		5		
Projected Reserve % at Start of 2020	162.7%	Tgt Ann Contrib	60,921	GOOD	G	Contractor Estimate	2	Statistical Guideline		6		
Minimum Inflation	3.0%	Req Contrib-Tgt	(1,303,961)	FAIR	F	Engineer/Arch Estimate	3	Inflate First Year?		Yes		
Projected Savings Interest	2.0%	App. % Change	64.5%	POOR	P	Cost When Last Done	4					
CAPITAL INVENTORY		NORM	DONE	LAST	CO	NEXT	COST	COST	FUNDING	EOY		
ITEM	ADJUSTMENT	LIFE	LAST	COST	ND	DUE DATE	NOW	SRC	QOMNT	RES	DEFICIT	
Pavement - Kai Hele - Pave	1	20	1999			2020	528,106		502,958	502,958		
Irrigation System - Self-flushing valves		20	2000			2020	25,000		23,750	23,750		
Signage - traffic		3	2018			2021	3,377		1,126	1,126		
Pavement - Kai Hele - Sealcoat	-1	7	2016			2022	127,526		63,763	63,763		
Culvert maintenance	1	3	2018			2022	5,000		1,250	1,250		
Irrigation System		4	2018			2022	4,000		1,000	1,000		
Pavement - Phase 4 - Sealcoat		7	2016			2023	88,806		38,060	38,060		
Pavement - Access Rd - Sealcoat		7	2016			2023	65,280		27,977	27,977		
Pavement - Phase 1 - Sealcoat		7	2016			2023	56,165		24,071	24,071		
Pavement - Phase 3 - Sealcoat		7	2016			2023	20,383		8,736	8,736		
Culverts		7	2018			2025	40,000		5,714	5,714		
Evac Route maintenance		7	2018			2025	5,000		714	714		
Gazebo	2	20	2005			2027	15,000		9,545	9,545		
Walking Trail - upgrade		10	2018			2028	13,915		1,392	1,392		
Pavement - Access Rd - Pave		30	1999			2029	304,266		202,844	202,844		
Pavement - Phase 1		30	1999			2029	257,120		171,413	171,413		
Pressure regulator - Non-potable water		25	2005			2030	27,012		15,127	15,127		
Pressure regulator - Domestic water		25	2005			2030	11,255		6,303	6,303		
Concrete repair - Phase 1		35	2000			2035	131,482		71,376	71,376		
Concrete repair - Phase 2		35	2000			2035	36,399		19,759	19,759		
Guard rails repair		25	2010			2035	30,000		10,800	10,800		
Evac Routes Upgrade	-1	25	2018			2042	75,000		3,125	762,606	-759,481	
CAPITAL INVENTORY		NORM	DONE	LAST	CO	NEXT	COST	COST	FUNDING	EOY		
ITEM	ADJUSTMENT	LIFE	LAST	COST	ND	DUE DATE	NOW	SRC	QOMNT	RES	DEFICIT	
2019 End Yr Totals							1,870,092		1,210,803	1,970,284	(759,481)	

Mahanalua Nui

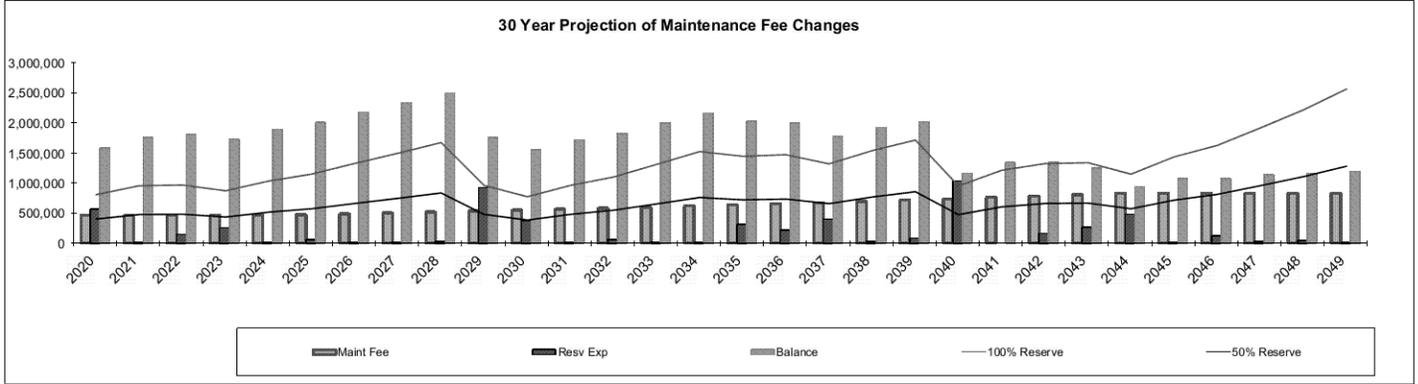
Board Approved 2020 Cash Flow Plan

Prepared By: Craig Bode and Hawaiiana Management Company, Ltd

Maintenance Fee Plan to Accomplish All Known Improvements and Repairs For Next 30 Years

Assumed Rate of Inflation: 3%

Assumed Savings Interest Rate: 2%



Contingency Reserve Fund \$0

CY	Starting	-Reserve	-Loan	-Operating	+Maint.	+Other	=Intern	+Interest	=Ending	% Maint. Fee	Net Reserve	Percent
Year	Balance	Expense	Payments	Expenses	Fees	Income	Bal	Income	Balance	Change	Contrib.	Funded
2020	1,970,284	569,699	0	398,035	461,396	124,200	1,588,147	Included	1,588,147	64.5%	(382,137)	196%
2021	1,588,147	3,583	0	409,976	461,396	122,400	1,758,384	33,465	1,791,850	0.0%	170,238	187%
2022	1,791,850	149,186	0	422,275	461,396	122,400	1,804,185	35,960	1,840,145	0.0%	12,335	190%
2023	1,840,145	259,580	0	434,943	461,396	122,400	1,729,418	35,696	1,765,114	0.0%	(110,727)	202%
2024	1,765,114	3,915	0	447,992	461,396	122,400	1,897,004	36,621	1,933,625	0.0%	131,890	186%
2025	1,933,625	59,703	0	461,431	475,238	122,400	2,010,129	39,438	2,049,566	3.0%	76,504	178%
2026	2,049,566	4,920	0	475,274	489,496	122,400	2,181,267	42,308	2,223,576	3.0%	131,701	167%
2027	2,223,576	23,280	0	489,533	504,180	122,400	2,337,344	45,609	2,382,953	3.0%	113,768	159%
2028	2,382,953	24,681	0	504,219	519,306	122,400	2,495,759	48,787	2,544,546	3.0%	112,806	152%
2029	2,544,546	925,840	0	519,345	534,885	122,400	1,756,646	43,012	1,799,658	3.0%	(757,990)	187%
2030	1,799,658	382,435	0	534,926	550,932	122,400	1,555,629	33,553	1,589,182	3.0%	(244,025)	205%
2031	1,589,182	7,130	0	550,973	567,459	122,400	1,720,938	33,101	1,754,039	3.0%	131,756	182%
2032	1,754,039	66,083	0	567,502	584,483	122,400	1,827,337	35,814	1,863,151	3.0%	73,298	169%
2033	1,863,151	5,108	0	584,528	602,018	122,400	1,997,933	38,611	2,036,544	3.0%	134,782	155%
2034	2,036,544	14,024	0	602,063	620,078	122,400	2,162,935	41,995	2,204,929	3.0%	126,391	144%
2035	2,204,929	317,541	0	620,125	638,681	122,400	2,028,344	42,333	2,070,676	3.0%	(176,586)	143%
2036	2,070,676	216,363	0	638,729	657,841	122,400	1,995,825	40,665	2,036,490	3.0%	(74,851)	138%
2037	2,036,490	401,152	0	657,891	677,576	122,400	1,777,424	38,139	1,815,563	3.0%	(259,067)	137%
2038	1,815,563	31,415	0	677,628	697,904	122,400	1,926,824	37,424	1,964,248	3.0%	111,261	127%
2039	1,964,248	87,374	0	697,956	718,841	122,400	2,020,158	39,844	2,060,002	3.0%	55,910	120%
2040	2,060,002	1,038,241	0	718,895	740,406	122,400	1,165,672	32,257	1,197,929	3.0%	(894,330)	125%
2041	1,197,929	0	0	740,462	762,618	122,400	1,342,485	25,404	1,367,889	3.0%	144,556	113%
2042	1,367,889	162,580	0	762,676	785,497	122,400	1,350,530	27,184	1,377,714	3.0%	(17,359)	104%
2043	1,377,714	269,399	0	785,556	809,062	122,400	1,254,220	26,319	1,280,539	3.0%	(133,494)	95%
2044	1,280,539	482,897	0	809,123	833,333	122,400	944,253	22,248	966,501	3.0%	(366,286)	84%
2045	966,501	7,284	0	833,397	833,333	122,400	1,081,554	20,481	1,102,034	0.0%	115,053	77%
2046	1,102,034	119,951	0	858,398	833,333	122,400	1,079,418	21,815	1,101,233	0.0%	(22,616)	68%
2047	1,101,233	34,320	0	884,150	833,333	122,400	1,138,496	22,397	1,160,893	0.0%	37,263	60%
2048	1,160,893	40,751	0	910,675	833,333	122,400	1,165,200	23,261	1,188,461	0.0%	4,307	54%
2049	1,188,461	12,138	0	937,995	833,333	122,400	1,194,062	23,825	1,217,887	0.0%	5,600	47%

***Mahanalua Nui - 2020**
PROJECT DEFINITION REPORT

9/12/2019

Project Information

Project:	*Mahanalua Nui - 2020	Project Date:	1/01/1999
Address:	Launiupoko Region	Number of Phases:	4
City:	Lahina	Number of Units:	234
State:	HI	Number of Models:	0
Zip:	96761-0000		

Property Description

The subject property is defined as the Mahanalua Nui homeowners association and is located in the Launiupoko region near the town of Lahaina, Hawaii. The association includes 234 lots that were developed in 4 phases:

Phase 1 was developed in 1999 and consists of 36 lots
Phase 2 was developed in 1999 and consists of 14 lots
Phase 3 was developed in 2005 and consists of 41 lots
Phase 4 was developed in 2007 and consists of 143 lots

This information is based on a subdivision map prepared by Launiupoko Associates, LLC in August 2000 and on construction plans and information provided by the West Maui Land Company, Inc.

Improvements in the Association's common areas include asphalt and concrete paved roads, roadway lighting, signage, landscape irrigation, drainage culverts, and roadway guard rails.

The adjacent Makila Plantation HOA shares all Kai Hele Ku Street roadway expenses (from the project to the highway) based on a unit percentage basis. The current ratio is: 77.5% to Mahanalua Nui and 22.5% to Makila Plantation. This is adjusted no less than annually. Adjacent Makila Nui HOA roadway contributes to the roadway expenses on a fixed unit basis.

A site visit was made to the property on July 3, 2019.

***Mahanalua Nui - 2020**
ANALYSIS DEFINITION REPORT

Analysis 1 - 2020 Version 2

Project Information

Project:	*Mahanalua Nui - 2020	Project Date:	1/01/1999
Address:	Launiupoko Region	Analysis Date:	1/01/2020
City:	Lahina	Number of Phases:	4
State:	HI	Number of Units:	234
Zip:	96761-0000	Number of Models:	0

Analysis Parameters

Rate of Inflation:	3%	Deferred Expenditures:	No
Rate of Return on Investment:	2%	Contingency:	0%
Beginning Funds:	1,950,000.00	Contingency Time:	None
Loan/Special Assessment:	No		

Annual Contribution Factors

		2030:	0%
2021:	0%	2031:	0%
2022:	0%	2032:	0%
2023:	0%	2033:	0%
2024:	0%	2034:	0%
2025:	0%	2035:	0%
2026:	0%	2036:	0%
2027:	0%	2037:	0%
2028:	0%	2038:	0%
2029:	0%	2039:	0%

Additional Analysis Information

The reserve fund beginning balance as of 01/01/2020 is estimated at \$1,950,000 which was provided by the client. The inflation rate used is 3%, the rate of return used is 2% for reserve fund investments with the analysis time horizon being 20 years.

Based on the above parameters, the analysis recommends that the Association set the annual reserve contribution for 2020 at \$143,012. This amount may stay constant each year throughout the entire time frame of the study.

Based on these assumptions, the recommended reserve funding plan adequately meets Hawaii State reserve requirements under the cash flow method. Please review the above financial data and the entire report for accuracy.

