

OFFICE OF THE  
ASSISTANT REGISTRAR, LAND COURT  
STATE OF HAWAII  
(Bureau of Conveyances)

The original of this document was  
recorded as follows:

DOCUMENT NO. Doc T - 10034179  
CT AS LISTED HEREIN  
DATE/TIME June 22, 2017 8:02 AM

THIS DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII  
BUREAU OF CONVEYANCES  
DOCUMENT NO. Doc A - 63820648A thru A - 63820648D  
DATE - TIME June 22, 2017 8:02 AM

Return by Mail ( ) Pickup (X)  
Chun Kerr LLP (ARB/IN)  
999 Bishop Street, Suite 2100  
Honolulu, Hawaii 96813  
Tel. No. (808) 528-8200

Total Number of Pages: 16

Tax Map Key No. (1) 9-8-008-026 (See Exhibit A for CPR Nos.)  
TCT Nos.: See Exhibit A

**FOURTH AMENDMENT TO**  
**DECLARATION OF CONDOMINIUM PROPERTY REGIME**  
**OF MARY SAVIO MEDICAL PLAZA AIEA PEARL CITY**

THIS FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM PROPERTY REGIME OF MARY SAVIO MEDICAL PLAZA AIEA PEARL CITY (formerly known as Mary Savio Medical Plaza at Newtown) (this "***Fourth Amendment***") is made as of the 26<sup>th</sup> day of May, 2017, by **KMC PARTNERS LLC**, a Hawaii limited liability company ("***Developer***"), whose address is 1451 South King Street, #504, Honolulu, Hawaii 96814 and **ASSOCIATION OF UNIT OWNERS OF MARY SAVIO MEDICAL PLAZA AIEA PEARL CITY**, a Hawaii nonprofit corporation (the "***Association***"), whose mailing address is c/o Hawaiiana Management Company, Ltd., 711 Kapiolani Boulevard, Suite 700, Honolulu, Hawaii 96813.

**WITNESSETH:**

WHEREAS, pursuant to that certain Declaration of Condominium Property Regime of Mary Savio Medical Plaza at Newtown dated August 13, 2012, recorded in the Bureau of Conveyances of the State of Hawaii (the "***Bureau***") as Document No. A-46440570, and filed with the Office of the Assistant Registrar of the Land Court of the State of Hawaii (the "***Land Court***") as Land Court Document No. T-8296571, together with that certain Condominium Map, recorded concurrently with the Declaration in the Bureau as Condominium Map No. 5117, and

filed with the Land Court as Condominium Map No. 2174, as amended (as amended, the “**Condominium Map**”), Developer, as developer, created the condominium property regime formerly known as the “Mary Savio Medical Plaza at Newtown” and now known as the “Mary Savio Medical Plaza Aiea Pearl City” (the “**Project**”) pursuant to Hawaii Revised Statutes (“**HRS**”) Chapter 514B, as amended (the “**Act**”);

WHEREAS, the Declaration was amended by that certain First Amendment to Declaration of Condominium Property Regime of Mary Savio Medical Plaza at Newtown dated July 18, 2013, recorded in the Bureau as Document No. A-49520642A through A-49520642B, and filed with the Land Court as Land Court Document No. T-8603246, as consented to under that certain Joinder to First Amendment to Declaration of Condominium Property Regime of Mary Savio Medical Plaza at Newtown dated July 12, 2013 and recorded therewith;

WHEREAS, the Declaration was further amended by that certain Second Amendment to Declaration of Condominium Property Regime of Mary Savio Medical Plaza at Newtown dated March 18, 2015, recorded in the Bureau as Document No. A-55690753A through A-55690753B, and filed with the Land Court as Land Court Document No. T-9221208A through T-9221208B, as consented to under that certain Consent to Second Amendment to Declaration of Condominium Property Regime of Mary Savio Medical Plaza at Newtown dated November 14, 2014 and recorded therewith;

WHEREAS, the Declaration was further amended by that certain Third Amendment to Declaration of Condominium Property Regime of Mary Savio Medical Plaza at Newtown and Second Amendment to Bylaws of the Association of Unit Owners of Mary Savio Medical Plaza at Newtown dated March 18, 2015, recorded in the Bureau as Document No. A-56340806A through A-56340806B, and recorded in the Land Court as Land Court Document No. T-9286285A through T-9286285C, as consented to under that certain Consent to Third Amendment to Declaration of Condominium Property Regime of Mary Savio Medical Plaza at Newtown and Second Amendment to Bylaws of the Association of Unit Owners of Mary Savio Medical Plaza at Newtown dated April 20, 2015 and recorded therewith;

WHEREAS, pursuant to the Declaration, the Mauka Spatial Unit was to be developed into a multi-story parking structure;

WHEREAS, to facilitate the development of the parking structure, Developer conveyed the Mauka Spatial Unit to the Association;

WHEREAS, construction of the parking structure has been completed and, as part of that construction, the existing parking on the ground floor has been reconfigured;

WHEREAS, pursuant to Section 8.7.g. of the Declaration, Developer desires to amend the Declaration and Condominium Map to reflect construction of the parking structure within the Mauka Spatial Unit;

WHEREAS, pursuant to Section 18.7 of the Declaration, Developer as the owner of Unit 305 desires to subdivide such unit and to amend the Declaration and Condominium Map to reflect such subdivision; and

WHEREAS, the Association has changed its corporate name to "Association of Unit Owners of Mary Savio Medical Plaza Aiea Pearl City" and Developer, pursuant to Section 8.7.k. of the Declaration, desires to amend the Declaration to reflect such name change.

