

**RESOLUTION OF THE BOARD OF DIRECTORS ASSOCIATION OF
APARTMENT OWNERS OF KUILIMA ESTATES EAST CONFIRMING
THAT TRANSIENT VACATION USE OF APARTMENTS IS PERMITTED**

WHEREAS Paragraph F of the Restatement of Declaration of Horizontal Property Regime of Kuilima Estates East ("Declaration") provides as follows:

USE. All apartments of the project may be used only for residential purposes- No apartment shall be used in connection with the carrying on of any trade or business whatsoever. The owners of the respective apartments shall have the absolute right to lease the same subject to the limitations, restrictions, covenants, and conditions of this Declaration [;] and

WHEREAS the Declaration does not impose limitations, restrictions, covenants and/or conditions that specify the minimum period required in connection with a lease of an apartment; and

WHEREAS the Board of Directors ("Board") of the Association of Apartment Owners of Kuilima Estates East ("Association") construes the lease or rental of an apartment for any amount of time to be a residential use rather than a trade or business use and

WHEREAS the use of an apartment for rental or lease without minimum period requirement is presently, and has been historically, permitted by the Association; and

WHEREAS transient vacation use of an apartment is permitted as a matter of practice as well as pursuant to the governing documents; and

WHEREAS Ordinance 22-7 provides, without limitation, certain requirements for registration of a transient vacation unit and/or for the renewal of such registration; and

WHEREAS confirmation that transient vacation use of an apartment is permitted by any applicable apartment owners association is among the registration requirements; and

WHEREAS the Board is the governing authority of the Association; and

WHEREAS the Board has reviewed the matter for compliance with the requirements of Ordinance 22-7; and

WHEREAS the Board intends that this resolution will serve as the confirmation required by Ordinance 22-7; and

WHEREAS the Board has reviewed the matter for compliance with the requirements of Ordinance 22-7; and

WHEREAS the Board intends that this resolution will serve as the confirmation required by Ordinance 22-7; and

WHEREAS the Board intends that this resolution is to be construed broadly, and to satisfy all requirements that the Association confirm that apartments may be used as transient vacation units.


NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- A. The rental or lease of an apartment for any period allowed by law, including for transient Vacation use and/or use as a transient vacation unit, is permitted by the Association.
- B. Any apartment owner may submit a copy of this resolution to any relevant authority as confirmation that transient vacation use of an apartment is permitted.

CERTIFICATE OF SECRETARY

I hereby certify that the above resolution was adopted pursuant to law and the governing documents of the Association of Apartment Owners of Kuilima Estates East, by written consent of the Board of Directors of the Association on October 27, 2022.

DATED: HONOLULU, HAWAII; OCTOBER 27, 2022


Bert A. Wilkinson,
Secretary

See Attached Acknowledgement

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of ALAMEDA

On 10-27-2022 before me, NISHA RANI SINGH (NOTARY PUBLIC)
(insert name and title of the officer)

personally appeared Best Alan wilkinson
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)