***Mahanalua Nui - 2020**
CASHFLOW SUMMARY PROJECTIONS

Analysis 1 - 2020 Version 2

Year	Beginning Balance	Contribution	Average/ Unit/Mo	Interest Earned	Expenditures	Ending Balance
2020	1,950,000.00	143,012.00	50.93	28,145.15	633,106.00	1,488,051.15
2021	1,488,051.15	143,012.00	50.93	31,538.15	3,090.00	1,659,511.30
2022	1,659,511.30	143,012.00	50.93	34,805.02	12,731.00	1,824,597.32
2023	1,824,597.32	143,012.00	50.93	33,329.06	250,927.00	1,750,011.38
2024	1,750,011.38	143,012.00	50.93	36,730.03	7,879.00	1,921,874.41
2025	1,921,874.41	143,012.00	50.93	39,422.33	46,385.00	2,057,923.74
2026	2,057,923.74	143,012.00	50.93	39,933.86	157,095.00	2,083,774.60
2027	2,083,774.60	143,012.00	50.93	43,552.75	3,691.00	2,266,648.35
2028	2,266,648.35	143,012.00	50.93	46,909.86	20,275.00	2,436,295.21
2029	2,436,295.21	143,012.00	50.93	35,875.73	736,480.00	1,878,702.94
2030	1,878,702.94	143,012.00	50.93	16,550.91	1,136,109.00	902,156.85
2031	902,156.85	143,012.00	50.93	19,772.23	0.00	1,064,941.08
2032	1,064,941.08	143,012.00	50.93	21,791.74	62,752.00	1,166,992.82
2033	1,166,992.82	143,012.00	50.93	21,247.98	191,738.00	1,139,514.80
2034	1,139,514.80	143,012.00	50.93	24,441.95	6,052.00	1,300,916.75
2035	1,300,916.75	143,012.00	50.93	20,769.99	349,338.00	1,115,360.74
2036	1,115,360.74	143,012.00	50.93	23,849.65	11,237.00	1,270,985.39
2037	1,270,985.39	143,012.00	50.93	19,286.49	392,890.00	1,040,393.88
2038	1,040,393.88	143,012.00	50.93	22,012.96	27,247.00	1,178,171.84
2039	1,178,171.84	143,012.00	50.93	22,936.60	119,274.00	1,224,846.44
Totals:		2,860,240.00		582,902.44	4,168,296.00	

PROJECTED EXPENDITURES

*Mahanalua Nui - 2020 - Analysis 1 - 2020 Version 2

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
*Culvert - Debris Removal						46,385				
*Evacuation Routes Maintain	5,000									
*Evacuation Routes Upgrade	75,000									
*Gazebo Park			8,487							
*Irrigation System			4,244		4,502		4,778		5,069	
*Irrigation System - Self Flush Valves	25,000									
*Pavement - Asphalt, Cold Planing, Access Rd										352,831
*Pavement - Asphalt, Cold Planing, Kai Hele	528,106									
*Pavement - Asphalt, Cold Planing, Phase 1										298,161
*Pavement - Asphalt, Seal Coating, Access Rd				71,333						
*Pavement - Asphalt, Seal Coating, Kai Hele							152,317			
*Pavement - Asphalt, Seal Coating, Phase 1				60,280						
*Pavement - Asphalt, Seal Coating, Phase 3				22,273						
*Pavement - Asphalt, Seal Coating, Phase 4				97,041						
*Signage - Traffic		3,090			3,377			3,691		
*Walking Trail - Upgrade									15,206	
Guard Rails - Repair										32,629
Lighting - Street Lights										52,859
Totals	633,106	3,090	12,731	250,927	7,879	46,385	157,095	3,691	20,275	736,480

PROJECTED EXPENDITURES

***Mahanalua Nui - 2020 - Analysis 1 - 2020 Version 2**

	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039
*Culvert - Debris Removal			57,047							70,161
*Evacuation Routes Maintain	6,722									
*Evacuation Routes Upgrade						116,882				
*Gazebo Park								13,227		
*Irrigation System	5,377		5,705		6,052		6,421		6,812	
*Pavement - Asphalt, Seal Coating, Access Rd	87,757							107,930		
*Pavement - Asphalt, Seal Coating, Kai Hele				187,331						
*Pavement - Asphalt, Seal Coating, Phase 1	74,159							91,206		
*Pavement - Asphalt, Seal Coating, Phase 3	27,401							33,700		
*Pavement - Asphalt, Seal Coating, Phase 4	119,384							146,827		
*Pavement - Concrete, Repair, Phase 1						182,056				
*Pavement - Concrete, Repair, Phase 2						50,400				
*Pressure Regulator - Domestic Water	13,443									
*Pressure Regulator - Non-Potable Water	32,264									
*Signage - Traffic	4,033			4,407			4,816			5,262
*Walking Trail - Upgrade									20,435	
Guard Rails - Repair										43,851
Pavement - Asphalt, Cold Planing, Phase 3	113,473									
Pavement - Asphalt, Cold Planing, Phase 4	494,388									
Pavement - Concrete, Repair, Phase 3	110,906									
Pavement - Concrete, Repair, Phase 4	46,802									
Totals	1,136,109	0	62,752	191,738	6,052	349,338	11,237	392,890	27,247	119,274

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

***Culvert - Debris Removal**

Category:	Site Improvements	Unit Cost:	40,000.00
Began Use:	1/01/2018	Cost Type:	Contractor
Lifespan:	7 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	40,000.00
Next Replace:	1/01/2025	Future Cost:	46,384.67
Remaining Life:	5 YRS	Salvage Value:	0.00
Quantity:	1.00 LUMP SUM	Condition:	Poor - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component provides an allowance to clear debris from the drainage culverts located in the designated Phase. Includes an allowance for drainage basin clearing and loose rock removal.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

***Evacuation Routes Maintain**

Category:	Site Improvements	Unit Cost:	5,000.00
Began Use:	1/01/2020	Cost Type:	Contractor
Lifespan:	10 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	5,000.00
Next Replace:	1/01/2030	Future Cost:	5,000.00
Remaining Life:	0 DAYS	Salvage Value:	0.00
Quantity:	1.00 LUMP SUM	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component provides an allowance to maintain the evacuation routes.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

***Evacuation Routes Upgrade**

Category:	Site Improvements	Unit Cost:	75,000.00
Began Use:	1/01/2005	Cost Type:	Contractor
Lifespan:	15 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	75,000.00
Next Replace:	1/01/2020	Future Cost:	75,000.00
Remaining Life:	0 DAYS	Salvage Value:	0.00
Quantity:	1.00 LUMP SUM	Condition:	Poor - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component provides an allowance to construct and upgrade evacuation routes located at certain areas of the property. There are different construction requirements for each route.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

***Gazebo Park**

Category:	Site Improvements	Unit Cost:	8,000.00
Began Use:	1/01/2005	Cost Type:	Contractor
Lifespan:	15 years,	Pct. Replace:	100.00%
Lifespan Adj.:	+ 2 years	Current Cost:	8,000.00
Next Replace:	1/01/2022	Future Cost:	8,487.20
Remaining Life:	24 MOS	Salvage Value:	0.00
Quantity:	1.00 LUMP SUM	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component provides an allowance to construct and maintain a Gazebo structure and related items. The related items may include repair of the parking lot, dog stations, trash bins, and furniture. Assumes expenditures on an as-needed basis.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

***Irrigation System**

Category:	Site Improvements	Unit Cost:	4,000.00
Began Use:	1/01/2018	Cost Type:	Contractor
Lifespan:	2 years,	Pct. Replace:	100.00%
Lifespan Adj.:	+ 2 years	Current Cost:	4,000.00
Next Replace:	1/01/2022	Future Cost:	4,243.60
Remaining Life:	24 MOS	Salvage Value:	0.00
Quantity:	1.00 LUMP SUM	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component provides an allowance to maintain and upgrade the irrigation systems located throughout the property. Includes valves, controls and panel boxes. Does not includes sprinkler heads and PVC piping.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

***Irrigation System - Self Flush Valves**

Category:	Site Improvements	Unit Cost:	25,000.00
Began Use:	1/01/2000	Cost Type:	Contractor
Lifespan:	20 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	25,000.00
Next Replace:	1/01/2020	Future Cost:	25,000.00
Remaining Life:	0 DAYS	Salvage Value:	0.00
Quantity:	1.00 LUMP SUM	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component provides an allowance to install new self flushing valves for the irrigation water system. This is a one-time expenditure.

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

***Pavement - Asphalt, Cold Planing, Access Rd**

Category:	Pavement	Unit Cost:	3.52
Began Use:	1/01/1999	Cost Type:	Contractor
Lifespan:	30 years,	Pct. Replace:	80.00%
Lifespan Adj.:	None	Current Cost:	270,336.00
Next Replace:	1/01/2029	Future Cost:	352,831.44
Remaining Life:	9 YRS	Salvage Value:	0.00
Quantity:	96,000.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input checked="" type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement of the access road (Kai Hele Ku Street) from Honoapiilani Highway to the boundary of the homeowners association where the lots begin at Kai Hele Ku Street (at Gazebo Park). Does not include the Lahaina Bypass highway intersection.

2005: The MNHA association is responsible for 50% of the maintenance cost for this road based on information provided by the Association's management.

2007 Update: The replacement cost is shared with the Makila Plantation property (20% to Makila; 80% to MNHA).

2020 Update: Budgets for the removal of the existing asphalt pavement surface layer and placement of a new riding layer of asphalt pavement (cold planing).

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

***Pavement - Asphalt, Cold Planing, Kai Hele**

Category:	Pavement	Unit Cost:	3.52
Began Use:	1/01/1999	Cost Type:	Contractor
Lifespan:	20 years,	Pct. Replace:	100.00%
Lifespan Adj.:	+ 1 year	Current Cost:	528,105.60
Next Replace:	1/01/2020	Future Cost:	528,105.60
Remaining Life:	0 DAYS	Salvage Value:	0.00
Quantity:	150,030.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input checked="" type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement for Kai HJele Ku Street only from the Gazebo Park to the end of the street.:

Kai Hele Ku Street (phase 3): 83,820 sf

Kai Hele Ku Street (Phase 4): 66,210 sf

Total of: 150,030 sf

2020 Update: Budgets for the removal of the existing asphalt pavement surface layer and placement of a new riding layer of asphalt pavement (cold planing).

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

***Pavement - Asphalt, Cold Planing, Phase 1**

Category:	Pavement	Unit Cost:	3.52
Began Use:	1/01/1999	Cost Type:	Contractor
Lifespan:	30 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	228,448.00
Next Replace:	1/01/2029	Future Cost:	298,160.94
Remaining Life:	9 YRS	Salvage Value:	0.00
Quantity:	64,900.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input checked="" type="checkbox"/> Vendor	<input type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement roadways in Phase 1 that includes:

Wai Kulu Place: 12,320 sf

Pua Niu Way: 45,100 sf

Wailau Place: 7,480 sf

Lau Niu Way: 0

Iliahi Way: 0

Total of 64,900 sf

2020 Update: Budgets for the removal of the existing asphalt pavement surface layer and placement of a new riding layer of asphalt pavement (cold planing).

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

***Pavement - Asphalt, Seal Coating, Access Rd**

Category:	Pavement	Unit Cost:	0.85
Began Use:	1/01/2016	Cost Type:	Contractor
Lifespan:	7 years,	Pct. Replace:	80.00%
Lifespan Adj.:	None	Current Cost:	65,280.00
Next Replace:	1/01/2023	Future Cost:	71,333.22
Remaining Life:	3 YRS	Salvage Value:	0.00
Quantity:	96,000.00 SQ. FT.	Condition:	Poor - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement of the access road (Kai Hele Ku Street) from Honoapiilani Highway to the boundary of the homeowners association where the lots begin at Kai Hele Ku Street (at Gazebo Park). Does not include the Lahaina Bypass highway intersection.

2005: The MNHA association is responsible for 50% of the maintenance cost for this road based on information provided by the Association's management.

2007 Update: The replacement cost is shared with the Makila Plantation property (20% to Makila; 80% to MNHA).

2020 Update: Budgets for the placement of an asphalt seal coating on the asphalt roadway surfaces. Includes an allowance for traffic striping. Does not include concrete roadway surfaces.