NOW, THEREFORE, in consideration of the premises, the Declaration is hereby amended as follows:

1. **DEFINITIONS.** Capitalized terms used herein shall have the same meaning as in the Declaration unless otherwise defined.

2. **PARKING STRUCTURE.** The parking structure has been constructed within the Mauka Spatial Unit.

3. **SUBDIVISION OF UNITS.**

a. Unit 305 shall be subdivided to create the following units:

i. Unit 305, containing approximately 369 square feet, with 0.61% of the common interest; and

ii. Unit 305A, containing approximately 447 square feet, with 0.73% of the common interest.

b. Section 3.1 of the Declaration is deleted and amended in its entirety as follows:

3.1 **Generally.** The Project is an office and retail condominium project, intended primarily for medical office and healthcare services, consisting of an existing three-story building containing sixty-three (63) commercial condominium units (the "***Office Units***") and two (2) spatial condominium units adjacent to the building located in the exterior land areas of the Project (the "***Spatial Units***").

c. Section 3.2, subparagraph c. of the Declaration is deleted and amended in its entirety as follows:

c. The Third Floor of the Office Building contains twenty-five (25) Office Units, three (3) common stairways (Mauka Stairs, Makai Stairs, and Lobby Stairs), a Lobby providing access to the elevators, Mauka and Makai Wing corridors and Lobby Stairs, women's and men's restroom facilities, and storage areas for electrical and maintenance equipment.

d. Section 4.1 of the Declaration is deleted and amended in its entirety as follows:

4.1 **Units.** There are sixty-five (65) commercial condominium units in the Project (a “***Unit***” or the “***Units***”). Each Unit is designated as a separate freehold estate. The Units consist of the sixty-three (63) Office Units located in the Office Building and the two (2) Spatial Units, as shown on the Condominium Map.

e. **Exhibit C** to the Declaration is hereby deleted and replaced with the **Exhibit C** attached hereto and made a part hereof.

4. **AMENDMENT OF CONDOMINIUM MAP.** The Condominium Map is amended to insert Sheets A-2A, A-2B, A-2C, A-2D, A-2E, A-2F, A-9A, A-10A, A-13A, and A-13B, copies of which are recorded concurrently herewith, together with an engineer’s certification regarding the amended Condominium Map pursuant to Section 514B-34 of the Act. The Condominium Map is amended to depict the following:

- i. The subdivision of Unit 305 into Unit 305 and Unit 305A; and
- ii. The construction of the parking structure within the Mauka Spatial Unit, together with the reconfiguration of the ground floor parking area.

5. **ASSOCIATION.** Section 10 of the Declaration is amended to reflect the change in the Association’s corporate name to “Association of Unit Owners of Mary Savio Medical Plaza Aiea Pearl City”.

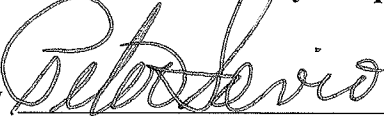
6. **COUNTERPARTS.** This Fourth Amendment may be executed in counterparts, each of which so executed shall be deemed an original, and said counterparts together shall constitute one and the same instrument. Duplicated unexecuted pages of the counterparts may be discarded and the remaining pages assembled as one document.

7. **NO OTHER AMENDMENT.** All other terms and conditions contained in the Declaration shall remain unchanged and are hereby ratified and confirmed.

*[The remainder of this page is intentionally left blank.]*

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the day and year first above written.

**KMC PARTNERS LLC,  
a Hawaii limited liability company**

By \_\_\_\_\_

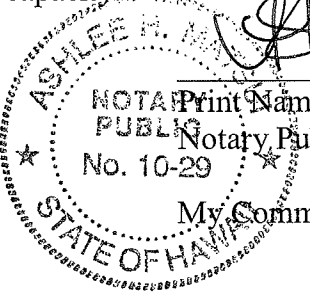
Name: Peter Savio

Its: Manager

“Developer”

STATE OF HAWAII )  
 ) SS.  
CITY & COUNTY OF HONOLULU )

On this 12<sup>th</sup> day of MAY, 2017, before me personally appeared Peter Gano, to me satisfactorily proven, who, being by me duly sworn, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