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

***Pavement - Asphalt, Seal Coating, Kai Hele**

Category:	Pavement	Unit Cost:	0.85
Began Use:	1/01/2016	Cost Type:	Contractor
Lifespan:	7 years,	Pct. Replace:	100.00%
Lifespan Adj.:	+ 3 years	Current Cost:	127,525.50
Next Replace:	1/01/2026	Future Cost:	152,317.13
Remaining Life:	6 YRS	Salvage Value:	0.00
Quantity:	150,030.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement for Kai HJele Ku Street only from the Gazebo Park to the end of the street.:

Kai Hele Ku Street (phase 3): 83,820 sf

Kai Hele Ku Street (Phase 4): 66,210 sf

Total of: 150,020 sf

2020 Update: Budgets for the placement of an asphalt seal coating on the asphalt roadway surfaces. Includes an allowance for traffic striping. Does not include concrete roadway surfaces.

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

***Pavement - Asphalt, Seal Coating, Phase 1**

Category:	Pavement	Unit Cost:	0.85
Began Use:	1/01/2016	Cost Type:	Contractor
Lifespan:	7 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	55,165.00
Next Replace:	1/01/2023	Future Cost:	60,280.28
Remaining Life:	3 YRS	Salvage Value:	0.00
Quantity:	64,900.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement roadways in Phase 1 that includes:

Wai Kulu Place: 12,320 sf

Pua Niu Way: 45,100 sf

Wailau Place: 7,480 sf

Lau Niu Way: 0

Iliahi Way: 0

Total of 64,900 sf

2020 Update: Budgets for the placement of an asphalt seal coating on the asphalt roadway surfaces. Includes an allowance for traffic striping. Does not include concrete roadway surfaces.

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

***Pavement - Asphalt, Seal Coating, Phase 3**

Category:	Pavement	Unit Cost:	0.85
Began Use:	1/01/2016	Cost Type:	Contractor
Lifespan:	7 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	20,383.00
Next Replace:	1/01/2023	Future Cost:	22,273.05
Remaining Life:	3 YRS	Salvage Value:	0.00
Quantity:	23,980.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement roadways in Phase 3 that includes:

E Huapala Place: 0 sf

Kumu Niu Place: 23,980 sf

Total of 23,980 sf

2020 Update: Budgets for the placement of an asphalt seal coating on the asphalt roadway surfaces. Includes an allowance for traffic striping. Does not include concrete roadway surfaces.

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

***Pavement - Asphalt, Seal Coating, Phase 4**

Category:	Pavement	Unit Cost:	0.85
Began Use:	1/01/2016	Cost Type:	Contractor
Lifespan:	7 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	88,806.30
Next Replace:	1/01/2023	Future Cost:	97,041.04
Remaining Life:	3 YRS	Salvage Value:	0.00
Quantity:	104,478.00 SQ. FT.	Condition:	Poor - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement roadways in Phase 4 that includes:

Paia Pohaku Street: 32,758 sf

Awaiku Street: 52,800 sf

Wai Kulu Place: 18,920 sf

Total of 104,478 sf

2020 Update: Budgets for the placement of an asphalt seal coating on the asphalt roadway surfaces. Includes an allowance for traffic striping. Does not include concrete roadway surfaces.

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

***Pavement - Concrete, Repair, Phase 1**

Category:	Pavement	Unit Cost:	15.00
Began Use:	1/01/2000	Cost Type:	Contractor
Lifespan:	35 years,	Pct. Replace:	10.00%
Lifespan Adj.:	None	Current Cost:	116,820.00
Next Replace:	1/01/2035	Future Cost:	182,055.56
Remaining Life:	15 YRS	Salvage Value:	0.00
Quantity:	77,880.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component includes the concrete pavement roadways in Phase 1 that includes:
Wailau Place: 39,600 sf
Lau Niu Way: 19,140 sf
Iliahi Way: 19,140 sf
Total of 77,880 sf

2020 Update: Budgets for repairs to be made to the concrete road surfaces and curbs.

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

***Pavement - Concrete, Repair, Phase 2**

Category:	Pavement	Unit Cost:	15.00
Began Use:	1/01/2000	Cost Type:	Contractor
Lifespan:	35 years,	Pct. Replace:	10.00%
Lifespan Adj.:	None	Current Cost:	32,340.00
Next Replace:	1/01/2035	Future Cost:	50,399.56
Remaining Life:	15 YRS	Salvage Value:	0.00
Quantity:	21,560.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement roadways in Phase 2 that includes:

W. Huapala Place: 11,220 sf

Maluniu Place: 10,340 sf

Total of 21,560 sf

2020 Update: Budgets for repairs to be made to the concrete road surfaces and curbs.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

***Pressure Regulator - Domestic Water**

Category:	Plumbing	Unit Cost:	10,000.00
Began Use:	1/01/2005	Cost Type:	Contractor
Lifespan:	25 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	10,000.00
Next Replace:	1/01/2030	Future Cost:	13,443.14
Remaining Life:	10 YRS	Salvage Value:	0.00
Quantity:	1.00 EACH	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component budgets for the replacement or repair of the domestic water 6" pressure regulator valve station located on Kai Hele Ku Street in the Phase 4 area.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

***Pressure Regulator - Non-Potable Water**

Category:	Plumbing	Unit Cost:	12,000.00
Began Use:	1/01/2005	Cost Type:	Contractor
Lifespan:	25 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	24,000.00
Next Replace:	1/01/2030	Future Cost:	32,263.53
Remaining Life:	10 YRS	Salvage Value:	0.00
Quantity:	2.00 EACH	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component budgets for the replacement or repair of the non-potable water 10" pressure regulator valve station located on Wailau Place in the Phase 1 area and along Kai Hele Ku Street in the Phase 4 area..

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

***Signage - Traffic**

Category:	Site Improvements	Unit Cost:	3,000.00
Began Use:	1/01/2018	Cost Type:	Contractor
Lifespan:	3 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	3,000.00
Next Replace:	1/01/2021	Future Cost:	3,090.00
Remaining Life:	12 MOS	Salvage Value:	0.00
Quantity:	1.00 LUMP SUM	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component provides an allowance to replace traffic and direction signs located throughout the property. Assumes replacement on an as-needed basis.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

***Walking Trail - Upgrade**

Category:	Site Improvements	Unit Cost:	12,000.00
Began Use:	1/01/2018	Cost Type:	Contractor
Lifespan:	10 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	12,000.00
Next Replace:	1/01/2028	Future Cost:	15,205.73
Remaining Life:	8 YRS	Salvage Value:	0.00
Quantity:	1.00 LUMP SUM	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input checked="" type="checkbox"/> Client/Management	

Remarks

This component establishes an allowance to maintain and upgrade the trail walkway that runs along part of the property.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

Guard Rails - Repair

Category:	Site Improvements	Unit Cost:	25,000.00
Began Use:	1/01/1999	Cost Type:	Contractor
Lifespan:	10 years,	Pct. Replace:	100.00%
Lifespan Adj.:	+ 20 years	Current Cost:	25,000.00
Next Replace:	1/01/2029	Future Cost:	32,628.97
Remaining Life:	9 YRS	Salvage Value:	0.00
Quantity:	1.00 LUMP SUM	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input type="checkbox"/> Client/Management	

Remarks

This component provides an allowance to repair damaged sections of the existing metal roadway guard rails. Total of 560 lf of guard rails.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

Lighting - Street Lights

Category:	Lighting	Unit Cost:	4,500.00
Began Use:	1/01/1999	Cost Type:	Contractor
Lifespan:	30 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	40,500.00
Next Replace:	1/01/2029	Future Cost:	52,858.94
Remaining Life:	9 YRS	Salvage Value:	0.00
Quantity:	9.00 EACH	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input type="checkbox"/> Client/Management	

Remarks

The project contains a total of 9 metal poles with roadway area luminaires. This component assumes that the existing concrete footing, anchor bolts and electrical conduits/wiring will be re-used with the replacement pole-mounted fixture.

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

Parking Blocks, Plastic

Category:	Site Improvements	Unit Cost:	250.00
Began Use:	1/01/2018	Cost Type:	Contractor
Lifespan:	25 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	2,000.00
Next Replace:	1/01/2043	Future Cost:	3,949.51
Remaining Life:	23 YRS	Salvage Value:	0.00
Quantity:	8.00 EACH	Condition:	Good - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input type="checkbox"/> Client/Management	

Remarks

This component budgets for the replacement of the plastic vehicle parking blocks located at the Gazebo parking lot. Includes new extra-long metal anchors.

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

Pavement - Asphalt, Cold Planing, Phase 3

Category:	Pavement	Unit Cost:	3.52
Began Use:	1/01/2005	Cost Type:	Contractor
Lifespan:	25 years,	Pct. Replace:	100.00%
Lifespan Adj.:	None	Current Cost:	84,409.60
Next Replace:	1/01/2030	Future Cost:	113,472.98
Remaining Life:	10 YRS	Salvage Value:	0.00
Quantity:	23,980.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input checked="" type="checkbox"/> Vendor	<input type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement roadways in Phase 3 that includes:

E Huapala Place: 0 sf

Kumu Niu Place: 23,980 sf

Total of 23,980 sf

2020 Update: Budgets for the removal of the existing asphalt pavement surface layer and placement of a new riding layer of asphalt pavement (cold planing).

***Mahanalua Nui - 2020
COMPONENT DETAIL REPORT**

Analysis 1 - 2020 Version 2

Pavement - Asphalt, Cold Planing, Phase 4

Category:	Pavement	Unit Cost:	3.52
Began Use:	1/01/2007	Cost Type:	Contractor
Lifespan:	25 years,	Pct. Replace:	100.00%
Lifespan Adj.:	- 2 years	Current Cost:	367,762.56
Next Replace:	1/01/2030	Future Cost:	494,388.24
Remaining Life:	10 YRS	Salvage Value:	0.00
Quantity:	104,478.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input checked="" type="checkbox"/> Vendor	<input type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement roadways in Phase 4 that includes:

Paia Pohaku Street: 32,758 sf

Awaiku Street: 52,800 sf

Wai Kulu Place: 18,920 sf

Total of 104,478 sf

2020 Update: Budgets for the removal of the existing asphalt pavement surface layer and placement of a new riding layer of asphalt pavement (cold planing).

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

Pavement - Concrete, Repair, Phase 3

Category:	Pavement	Unit Cost:	15.00
Began Use:	1/01/2005	Cost Type:	Contractor
Lifespan:	15 years,	Pct. Replace:	10.00%
Lifespan Adj.:	+ 10 years	Current Cost:	82,500.00
Next Replace:	1/01/2030	Future Cost:	110,905.88
Remaining Life:	10 YRS	Salvage Value:	0.00
Quantity:	55,000.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement roadways in Phase 3 that includes:
E Huapala Place: 26,400 sf
Kai Hele Ku Street: 28,600 sf

Total of 55,000 sf

2020 Update: Budgets for repairs to be made to the concrete road surfaces and curbs.

***Mahanalua Nui - 2020**
COMPONENT DETAIL REPORT

Analysis 1 - 2020 Version 2

Pavement - Concrete, Repair, Phase 4

Category:	Pavement	Unit Cost:	15.00
Began Use:	1/01/2007	Cost Type:	Contractor
Lifespan:	15 years,	Pct. Replace:	10.00%
Lifespan Adj.:	+ 8 years	Current Cost:	34,815.00
Next Replace:	1/01/2030	Future Cost:	46,802.28
Remaining Life:	10 YRS	Salvage Value:	0.00
Quantity:	23,210.00 SQ. FT.	Condition:	Fair - Consistent with Age
Source(s):	<input type="checkbox"/> National Cost Data	<input checked="" type="checkbox"/> Armstrong Consulting Internal Cost Data	
	<input type="checkbox"/> Vendor	<input type="checkbox"/> Client/Management	

Remarks

This component includes the asphalt pavement roadways in Phase 4 that includes:

Paia Pohaku Street: 16,610 sf

Kai Hele Ku Street: 6,600 sf

Total of 23,210 sf

2020 Update: Budgets for repairs to be made to the concrete road surfaces and curbs.

Mahanalua Nui Homeowners Association Official Rules

Board Approved -September 9, 2011

Pursuant to the Declaration of Covenants, Conditions and Restrictions for Mahanalua Nui Subdivision, The board is authorized to establish rules and fines for violations of rules. These rules may be changed from time to time by the board. The rules and fines will be effective 10 business days after mailing to the owners. Here is the relevant section of the CCR

4.04. Rules and Regulations. The Association acting through its Board of Directors (and in the Board of Directors' discretion) shall have the power to adopt, amend and enforce reasonable rules and regulations for (a) the reasonable and orderly use of roads and other common areas and facilities, if any. (b) the clarification, implementation and enforcement of the covenants and restrictions contained in Sections 3.01.through 3.09., including (by way of example) the establishment and collection of fines for violations) and (c) the clarification, implementation and enforcement of any other provisions of this Declaration.

The Rules will be divided into 4 major sections:

1. PARKING / VEHICLE RULES
2. SPEEDING
3. COMMON AREA DAMAGE
4. OTHER

PARKING / VEHICLE RULES

Vehicle parking on common areas including the street and the common landscaping along the side of the streets is not allowed. After one warning, violations will be fined \$50. If there are continued violations, there will be an additional \$50 for each subsequent offense. So the second fine would be \$100 and the third fine would be \$150 and so on.

SPEEDING

Speeding on association streets is not allowed. After one warning, violations will be fined \$50. If there are continued violations, there will be an additional \$50 for each subsequent offense. So the second fine would be \$100 and the third fine would be \$150 and so on.

COMMON AREA DAMAGE

The common areas include roads, parks, greenways and an 8 foot wide area along each side of the roadways. The association pays a substantial amount of money to maintain these areas. They are fairly easy to damage. For example, vehicles or horses can cause significant damage to the irrigation lines and the landscaping. If an owner, or his agent/contractor, or his guest damages these areas the owner will be responsible for repairing them to the condition they were in prior to the damage. If this is not done within 14 calendar days, the association may arrange for the repairs and fine the owner the cost of the repairs plus \$100.

OTHER

Other violations of the Declaration of Covenants, Conditions and Restrictions or related rules will result in a warning. If the violation is not corrected within the time specified, the owner will be fined up to \$500 for the first violation. Continued violations will be fined at higher levels at the determination of the Board of Directors.

Dogs at large, Dogs creating a nuisance, and Dangerous Dogs

All dogs "at large" (where a dog is off the real property of the owner and is not under restraint), or dogs creating a nuisance, are in violation of Maui County 6.04.040 Animal regulations. Dogs which present a problem within the Mahanalua Nui subdivision are considered a "nuisance" as described in the CC&Rs. After one warning, violations will result in a fine to the lot owner of \$100. The second violation will be a fine of \$250. A third violation will be a fine of \$500. In addition, the Humane Society Animal Control Board will be notified of every instance.

VIOLATION OF LAW

Any violation of any applicable governmental law, ordinance or regulations, pertaining to the ownership, occupation, or use of any portion of the Property is hereby declared to be a violation of this Book of Resolutions and is subject, at the discretion of the Board, to any or all of the enforcement procedures set forth herein.

**MAHANALUA NUI HOMEOWNERS ASSOCIATION
ARCHITECTURE DESIGN COMMITTEE**

INSTRUCTIONS FOR FILING AN APPLICATION

NO CONSTRUCTION ACTIVITIES MAY BEGIN UNTIL FINAL APPROVAL BY THE
MNHA ARCHITECTURAL DESIGN REVIEW COMMITTEE IS GRANTED

1. Fill in and sign the "Architecture Design Requirements and Construction Guidelines," forms, the Owner's Intent and Contractor's Intent to Comply Statement forms, AND refer to CCR Exhibit B for specific Rules.
2. Write a check for \$750 to "Mahanalua Nui Homeowners' Association"
3. Enclose the above along with copies of the plans as specified in the CCR "Architecture Design Requirements & Construction Guidelines" to either:

<p>MCH 727 Wainee St. Suite 106 Lahaina, HI 96761</p>	<p>MCH P.O. BOX 10039 Lahaina, HI 96761</p>
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Phone: 808-661-8795 Fax: 808-667-7608

4. MCH will then log the plans and send them to the ADC (Architectural Design Committee).
5. Once the plans are reviewed, they will be sent back to MCH where one copy will be kept on file and the remaining copies returned to the owners approved or denied, along with any suggestions. If the committee finds fatal flaws, then the owners are responsible for making the changes before the approval stamps are given.
6. **IF** construction work has already started, return this form with all required forms and plans, the \$750 Application Fee, the additional \$2500 fine, and the following information immediately:

Structure(s) : _____

Date(s) construction started: _____

Signature: _____ Date _____

Printed Name: _____

MAHANALUA NUI HOMEOWNERS ASSOCIATION

ARCHITECTURAL DESIGN REQUIREMENTS & CONSTRUCTION RULES

Each Owner and its Contractor shall abide by the governing documents of the Mahanalua Nui Home Owners' Association (MNHA) and its Construction Covenants described below during the course of any construction upon the Owner's Lot. Prior to commencing any construction (excluding remodeling work that is entirely confined to the interior of an existing structure), the Owner and general contractor must meet to review MNHA construction procedures and requirements, to coordinate the construction activities at Mahanalua Nui, file a complete application for Architectural Review with MNHA and receive approval. If construction is commenced prior to official approval by the MNHA Architectural Design Review Committee, a \$2500 fine will be assessed by MNHA and a Stop Work Order may be issued.

"A Stop Work Order" may also be issued to the Owner and its Contractor for failure to comply with these Guidelines. Should an Owner change contractors during construction of a home at Mahanalua Nui the owner and new contractor must meet to review construction procedures and requirements and sign this form.

Construction Rules

Occupancy. No residence will be occupied or used until all inspections required by Maui County have been successfully completed based upon the plans approved by the MNHA Architectural Design Review Committee and the County occupancy permit is final.

Compliance with Laws. Each Owner and its Contractor shall comply with all Laws governing or administering the construction of improvements upon the Owner's Lot.

Construction Trailers. The appearance and location of all construction trailers, storage containers field offices and the like, may only be located on the owner's lot in an inconspicuous area and shall require the prior approval of the Committee. Any such facilities that will be kept after construction is completed, must be hidden from view with landscaping, lattice, fencing, etc.

Construction Vehicles. No construction vehicles or machinery or private vehicles of the construction crew may be parked, stored or otherwise left on any of the roadways, roadway shoulders or common areas which are located in Mahanalua Nui.

Dust Control and Erosion. Each Owner and its Contractor shall take all adequate and reasonable precautions during the construction of improvements (including, but not limited to, perimeter dust fences and watering) to control dust and erosion. All streets must be kept clear of mud and debris. The Committee may require specific measures to be followed by each Owner or its Contractor on a case by case basis.

Construction Debris: No construction debris, dirt, rock, fill etc. shall be dumped on any of the roadways, roadway shoulders or common areas which are located in Mahanalua Nui. If this happens,

the owner will be responsible for cleaning it up as soon as possible. All trash, debris, leftover and unused construction materials on the construction site shall be cleaned up and removed from each construction site or secured at the end of the workday. Each construction site must have a dumpster or disposal bin placed on it for the deposit of construction debris, and such dumpster or disposal bin shall be serviced within one week of becoming full. Before construction is completed, construction debris must be removed from the Owner's lot as well. Specifically, Concrete trucks shall wash out spill pans before entering Mahanalua Nui Subdivision and before leaving the construction jobsite. If any concrete is spilled on the common area fronting the roadways, it will be the responsibility of the lot owner who ordered the concrete, to clean it up.

Damage to Common Ground and Roads: Any damage to the roads or common grounds caused by the construction or grading must be fixed as soon as possible at the expense of the offending lot owner.

Portable Chemical Toilet: Prior to starting construction; toilet facilities must be provided. If there are no toilet facilities on site, then a portable chemical toilet must be in place, maintained, and removed when construction is complete or alternate toilet facilities are operational.

Securing Materials and Equipment: Any materials, packaging, supplies, equipment, or similar items which may be blown or washed away by wind or rain, shall be secured to prevent the items from going off their construction site. During high winds, plywood sheets and 2x4 lumbers have been seen flying off jobsites. Special attention needs to be taken to make sure these items are secured during the high winds. Any damage done, is the responsibility of the owner of the lot where the items, which blew away or washed away, originated.

Neat and orderly construction practices: Each construction site shall be kept neat and shall be policed properly to prevent it from becoming a public eyesore or nuisance. Dirt, mud, debris or concrete resulting from activity on each construction site shall be removed promptly from the roadways, open spaces, driveways and other portions of Mahanalua Nui. No vacant lot may be used as a storage site or construction site for another lot prior to, during and after completion of construction.

Construction Hours: Construction hours will be limited to Mon- Friday 7am till 5pm; Saturdays from 8 am to 5 pm. Please be courteous to your neighbors especially on the weekends to keep loud noises to a minimum. Also as a courtesy to surrounding neighbors we ask that radios be kept to a reasonable level and appropriate language be used.

Fines: The Committee may levy fines against the Contractor, and/or Owner for violations of the Construction Rules, and the governing documents of the Mahanalua Nui Lot Owners Association. Fines may also be levied against the Contractor, and/or Owner if any substantive changes are made or deviations from the Committee's approved plans – particularly grading and drainage plans. The owner and the contractor will be given a written notice concerning a violation and the fine which will be levied if not corrected within 3 business days. After the 3 days allowed to correct the problem have passed, a violation will be considered a separate offense for each and every subsequent day the violation is permitted to remain uncorrected.

Grading and Excavation. Unless otherwise approved by the Committee, no Owner or its Contractor shall take or borrow any fill material from any land in the Mahanalua Nui Lot Owners Association development (other than from the Owner's Lot) nor dispose of any material from the Owner's Lot on any land in Mahanalua Nui (other than the Owner's Lot). Fill and topsoil may be trucked to or from the lot as long as the overall topography of the lot is not significantly changed and the flow of water on the lot is maintained or improved without increasing the flow of water on to the road or other lots from the

original natural flow. The plans for construction must include a drainage plan showing how the flow of water will be maintained within the lot. Streambeds of 100-year flood zones must not be altered, including redirecting, or covering and installing culverts.

Design changes: After the plans are approved, any and all design changes which impact the exterior appearance of the building or the site drainage, must be approved by the Architecture Design Committee.

Design Requirements: An approved copy of the Mahanalua Nui Architecture Review Checklist, signed by the Architecture Design Committee must be received by the owner, prior to starting any work on the construction site. The lot owner is solely responsible for obtaining all necessary architecture, engineering, construction, or any other services necessary for improvements to the lot and specifically acknowledges that Mahanalua Nui Homeowner's Association (MNHA) has no responsibility of any kind for these services.

Compliance with all other governing documents: The owner is responsible for obtaining and understanding all governing documents, Laws and regulations. This includes but is not limited to, the Declaration of Conditions, Covenants and Restrictions for Mahanalua Nui (CCR), the Maui County Agricultural Zoning Ordinance and the Maui County building codes.

Amendment Note:

After review by the Architecture Committee, one set of plans shall be sent to Management Consultants Hawaii, P.O. Box 10039, Lahaina 96761 for permanent storage. Plans will be available to those individuals responsible for enforcement of the approved plans.

The responsibility of determining if structures are built according to approved plans rests with the Maui County.

The enforcement and removal of illegal Ohanas and non-conforming rentals is the responsibility of Maui County. (*Amendment adopted by the Board of Directors, November 13, 2003*)

Approved by the MNHA Board of Directors, April 1, 2017

EXHIBIT "B"

to Amended and Restated Covenants, Conditions & Restrictions for the Mahanalua Nui
Subdivision at Launiupoko

ARCHITECTURAL CONTROLS

1. Purpose. The purpose of the architectural controls set forth in this Exhibit "B" is not to regulate all details of an owner's construction and landscaping activity, but instead is to give Declarant the means to attempt, in its discretion, to avoid strange, jarring or inappropriate structures being initially developed within Mahanalua Nui which may be out of harmony with Mahanalua Nui as a whole. It is understood that Declarant's judgment in these matters may not be perfect or even consistent, and that some degree of taste and subjectivity will necessarily be involved. However, it is hoped that all concerned will cooperate in this process with the mutual objective of protecting property values and the general appearance of the neighborhood. The power to exercise these controls is reserved to Declarant and may be exercised at Declarant's option only. Declarant shall have no legal obligation to exercise the architectural controls and shall have no liability to any buyer or owner if Declarant shall elect not to exercise said controls as to some or all of the Properties or if Declarant exercises said controls in whole or in part in a manner which a buyer or owner of any Property feels is inappropriate, inconsistent or otherwise objectionable.

2. Restriction and Scope. No structure which is or will be visible from a road or from any other Property may be constructed without the prior written approval of the Architectural Design Committee.

3. Composition of the Architectural Design Committee. Declarant may appoint to the Architectural Design Committee one (1) staff person, and one (1) professional (either an architect or an engineer). The duration of the Committee may be for ten (10) years, or longer or shorter at the discretion of Declarant.

Declarant may transfer control of the Architectural Design Committee to the Mahanalua Nui Homeowners Association. At no time shall a lot owner, other than Declarant, be a member of the Committee.

4. Standards Procedures and Submittals to the Architectural Design Committee. All applications for approval of the Architectural Design Committee shall be accompanied by plans, specifications and other supporting material which shall be detailed and complete to the point, which would, in the Architectural Design Committee's reasonable judgment, enable it to adequately understand and evaluate the location and appearance of the planned work.

Prior to commencement of construction, an applicant must submit to the Architectural Design Committee complete working construction drawings stamped by an architect licensed to practice in the state of Hawaii. These construction drawings shall include, as a minimum:

One hard copy and one PDF copy of all plans for any new building submitted to the Committee for approval, which shall include, without limitation, the following:

(a) Plot Plan showing location of all existing and proposed improvements, utilities, service areas, fences and walls, accessory buildings, lighting plans, paved areas, driveways, parking areas, walkways, Property lines, and landscaped areas.

(b) Grading Plan showing existing and proposed topographic elevations.

(c) Building Plans to include:

- i. one 1/4" scale floor plan,
- ii. four 1/8" scale exterior elevations,
- iii. two 1/8" scale cross-section elevations; and
- iv. one 1/8" scale site plan.

(d) Other Items as required by the Committee from time to time upon review of each individual project.

The Architectural Design Committee may in its discretion adopt reasonable rules and regulations to govern its procedures and requirements as it may deem appropriate from time to time.

Any application for approval shall be deemed automatically approved by the Architectural Design Committee if the Committee shall fail to approve or disapprove it in writing within thirty (30) days after the applicant has submitted to the Committee the completed application and all supporting plans and other materials in accordance with the preceding paragraphs.

If no suit or other proceeding shall have been commenced in a Hawaii court of competent jurisdiction within one (1) year after the visible commencement of construction of any structure, such construction shall be deemed automatically to have complied with all of the provisions of this Exhibit "B" and the Design Standards, notwithstanding any actual failure of any person to comply strictly with all of the requirements and procedures of this Exhibit "B."

5. Responsibility. The members of Ute Architectural Design Committee shall not be personally liable, and the Architectural Design Committee itself and Declarant shall not be liable for any of their or its acts or omissions in connection with the performance of (or failure to perform) any duties hereunder so long as such actions or omissions are in good faith.

6. Design Guidelines. The following are encouraged and will be favorably reviewed:

- Buildings that set into the existing grade, requiring a minimum of site work.
- Buildings that have a rural, farm, plantation or Polynesian feeling.
- Large covered decks or verandas.
- Roof lines incorporating hips, split pitch, dormers, pitch of 4:12 or Steeper, and other interesting features.

- The elimination of any elevations which feature large, one- or two-story wall sections with no relief.
- Colors which are harmonious to the neighborhood, neither jarring nor garish.
- Landscaping to compliment the buildings.

The following are not encouraged:

- Roofs with a single gable feature.
- Large, unbroken exterior wall massing.
- Main houses of under 1200 square feet.

The following will not be approved:

- Excessive site work.
- The use of reflective or gloss finishes.
- Offensive or overly bright, jarring or garish colors.

7. No Protection of Views. No Property shall have any' vested rights or easements for the protection of any view from said Property and Declarant and the Architectural Review Committee make no warranties or representations of any kind to the buyer, owner or occupant of any Property concerning the event, attractiveness or protection of any view over any Property or Common Area from any other Property or Common Area.

8. Fees. The Architectural Review Committee shall have the right to require payment of a reasonable fee for review of proposed Plans. Until and unless adjusted by the Committee by resolution, such review fee shall be [Seven Hundred Fifty Dollars (\$750) for an application, and in the event construction has begun before application submittal, a Twenty-Five Hundred Dollar (\$2500) Penalty will be charged.] *Changed by Board action 4-1-2017*

**MAHANALUA NUI HOME OWNERS ASSOCIATION
OWNER'S INTENT OF COMPLIANCE STATEMENT**

TO: Architectural Design Review Committee, Mahanalua Nui Home Owners Association.

FROM: _____
[Print Owner(s) Name]

This certifies that as the Owner of Lot _____, Mahanalua Nui, located in the county of Maui, Hawaii, recorded in the State of Hawaii Bureau of Conveyances, I understand that no change or deviation may be made from the final plan approved by the Architecture Design Committee without further approval of the Committee. Trespassing or the use of any land other than that building site for ingress, egress, storage of building materials, or mobilization, unless approved in writing by the Committee, is strictly prohibited. I have received a copy of the construction guidelines and I agree to abide by them. In addition, I understand that a Certificate of Occupancy is required prior to occupancy and that a violation of the Construction Guidelines, without remedy, will result in delay of the Certificate of Occupancy and a fine. Occupancy as defined here includes, but is not limited to, storage of any personal property in the house or garage.

SIGNED: _____

DATE: _____

MAILING ADDRESS: _____

EMAIL: _____

PHONE: _____

**MAHANALUA NUI HOME OWNERS ASSOCIATION
GENERAL CONTRACTOR'S INTENT OF COMPLIANCE STATEMENT**

TO: Architectural Design Review Committee, Mahanalua Nui Home Owners Association

FROM: _____
[Print Owner(s) Name]

This certifies that, as the General Contractor for the construction of a residence on Lot _____, Mahanalua Nui, I have read, understand, and bear responsibility for compliance with the Mahanalua Nui Home Owners Association Construction Guidelines.

I further understand that:

- ❶ Trespassing or the use of any land other than the building site for ingress, egress, storage or building materials, or mobilization is strictly prohibited, unless approved in writing by the Committee.
- ❷ A copy of the Construction Guidelines has been received, understood and agreed to.
- ❸ I am responsible for the actions of any and all subcontractors I employ in the execution of my building contract and will insure that they understand and agree to the Construction Guidelines
- ❹ Violations of the Construction Guidelines may result in fines being levied against the Contractor and will ultimately be the responsibility of the owner.

SIGNED: _____

DATE: _____

MAILING ADDRESS: _____

EMAIL: _____

PHONE: _____

MAHANALUA NUI ARCHITECTURAL DESIGN CHECKLIST

TO BE COMPLETED BY APPLICANT: PLEASE FILL OUT TOP THREE LINES ONLY

Owner:	
Lot No.	Date Submitted:
Address:	
REVIEWED BY:	
SIGNATURE OF REVIEWER:	DATE:

TO BE COMPLETED BY ARCHITECTURAL REVIEW COMMITTEE:

APPROVED

NOT APPROVED

REQUIREMENT	OK	COMMENT
Review Fee Paid (\$750)		
Late Penalty fee paid (if applicable) (\$2500)		
Maximum building height not exceed 30'		
Minimum setbacks observed: front yard 25' Side yard 15'		
Max. landscape wall height inside setbacks 4'		
Maximum size of Ohana 1000 sq. ft.		
No culverts in stream beds, & flows not altered		
Buildings have a rural, farm, plantation or Polynesian feeling		
Large covered decks or verandas		
Roof lines incorporating hips, split pitch, pitch of 4:12 or steeper, or other interesting features		
Colors that are not jarring, garish, or overly glossy or reflective ATTACH PHOTOS OR COLOR SAMPLES		
Landscaping to compliment the buildings – ATTACH LANDSCAPE PLAN		
No excessive site work		
No roofs with a single gable feature		
Main House should not be under 1200 sq. ft.		
No large building wall sections with no relief		
Farm plan approved by County		
Grading Plan approved by County		
Final design and site plan approved by County		

MAHANALUA NUI HOA ARCHITECTURAL DESIGN REVIEW PACKAGE
APPROVED BY THE BOARD OF DIRECTORS EFFECTIVE APRIL 1, 201

INSTRUCTIONS TO ARCHITECT AND BOARD (Appended
to policy 8/24/2017)

Instructions to the Reviewing Architect

1. Review and verify that all documents required by the Architectural Design Review Policy have been submitted by lot owner. If any documents are missing, notify MNHA Staff immediately and hold the process until you receive all required documents.
2. Once all documents are properly submitted, make the following note on the Design Review Checklist below **Date Submitted** – **“All documents received Date XXX”**. This is the date that starts the 20-day approval “clock.”
3. Review the documents according to the Checklist, noting where the plans meet requirements, marking the checklist in the OK column. If there are questionable items, please provide a comment in the Comment section.
4. Once the checklist is completed, please make a recommended approval or disapproval by marking the appropriate box. If you provide a **“Not Approved”** response, please attach an explanation and the suggested fix or modification that would allow your recommendation to change to **“Approved.”**

Instructions to the MNHA Staff and Board

Upon receipt of the *Design Review Packet and Checklist* from the architect, the staff member will immediately process the packet as follows:

1. If the *Design Review Checklist* is marked **“Approved,”** the application is automatically approved.
2. The staff person will notify the owner of the approval and copy the Board.
3. If the *Design Review Checklist* is marked **“Not Approved,”** the staff person will immediately forward the **“Not Approved”** *Design Review Checklist* and the architect’s **Recommendation** to the Board for action.

Note that it is not the intent of the Architectural Controls or this Policy to control every aspect of design, but to foster a neighborhood that harmonizes with itself and the Hawaiian culture.

Note on timing: The CCRs state that any application that has not been approved or disapproved within 20 days from the submittal of a package complete with all required documents, the package is “automatically approved.” Therefore, it is incumbent upon the staff to ensure that packages are complete prior to forwarding to the reviewing architect and to quickly move these packages through the system, and it is incumbent upon the reviewing architect upon receipt of a package to immediately verify that all required documents are included.

MAHANALUA NUI HOMEOWNERS ASSOCIATION, INC.

**RESOLUTION OF BOARD OF DIRECTORS
REGARDING ADOPTION OF RENT INTERCEPT POLICY**

BACKGROUND:

Owners may fail to pay assessments for their share of the common expenses, and the Mahanalua Nui Homeowners Association, Inc. (the "Association") may have difficulty collecting assessments from delinquent owners;

Chapter 514B of the Hawaii Revised Statutes ("HRS") allows the board of directors of an association to receive monies from tenants occupying properties owned by delinquent owners and rental agents in order to collect the delinquent assessments. However, the Association is governed by HRS Chapter 421J, which has no direct provisions applicable to a rent collection policy.

Section 4.04 of the Amended and Restated Declaration of Covenants, Conditions and Restrictions allows the Association through its Board of Directors "the power to adopt, amend and enforce reasonable rules and regulations for . . . the enforcement of the covenants and restrictions contained in Sections 3.01 through 3.09, including (by way of example) the establishment and collection of fines for violations)." The Bylaws of Mahanalua Nui Homeowners' Association, Inc. provide in Article XI, Section 4 that the Board may enforce defaults by owners to pay their assessments by bringing suit, attaching liens and "any other remedies provided by law".

The Board of Directors of the Association finds the purposes of an authorized rent intercept amendment to be beneficial to the Association's efforts to insure the fair and timely collection of common expenses.

NOW THEREFORE, BE IT RESOLVED:

1. The Rent Intercept Policy identified on Exhibit "1" attached hereto and incorporated by reference is hereby adopted effective as of the date of the execution of this Resolution.
2. The Policy shall be binding upon and inure to the benefit of the all present and future owners, tenants and occupants of any property of the Association.

Approved by the Board of Directors of the Mahanalua Nui Homeowners' Association, Inc. this 10 day of May, 2012.

Mark Seymour

Printed Name

Signature

Secretary

MAHANALUA NUI HOMEOWNERS ASSOCIATION, INC.

RENT INTERCEPT POLICY

1. If the owner of a property rents or leases the property and is in default for thirty days or more in the payment of the property's share of the common expenses, the Association, for as long as the default continues, may demand in writing and receive each month from any tenant occupying the property or rental agent renting the property, an amount sufficient to pay all sums due from the property owner to the Association, including interest, if any, but the amount shall not exceed the tenant's rent due each month. The tenant's payment under this section shall discharge that amount of payment from the tenant's rent obligation, and any contractual provision to the contrary shall be void as a matter of law.

2. Before taking any action under this section, the Association shall give to the delinquent property owner written notice of its intent to collect the rent owed. The notice shall:

(a) Be sent both by first-class and certified mail;

(b) Set forth the exact amount the association claims is due and owing by the property owner; and

(c) Indicate the intent of the board to collect such amount from the rent, along with any other amounts that become due and remain unpaid.

3. The property owner shall not take any retaliatory action against the tenant for payments made under this section.

4. The payment of any portion of the property's share of common expenses by the tenant pursuant to a written demand by the Association is a complete defense, to the extent of the amount demanded and paid by the tenant, in an action for nonpayment of rent brought by the property owner against a tenant.

5. In the event of any conflict between this Policy and any provision of chapter 521, Hawaii Revised Statutes, (the Residential Landlord-Tenant Code), the conflict shall be resolved in favor of this Policy; provided that if the tenant is entitled to an offset of rent under chapter 521, the tenant may deduct the offset from the amount due to the association, up to the limits stated in chapter 521. Nothing herein precludes the property owner or tenant from seeking equitable relief from a court of competent jurisdiction or seeking a judicial determination of the amount owed.

EXHIBIT "1"

**MAHANALUA NUI HOMEOWNERS ASSOCIATION
ARCHITECTURE DESIGN COMMITTEE**

INSTRUCTIONS FOR FILING AN APPLICATION

**NO CONSTRUCTION ACTIVITIES INCLUDING GRADING (non-agricultural)
MAY BEGIN UNTIL FINAL APPROVAL BY THE MNHA ARCHITECTURAL
DESIGN REVIEW COMMITTEE IS GRANTED**

1. Fill in and sign the "Architecture Design Requirements and Construction Guidelines," forms, the Owner's Intent and Contractor's Intent to Comply Statement forms, AND refer to the current CCR's for specific requirements (Exhibit B "CCR excerpt" is attached for reference only).
2. Attach a check for \$750 made out to "Mahanalua Nui Homeowners' Association"
3. Enclose the above along with TWO copies of the plans as specified in the CCR "Architecture Design Requirements & Construction Guidelines" (attached), which includes: 1. PLOT PLAN, 2. BUILDING DESIGN PLANS FOR ALL PROPOSED IMPROVEMENTS, 3. GRADING PLAN, and 4. LANDSCAPE PLAN to:
The Management Company: Hawaiiiana...
4. The Management Company will then log the plans and send them to the ADC (Architectural Design Committee).
5. Once the plans are reviewed, they will be sent back to the Management Company where one copy will be kept on file and the remaining copies returned to the owners approved or denied, along with any required changes. If the committee finds substantive non-compliance, then the owners are responsible for making the changes before the approval stamps are given.
6. IF construction work has already started, return this form with all required forms and plans, the \$750 Application Fee, the additional \$2500 fine, and the following information immediately:

Structure(s) type: _____

Date(s) construction started: _____

Signature: _____ Date _____

Printed Name: _____

MAHANALUA NUI HOMEOWNERS ASSOCIATION

ARCHITECTURAL DESIGN REQUIREMENTS & CONSTRUCTION RULES

Each Owner and its Contractor shall abide by the governing documents of the Mahanalua Nui Home Owners' Association (MNHA) and its Construction Covenants described below during the course of any construction upon the Owner's Lot. Prior to commencing any construction including preparatory grading (excluding remodeling work that is entirely confined to the interior of an existing structure), the Owner and general contractor must meet to review MNHA construction procedures and requirements, to coordinate the construction activities at Mahanalua Nui, file a complete application for Architectural Review with MNHA and receive approval. If construction is commenced prior to official approval by the MNHA Architectural Design Review Committee, a \$2500 fine will be assessed by MNHA and a Stop Work Order may be issued.

"A Stop Work Order" may also be issued to the Owner and its Contractor for failure to comply with these Guidelines. Should an Owner change contractors during construction of a home at Mahanalua Nui the owner and new contractor must meet to review construction procedures and requirements and sign this form.

Construction Rules

Occupancy. No residence will be occupied or used until all inspections required by Maui County have been successfully completed based upon the plans approved by the MNHA Architectural Design Review Committee and the County occupancy permit is final.

Compliance with Laws. Each Owner and its Contractor shall comply with all Laws governing or administering the construction of improvements upon the Owner's Lot.

Construction Trailers. The appearance and location of all construction trailers, storage containers field offices and the like, may only be located on the owner's lot in an inconspicuous area and shall require the prior approval of the Committee. Any such facilities that will be kept after construction is completed, must be hidden from view with landscaping, lattice, fencing, etc.

Construction Vehicles. No construction vehicles or machinery or private vehicles of the construction crew may be parked, stored or otherwise left on any of the roadways, roadway shoulders or common areas which are located in Mahanalua Nui.

Dust Control and Erosion. Each Owner and its Contractor shall take all adequate and reasonable precautions during the construction of improvements (including, but not limited to, perimeter dust fences and watering) to control dust and erosion. All streets must be kept clear of mud and debris. The Committee may require specific measures to be followed by each Owner or its Contractor on a case by case basis.

Construction Debris: No construction debris, dirt, rock, fill etc. shall be dumped on any of the roadways, roadway shoulders or common areas which are located in Mahanalua Nui. If this happens, the owner will be responsible for cleaning it up as soon as possible. All trash, debris, leftover and unused construction materials on the construction site shall be cleaned up and removed from each construction site or secured at the end of the workday. Each construction site must have a dumpster or disposal bin placed

on it for the deposit of construction debris, and such dumpster or disposal bin shall be serviced within one week of becoming full. Before construction is completed, construction debris must be removed from the Owner's lot as well. Specifically, Concrete trucks shall wash out spill pans before entering Mahanalua Nui Subdivision and before leaving the construction jobsite. If any concrete is spilled on the common area fronting the roadways, it will be the responsibility of the lot owner who ordered the concrete, to clean it up.

Damage to Common Ground and Roads: Any damage to the roads or common grounds caused by the construction or grading must be fixed as soon as possible at the expense of the offending lot owner.

Portable Chemical Toilet: Prior to starting construction; toilet facilities must be provided. If there are no toilet facilities on site, then a portable chemical toilet must be in place, maintained, and removed when construction is complete or alternate toilet facilities are operational.

Securing Materials and Equipment: Any materials, packaging, supplies, equipment, or similar items which may be blown or washed away by wind or rain, shall be secured to prevent the items from going off their construction site. During high winds, plywood sheets and 2x4 lumbers have been seen flying off jobsites. Special attention needs to be taken to make sure these items are secured during the high winds. Any damage done, is the responsibility of the owner of the lot where the items, which blew away or washed away, originated.

Neat and orderly construction practices: Each construction site shall be kept neat and shall be policed properly to prevent it from becoming a public eyesore or nuisance. Dirt, mud, debris or concrete resulting from activity on each construction site shall be removed promptly from the roadways, open spaces, driveways and other portions of Mahanalua Nui. No vacant lot may be used as a storage site or construction site for another lot prior to, during and after completion of construction.

Construction Hours: Construction hours will be limited to Mon- Friday 7am till 5pm; Saturdays from 8 am to 5 pm. Please be courteous to your neighbors especially on the weekends to keep loud noises to a minimum. Also as a courtesy to surrounding neighbors we ask that radios be kept to a reasonable level and appropriate language be used.

Fines: The Committee may levy fines against the Contractor, and/or Owner for violations of the Construction Rules, and the governing documents of the Mahanalua Nui Lot Owners Association. Fines may also be levied against the Contractor, and/or Owner if any substantive changes are made or deviations from the Committee's approved plans – particularly grading and drainage plans. The owner and the contractor will be given a written notice concerning a violation and the fine which will be levied if not corrected within 3 business days. After the 3 days allowed to correct the problem have passed, a violation will be considered a separate offense for each and every subsequent day the violation is permitted to remain uncorrected.

Grading and Excavation: Unless otherwise approved by the Committee, no Owner or its Contractor shall take or borrow any fill material from any land in the Mahanalua Nui Lot Owners Association development (other than from the Owner's Lot) nor dispose of any material from the Owner's Lot on any land in Mahanalua Nui (other than the Owner's Lot). Fill and topsoil may be trucked to or from the lot as long as the overall topography of the lot is not significantly changed **and the flow of water on the lot is maintained or improved without increasing the flow of water on to the road or other lots from the original natural flow.** The plans for construction must include a drainage plan showing how the flow of water will be maintained within the lot. Streambeds of 100-year flood zones must not be altered, including redirecting, or covering and installing culverts.

Design changes: After the plans are approved, any and all design changes which impact the exterior appearance of the building or the site drainage, must be approved by the Architecture Design Committee.

Design Requirements: An approved copy of the Mahanalua Nui Architecture Review Checklist, signed by the Architecture Design Committee must be received by the owner, prior to starting any work on the construction site. The lot owner is solely responsible for obtaining all necessary architecture, engineering,

construction, or any other services necessary for improvements to the lot and specifically acknowledges that Mahanalua Nui Homeowner's Association (MNHA) has no responsibility of any kind for these services.

Compliance with all other governing documents: The owner is responsible for obtaining and understanding all governing documents, Laws and regulations. This includes but is not limited to, the Declaration of Conditions, Covenants and Restrictions for Mahanalua Nui (CCR), the Maui County Agricultural Zoning Ordinance and the Maui County building codes.

Duration of approval: Design Review Approval is valid for 24 months from the date of approval by the Design Review Committee. If actual construction (excluding grading) is commenced within that period, and construction continues uninterrupted until completion, the Approval remains valid. If construction is not commenced within the 24 month period a new application for Design Review is required.

Amendment Notes:

After review by the Architecture Committee, one set of plans shall be sent to the Management Company for permanent storage. Plans will be available to those individuals responsible for enforcement of the approved plans.

The responsibility of determining if structures are built according to approved plans rests with the Maui County.

The enforcement and removal of illegal Ohanas and non-conforming rentals is the responsibility of Maui County. *(Amendment adopted by the Board of Directors, November 13, 2003)*

**MAHANLUA NUI HOME OWNERS ASSOCIATION
OWNER'S INTENT OF COMPLIANCE STATEMENT**

TO: Architectural Design Review Committee, Mahanalua Nui Home Owners Association.

FROM: _____
[Print Owner(s) Name]

This certifies that as the Owner of Lot _____, Mahanalua Nui, located in the county of Maui, Hawaii, recorded in the State of Hawaii Bureau of Conveyances, I understand that no change or deviation may be made from the final plan approved by the Architecture Design Committee without further approval of the Committee. Trespassing or the use of any land other than that building site for ingress, egress, storage of building materials, or mobilization, unless approved in writing by the Committee, is strictly prohibited. I have received a copy of the construction guidelines and I agree to abide by them. In addition, I understand that a Certificate of Occupancy is required prior to occupancy and that a violation of the Construction Guidelines, without remedy, will result in delay of the Certificate of Occupancy and a fine. Occupancy as defined here includes, but is not limited to, storage of any personal property in the house or garage.

SIGNED: _____

DATE: _____

MAILING ADDRESS: _____

EMAIL: _____

PHONE: _____

**MAHANLUA NUI HOME OWNERS ASSOCIATION
GENERAL CONTRACTOR'S INTENT OF COMPLIANCE STATEMENT**

TO: Architectural Design Review Committee, Mahanalua Nui Home Owners Association

FROM: _____
[Print Owner(s) Name]

This certifies that, as the General Contractor for the construction of a residence on Lot _____ Mahanalua Nui, I have read, understand, and bear responsibility for compliance with the Mahanalua Nui Home Owners Association Construction Guidelines.

I further understand that:

- ❶ Trespassing or the use of any land other than the building site for ingress, egress, storage or building materials, or mobilization is strictly prohibited, unless approved in writing by the Committee.
- ❶ A copy of the Construction Guidelines has been received, understood and agreed to.
- ❶ I am responsible for the actions of any and all subcontractors I employ in the execution of my building contract and will insure that they understand and agree to the Construction Guidelines
- ❶ Violations of the Construction Guidelines may result in fines being levied against the Contractor and will ultimately be the responsibility of the owner.

SIGNED: _____

DATE: _____

MAILING ADDRESS: _____

EMAIL: _____

PHONE: _____

MAHANALUA NUI HOA ARCHITECTURAL DESIGN REVIEW PACKAGE
APPROVED BY THE BOARD OF DIRECTORS EFFECTIVE APRIL 1, 2017
MAHANALUA NUI ARCHITECTURAL DESIGN CHECKLIST

TO BE COMPLETED BY APPLICANT: PLEASE FILL OUT TOP THREE LINES ONLY

Owner:	
Lot No.	Date Submitted:
Address:	
REVIEWED BY:	
SIGNATURE OF REVIEWER:	DATE:

TO BE COMPLETED BY ARCHITECTURAL REVIEW COMMITTEE:

APPROVED

NOT APPROVED

MAHANALUA NUI HOA ARCHITECTURAL DESIGN REVIEW PACKAGE
 APPROVED BY THE BOARD OF DIRECTORS EFFECTIVE ~~APRIL 1, 2017~~

REQUIREMENT	OK	COMMENT
Review Fee Paid (\$750)		
Late Penalty fee paid (if applicable) (\$2500)		
Maximum building height not exceed 30'		
Minimum setbacks observed: front yard 25' Side yard 15'		
Max. landscape wall height inside setbacks 4'		
Maximum size of Ohana 1000 sq. ft.		
No culverts in stream beds, & flows not altered		
Buildings have a rural, farm, plantation or Polynesian feeling		
Large covered decks or verandas		
Roof lines incorporating hips, split pitch, pitch of 4:12 or steeper, or other interesting features		
Colors that are not jarring, garish, or overly glossy or reflective ATTACH PHOTOS OR COLOR SAMPLES		
Landscaping to compliment the buildings – ATTACH LANDSCAPE PLAN		
No excessive site work		
No roofs with a single gable feature		
Main House should not be under 1200 sq. ft.		
No large building wall sections with no relief		
Farm plan approved by County		
Grading Plan approved by County		
Final design and site plan approved by County		

INSTRUCTIONS TO ARCHITECT AND BOARD

Instructions to the Reviewing Architect

1. Review and verify that all documents required by the Architectural Design Review Policy have been submitted by lot owner. If any documents are missing, notify Management Company Representative immediately, and hold the process until you receive all required documents.
2. Once all documents are properly submitted, make the following note on the Design Review Checklist below **Date Submitted** – **“All documents received Date XXX”**. This is the date that starts the 20-day approval “clock.”
3. Review the documents according to the Checklist, noting where the plans meet requirements, marking the checklist in the OK column. If there are questionable items, please provide a comment in the Comment section.
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Instructions to the Management Company Representative and Board

Upon receipt of the *Design Review Packet and Checklist* from the architect, the staff member will immediately process the packet as follows:

1. If the *Design Review Checklist* is marked **“Approved,”** the application is automatically approved.
2. The Management Company Representative will notify the owner of the approval and copy the Board.
3. If the *Design Review Checklist* is marked **“Not Approved,”** the Management Company Representative will immediately forward the **“Not Approved”** *Design Review Checklist* and the architect’s **Recommendation** to the Board for action.

Note that it is not the intent of the Architectural Controls or this Policy to control every aspect of design, but to foster a neighborhood that harmonizes with itself and the Hawaiian culture.

Note on timing: The CCRs state that any application that has not been approved or disapproved within 20 days from the submittal of a package complete with all required documents, the package is “automatically approved.” Therefore, it is incumbent upon the staff to ensure that packages are complete prior to forwarding to the reviewing architect and to quickly move these packages through the system, and it is incumbent upon the reviewing architect upon receipt of a package to immediately verify that all required documents are included.

EXHIBIT "B"

Excerpt from the Amended and Restated Covenants, Conditions & Restrictions for the Mahanalua Nui Subdivision at Launiupoko – For reference only

ARCHITECTURAL CONTROLS

1. **Purpose.** The purpose of the architectural controls set forth in this Exhibit "B" is not to regulate all details of an owner's construction and landscaping activity, but instead is to give Declarant the means to attempt, in its discretion, to avoid strange, jarring or inappropriate structures being initially developed within Mahanalua Nui which may be out of harmony with Mahanalua Nui as a whole. It is understood that Declarant's judgment in these matters may not be perfect or even consistent, and that some degree of taste and subjectivity will necessarily be involved. However, it is hoped that all concerned will cooperate in this process with the mutual objective of protecting property values and the general appearance of the neighborhood. The power to exercise these controls is reserved to Declarant and may be exercised at Declarant's option only. Declarant shall have no legal obligation to exercise the architectural controls and shall have no liability to any buyer or owner if Declarant shall elect not to exercise said controls as to some or all of the Properties or if Declarant exercises said controls in whole or in part in a manner which a buyer or owner of any Property feels is inappropriate, inconsistent or otherwise objectionable.

2. **Restriction and Scope.** No structure which is or will be visible from a road or from any other Property may be constructed without the prior written approval of the Architectural Design Committee.

3. **Composition of the Architectural Design Committee.** Declarant may appoint to the Architectural Design Committee one (1) staff person, and one (1) professional (either an architect or an engineer). The duration of the Committee may be for ten (10) years, or longer or shorter at the discretion of Declarant.

Declarant may transfer control of the Architectural Design Committee to the Mahanalua Nui Homeowners Association. At no time shall a lot owner, other than Declarant, be a member of the Committee.

4. **Standards Procedures and Submittals to the Architectural Design Committee.** All applications for approval of the Architectural Design Committee shall be accompanied by plans, specifications and other supporting material which shall be detailed and complete to the point, which would, in the Architectural Design Committee's reasonable judgment, enable it to adequately understand and evaluate the location and appearance of the planned work.

Prior to commencement of construction, an applicant must submit to the Architectural Design Committee complete working construction drawings stamped by an architect licensed to practice in the state of Hawaii. These construction drawings shall include, as a minimum:

One hard copy and one PDF copy of all plans for any new building submitted to the Committee for approval, which shall include, without limitation, the following:

(a) Plot Plan showing location of all existing and proposed improvements, utilities, service areas, fences and walls, accessory buildings, lighting plans, paved areas, driveways, parking areas, walkways, Property lines, and landscaped areas.

(b) Grading Plan showing existing and proposed topographic elevations.

(c) Building Plans to include:

- i. one 1/4" scale floor plan,
- ii. four 1/8" scale exterior elevations,
- iii. two 1/8" scale cross-section elevations; and
- iv. one 1/8" scale site plan.

(d) Other Items as required by the Committee from time to time upon review of each individual project.

The Architectural Design Committee may in its discretion adopt reasonable rules and regulations to govern its procedures and requirements as it may deem appropriate from time to time.

Any application for approval shall be deemed automatically approved by the Architectural Design Committee if the Committee shall fail to approve or disapprove it in writing within thirty (30) days after the applicant has submitted to the Committee the completed application and all supporting plans and other materials in accordance with the preceding paragraphs.

If no suit or other proceeding shall have been commenced in a Hawaii court of competent jurisdiction within one (1) year after the visible commencement of construction of any structure, such construction shall be deemed automatically to have complied with all of the provisions of this Exhibit "B" and the Design Standards, notwithstanding any actual failure of any person to comply strictly with all of the requirements and procedures of this Exhibit "B."

5. Responsibility. The members of Ute Architectural Design Committee shall not be personally liable, and the Architectural Design Committee itself and Declarant shall not be liable for any of their or its acts or omissions in connection with the performance of (or failure to perform) any duties hereunder so long as such actions or omissions are in good faith.

6. Design Guidelines. The following are encouraged and will be favorably reviewed:

- Buildings that set into the existing grade, requiring a minimum of site work.
- Buildings that have a rural, farm, plantation or Polynesian feeling.
- Large covered decks or verandas.
- Roof lines incorporating hips, split pitch, dormers, pitch of 4:12 or Steeper, and other interesting features.

- The elimination of any elevations which feature large, one- or two-story wall sections with no relief.
- Colors which are harmonious to the neighborhood, neither jarring nor garish.
- Landscaping to compliment the buildings.

The following are not encouraged:

- Roofs with a single gable feature.
- Large, unbroken exterior wall massing.
- Main houses of under 1200 square feet.

The following will not be approved:

- Excessive site work.
- The use of reflective or gloss finishes.
- Offensive or overly bright, jarring or garish colors.

7. No Protection of Views. No Property shall have any' vested rights or easements for the protection of any view from said Property and Declarant and the Architectural Review Committee make no warranties or representations of any kind to the buyer, owner or occupant of any Property concerning the event, attractiveness or protection of any view over any Property or Common Area from any other Property or Common Area.

8. Fees. The Architectural Review Committee shall have the right to require payment of a reasonable fee for review of proposed Plans. Until and unless adjusted by the Committee by resolution, such review fee shall be [Seven Hundred Fifty Dollars (\$750) for an application, and in the event construction has begun before application submittal, a Twenty-Five Hundred Dollar (\$2500) Penalty will be charged.] *Fees changed by Board action 4-1-2017*

STATE OF HAWAII
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
Business Registration Division
Honolulu

In the Matter of the Incorporation)
)
 of)
)
 MAHANALUA NUI HOMEOWNERS' ASSOCIATION, INC.)
)
)
 _____)

ARTICLES OF INCORPORATION

(Section 415b-34, Hawaii Revised Statutes)

MANCINI ROWLAND & WELCH
(Thomas D. Welch, Jr.)
33 Lono Avenue, Suite 470
Kahului, Hawaii 96732

STATE OF HAWAII
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
Business Registration Division
Honolulu

In the Matter of the Incorporation)
)
 of)
)
 MAHANALUA NUI HOMEOWNERS' ASSOCIATION, INC.)
)
 _____)

ARTICLES OF INCORPORATION

(Section 41 bb-34, Hawaii Revised Statutes)

The undersigned, desiring to form a non-profit corporation under the laws of the State of Hawaii, do hereby execute and adopt the following Articles of Incorporation:

ARTICLE I
CORPORATE NAME

The name of the corporation shall be:

MAHANALUA NUI HOMEOWNERS' ASSOCIATION, INC.

ARTICLE II
CORPORATE LOCATION

The address of the corporation's initial office is:

173 Ho Ohana Street
Kahului, Maui, Hawaii 96732

The corporation's principal place of business and mailing address may be changed from time to time by action of the Board of Directors of the corporation from time to time.

ARTICLE III
DURATION

The period of the corporation's duration is perpetual.

ARTICLE IV
CORPORATE PURPOSES

Section 1. The corporation is organized exclusively for the following purposes:

(a) To act in all respects as a neighborhood homeowners association for the purpose of owning, maintaining, improving, repairing and operating roads, common areas and common facilities located within the subdivision known as "MAHANALUI NUI", at Launiupoko, Lahaina Maui, Hawaii.

(b) To carry out all functions and exercise all powers as described in the Declaration of Covenants Conditions and Restrictions of MAHANALUI NUI, dated _____ 1998, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. _____, as they may be amended from time to time (the "CC&Rs") including but not limited to the ownership, management, regulation and operation of certain common areas and facilities, the adoption from time to time of certain rules and regulations, the enforcement of the CC&Rs and said rules and regulations, the levy, assessment and collection of periodic common expenses against the members and their properties as more particularly described in the CC&Rs and the Bylaws of the corporation and the prosecution and defense of legal actions in connection with said functions.

(c) The transaction of any and all lawful activities for which nonprofit corporations may be incorporated under Chapter 415B, Hawaii Revised Statutes, as it may be amended from time to time, or any successor statute.

ARTICLE V
CORPORATE POWERS

Section 1. The corporation shall have all powers, rights, privileges and immunities, and shall be subject to all of the liabilities conferred or imposed by law upon corporations of this nature, and shall be subject to and have all the benefits of all general laws with respect to corporations.

Section 2. The corporation shall have, in addition to the general powers conferred upon it under the statutes of the State of Hawaii, the following powers subject to the limitations described in Article VI:

1. To indemnify any person who was or is a party or is threatened to be made a party to any proceeding (other than an action by or in the right of the corporation if that person is or was a director, officer, employee or other agent of the corporation, against expenses (including attorneys' fees), judgments, fines, settlements and other amounts actually and reasonably incurred in connection with the proceeding if the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the corporation and, with respect to any criminal proceeding, had no reasonable cause to believe the conduct of the person was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which the person reasonably believed to be in or not opposed to the best interests of the corporation or that the person had reasonable cause to believe that the person's conduct was unlawful;

2. To indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action by or in the right of the corporation to procure a judgment in its favor because that person is or was a director, officer, employee or other agent of the corporation, against expenses (including attorneys' fees) actually and reasonably incurred by the person in connection with the defense or settlement of the action if the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the corporation except that no indemnification shall be made in respect of any claim, issue, or matter as to which the person shall have been adjudged to be liable for negligence or misconduct in the performance of the person's duty to the corporation unless and only to the extent that the court in which the action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all circumstances of the case, the person is fairly and reasonably entitled to indemnity for such expenses as the court deems proper.

3. Without limiting the generality of the foregoing, all powers which a Hawaii nonprofit corporation may exercise under Section 415B-6, Hawaii Revised Statutes, as it may be amended from time to time, or any successor statute.

ARTICLE VI
LIMITATIONS

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its directors, officers, members or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services actually rendered to the corporation.

ARTICLE VII
MEMBERS

The corporation shall have members. The "Owners" of each "Property"(as those terms are defined in the CC&Rs) within MAHANALUA NUI shall automatically be members of this corporation. The membership in this corporation may be transferred or encumbered only with and to the same extent as a transfer of an ownership interest in a Property. In the event any interest in a Property is conveyed without mention of this membership, this membership shall be deemed to be automatically transferred with said Property. A person's membership shall terminate at such time as said person shall no longer be an owner of any Property in Mahanalua Nui.

ARTICLE VIII
DIRECTORS

The management of the business and affairs of the corporation and the control and distribution of its assets shall be vested in a Board of Directors, which shall consist of such number of directors as shall be fixed by the Bylaws of the corporation, but in no event less than three (3) individuals. The members may increase or decrease the number of directors at any annual meeting or any other meeting properly called for such purpose. Further, at least one director shall be a resident of the State of Hawaii. The directors shall be qualified, nominated, elected and appointed as is provided for in the Bylaws. The Board of Directors shall have full power to control and direct the business affairs of the corporation, subject, however, to any limitations contained herein or in the Bylaws of the corporation or by statute. Each initial director of the corporation shall serve until his successor is duly chosen. The initial Board of Directors is fixed at three and the directors of the corporation and their residence addresses, are as follows, to serve until their successors are elected and qualified:

<u>Name</u>	<u>Residence Address</u>
Peter K. Martin	590 A Old Stable Road Paia, Hawaii 96779

James Riley

590 Old Stable Road
Paia, Hawaii 96779

Robert L. Horcajo

2 Was Place
Paia, Hawaii 96779

ARTICLE IX OFFICERS

The officers of the corporation shall consist of a president, vice president, secretary, treasurer and such other assistant officers as the Board of Directors deems necessary, with such qualifications, duties and powers as are provided for in the Bylaws. The officers have been elected or appointed at such time and in such manner and for such terms as prescribed in the Bylaws of the corporation. Any two or more offices may be held by the same person, provided that the corporation shall have at least two persons as officers. The initial officers and their residence addresses are as follows:

<u>Office</u>	<u>Name</u>	<u>Residence Address</u>
President	Peter K. Martin	590A Old Stable Road Paia, Hawaii 96779
Vice President	James Riley	590 Old Stable Road Paia, Hawaii 96779
Secretary	Robert Horcajo	2 Was Place Paia, Hawaii 96779
Treasurer	Peter K. Martin	590 A Old Stable Road Paia, Hawaii 96779

ARTICLE X BYLAWS

The Bylaws of the corporation shall be adopted by the Board of Directors of the corporation and may be amended from time to time by the Board of Directors.

ARTICLE XI
DISSOLUTION

Upon the dissolution of the corporation or the winding up of its affairs, the assets of the corporation shall be distributed exclusively to an incorporated or unincorporated association of owners of Properties in Mahanalua Nui which shall be formed for the purpose of carrying out the functions of the "Association" as defined in the CC&Rs, as it shall then exist. -

ARTICLE XII
AMENDMENT

The Articles of Incorporation set forth herein shall be subject to amendment from time to time as provided by law, except that no amendment shall be made which would change the objects and purposes of this corporation and each amendment shall conform to the Declaration, Bylaws and Hawaii law.

We certify under the penalties at Section 415B-158, Hawaii Revised Statutes, that we have read the foregoing statements and that the same are true and correct.

Witness our hands this _____ day of _____, 19__

(Name of Incorporator)

(Signature of Incorporator)

(Name of Incorporator)

(Signature of Incorporator)

COVERAGE	LIMITS	TERM	POLICY PERIOD	PREMIUM	CARRIER & RATING
PROPERTY Building Replacement Cost Building Ordinance/Increased Construction Cost Deductible (all other perils excluding hurricane) Deductible for Hurricane (per building)	N/A				
COMMERCIAL GENERAL LIABILITY General Aggregate Personal & Advertising Injury Each Occurrence Fire Damage (any one fire) Medical Expense (any one person) Terrorism Coverage Excluded	\$2,000,000 \$1,000,000 \$1,000,000 \$100,000 \$5,000	Annual	5/1/20-21	\$3,025	American Hallmark Admitted - Rated A- VIII
COMMERCIAL UMBRELLA Each Occurrence Annual Aggregate Limit Retained Limit/SIR	\$10,000,000 \$10,000,000	Annual	5/1/20-21	\$1,635	Greenwich Ins. Co. Admitted - Rated A+ XV
DIRECTORS & OFFICERS LIABILITY Each Occurrence Annual Aggregate Limit Deductible	\$1,000,000 \$1,000,000 \$2,500	Annual	5/1/20-21	\$3,147	C N A Admitted - Rated A XV
FIDELITY BOND Limit Deductible	\$150,000 \$250	Annual	5/1/20-21	\$652	C N A Admitted - Rated A XV
WORKERS COMPENSATION Each Accident Disease-Policy Limit Disease-Each Employee	N/A				
TDI-TEMPORARY DISABILITY INSURANCE	N/A				

This insurance summary is a brief illustration of coverage and is not to be construed in any manner as modifying the exact terms, conditions and exclusions of any insurance policy.





Hawaiiana Management Company, Ltd.
Pacific Park Plaza, Suite 700
711 Kapiolani Boulevard
Honolulu, Hawaii 96813
Tel: (808) 593-9100

PROPERTY INFORMATION FORM

(To be used in conjunction with RR109 Sellers' Real Property Disclosure Statement-
Condominium/Co-op/PUD/and other Homeowner Organization)

Disclaimer: The use of this form is not intended to identify the real estate license as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by real estate licensees who are members of the National Association of REALTORS® and who subscribe to its Code of Ethics.

Name of Property: MAHANALUA NUI

All references hereafter to the word "Property" shall refer to the above.

Property Address: Launiupoko, Mahanalua Nui, Lahaina, Maui Hawaii 96761

Property Tax Map Key: (2) 4-7-10: 1-3, 8-10, 12-23, 26-65, (2) 4-7-9: 1-26, 27 (por), 29-38, 39 (por), 40, 43-55, 57-61

This property is managed by a licensed real estate broker. Yes No. If a licensed real estate broker, is managing agent registered with the Real Estate Commission as a Condominium Managing Agent? Yes No.

Name of Managing Agent: HAWAIIANA MANAGEMENT COMPANY, LTD.

Managed by this Managing Agent since: February 1, 2018

Managing Agent provides (Check those services that apply):

- Administrative Management Services
- Fiscal Management Services
- Physical Management Services
- Other Management Services -

A. GENERAL & LEGAL

Total number of units: 261 Number of guest parking stalls available: 0

If applicable, what percentage of Condominium Apartments has been sold and conveyed (excluding to the Developer)? 100 %.

If applicable, the approximate percentage of Condominium Apartments owner-occupied: 43%.
Approximately how many foreclosures have been filed by the Board of Directors during the past twelve (12) months? 0.

What approximate percentage of owners is more than one month delinquent in maintenance fees? 3.16% (8 owners).

****If answer is "yes", using the SAME number below, describe in the space provided.****

- | Yes | No | NTMK (Not to my knowledge) | | |
|-------------------------------------|-------------------------------------|----------------------------|------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (1) | Within the past year, has the Board of Directors had discussions with the lessor regarding the purchase of the leased fee interest in the land? <input checked="" type="checkbox"/> Property is fee simple. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (2) | Is this Property subject to phasing or development of additional increments? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (3) | Has the Owners Association or Corporation been in control of the operations of the Property for less than two (2) years? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (4) | Are there any lawsuits, arbitration or mediation actions affecting this Property and/or Association other than delinquent owner maintenance fees?
Attorney for Association of Apartment Owners:
NOTE: Any attorney fees or other costs incurred for further answering this inquiry shall not be at the expense of the Association of Apartment Owners, nor of the Managing Agent. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (5) | If property is a Condominium, does any single entity, individual or partnership own more than 10 percent of the common interest of this property? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (6) | Are any Association or Corporation approvals required for transfer of Ownership? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (7) | Is a resident manager's apartment a part of the common elements, or is one owned by the Association or Corporation (does not apply to Planned Unit Developments) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (8) | Is a time share operation existing at this Property? Name of operator: |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (9) | Is there a hotel, transient vacation rental operation, or other organized rental program at the Property? Name of operator? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (10) | Are there commercial apartments, lots or commercial use of the common areas or common elements at the Property? |

Number of Questions answered "YES" and Explain

- (9) Vacation rentals are permitted. Participating Rental Companies are not kept on file.

B. INSURANCE

Name of Insurance Company or Agency/Broker: SERVCO PACIFIC

Name of Insurance Agent: BRUCE K. BACHLE Phone: (808) 564-2521

***Certificate of Insurance should be requested directly from the insurance agent.**

****If answer is "yes", using the SAME number below, describe in the space provided.****

Yes No NTMKNote: In case of Planned Unit Development, questions #11 to #13 apply to common areas only.

- | | | | | |
|--------------------------|-------------------------------------|--------------------------|------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (11) | Is the Property located in a designated Flood Hazard Zone? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (12) | Is this Property covered by Flood Insurance? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (13) | Is this Property located in a tsunami inundation area? |

Number of Questions answered "YES" and Explain:

C. FINANCIAL

Financial statements are prepared monthly and are on a cash basis.

Apartment maintenance fees include:

- Water & Sewer (Common Area)
- Hot Water
- Electricity (Common Area)
- Gas
- Air Conditioning
- Cable TV Signal
- Parking
- Recreation/Community Association Dues
- Lease Rent
- Real Property Tax (Common Area)
- Other: Refuse Collection

****If answer is "yes", using the SAME number below, describe in the space provided.****

Yes No NTMK

- | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (14) | Has the Association or Corporation Board of Directors approved a maintenance fee increase, special assessment, or loan? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (15) | Are any special assessments or loans in effect at this time? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (16) | Are any assessments required to be paid in full at the time of conveyance of ownership? |

Number of Questions answered "YES" and Explain:

(14) An increase of **64.5%** in maintenance fees beginning January 1, 2020.

D. PROPERTY CONDITION

- There is Reserve Plan Data for any major repairs required or planned with respect to the common elements/common areas of the Property.
- There is no Property Reserve Study available.

E. DISCLAIMER

While not guaranteed, the information contained in this Property Information Form is based on information reasonably available to the Managing Agent at the time this form was completed. It has been provided by the Managing Agent at Owner/Seller's request and is believed to be current and correct to the best of the Managing Agent's knowledge at the time this form was completed. All persons relying upon the information contained herein are advised that the information provided cannot be considered a substitute for a careful inspection of the Property and the Property's governing documents, meeting minutes, financial documents and other documentation; and that they should refer to qualified experts in the various professional fields, including but not limited to attorneys, Certified Public Accountants, architects, engineers, contractors and other appropriate professionals for a detailed evaluation of areas where additional clarification or information is desired. The person or entity completing the form is doing so only as an accommodation to the parties and shall not be held liable for any errors or omissions whatsoever. The person or entity completing this form is not required to and has not completed any special investigation, and is only reporting facts already known to that person or entity or readily available. Specifically and without limitation, the person or entity completing the form has not reviewed any records except official records of meetings in the possession of that person or entity and only for the current year. Where the answer to a question is not applicable, unknown or is otherwise unanswerable, it has been marked "NTMK". Where the Managing

Agent has marked "NTMK" or "NO" in response to a question concerning property condition, it must be recognized that this does not mean there may not be a defect which an expert could discover or the passage of time would reveal. Likewise, a problem could be more serious than the Managing Agent, the Association, the Corporation or its Board of Directors knows. All such persons having access to this Property Information Form understand and acknowledge that this Property Information Form is not a warranty or guaranty of any kind by the Managing Agent, the Association or its Board of Directors.

*On-Site Manager's Name: N/A
Phone No.:

FOR THE BOARD OF DIRECTORS
MAHANALUA NUI

Date: September 14, 2020

Craig Bode Digitally signed by Craig Bode
DN: C=US, E=craig@hmcmtg.com,
O=Hawaiiana Management Company,
OU=Property Management, CN=Craig Bode
Date: 2020.09.14 10:54:45-10'00"

CRAIG BODE
Management Executive
HAWAIIANA MANAGEMENT COMPANY, LTD.