A circular notary seal for Ashlee H. Matouli, Notary Public, No. 10-29, State of Hawaii. The seal is partially obscured by a signature and the text of the notary's name and commission expiration date.  
Print Name: Ashlee H. Matouli  
Notary Public for above-noted State and County  
My Commission expires: 2/1/18

Document Date: undated Number of Pages: 16  
Notary Name: Ashlee H. Matouli First Judicial Circuit  
Document Description: Fourth Amendment to Declaration of Condominium Property Regime  
of Mary Savio Medical Plaza Aiea Pearl City

A circular notary seal for Ashlee H. Matouli, Notary Public, No. 10-29, State of Hawaii. The seal is partially obscured by a signature and the text of the notary's name and commission expiration date.  
Notary Signature  
No. 10-29  
**NOTARY CERTIFICATION**

5/12/17  
Date

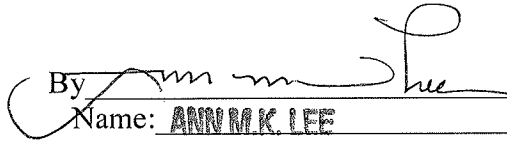
**JOINDER TO**  
**FOURTH AMENDMENT TO**  
**DECLARATION OF CONDOMINIUM PROPERTY REGIME**  
**OF MARY SAVIO MEDICAL PLAZA AIEA PEARL CITY**

The undersigned, **AMERICAN SAVINGS BANK, F.S.B.**, a federal savings bank ("**ASB**"), as Mortgagee under (a) that certain Accommodation Real Property Mortgage and Financing Statement dated June 28, 2013, recorded in the Bureau as Document No. A-49270812, and filed in the Land Court as Land Court Document No. T-8579491, made by KMC PARTNERS LLC, a Hawaii limited liability company ("**Mortgagor**"), which Mortgage affects all of Mortgagor's units in the Project, and (b) that certain Real Property Mortgage and Financing Statement dated March 18, 2013, recorded in the Bureau as Document No. A-48250754 and filed in the Land Court as Land Court Document No. T-8477307, which Mortgage affects the Mauka Spatial Unit, hereby joins in and consents to the Fourth Amendment to Declaration of Condominium Property Regime of Mary Savio Medical Plaza Aiea Pearl City (the "**Fourth Amendment**").

ASB is not the developer of the Project and ASB's joinder shall not, in any way or for any purpose, be construed to mean that ASB is the developer of the Project or a partner with Declarant in the conduct of its business, or otherwise, or a joint venturer or a member of a joint enterprise with Declarant. The statements set forth in this Fourth Amendment are solely those of Mortgagor and are not and should not be construed as statements made by or representations of ASB. ASB shall not be liable for the statements or the conduct of Declarant relating to the development of the Project and is not assuming any such liability in any way by its execution of this document.

Consented to this 31 day of March, 2017.

**AMERICAN SAVINGS BANK, F.S.B.,**  
a federal savings bank

By   
Name: ANN M. K. LEE  
Its: FIRST VICE PRESIDENT

STATE OF HAWAII

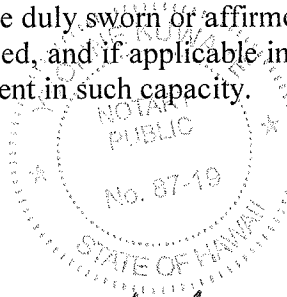
)

) SS.

CITY AND COUNTY OF HONOLULU

)

On this 31 day of March, 2017, before me personally appeared ANN M.K. LEE, to me satisfactorily proven to be the person described in and who, being by me duly sworn or affirmed, did say that he executed the foregoing instrument as his free act and deed, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.



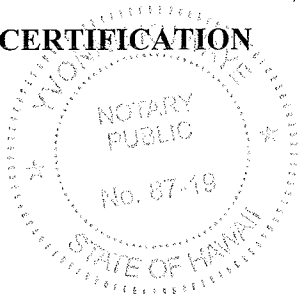
Yvonne Kuwaye  
Print Name: YVONNE KUWAYE  
Notary Public for the above-noted State and County  
My Commission Expires: 1-29-19

Document Date: undated Number of Pages: 8  
Notary Name: YVONNE KUWAYE First Judicial Circuit  
Document Description: Joinder to Fourth Amendment to Declaration of Condominium Property  
Regime of Mary Savio Medical Plaza Aiea Pearl City

Yvonne Kuwaye 3-31-17  
Notary Signature Date

**NOTARY CERTIFICATION**

(Seal)






**JOINDER TO**  
**FOURTH AMENDMENT TO**  
**DECLARATION OF CONDOMINIUM PROPERTY REGIME**  
**OF MARY SAVIO MEDICAL PLAZA AIEA PEARL CITY**

The undersigned, **HAWAIIAN DREDGING CONSTRUCTION COMPANY, INC.**, a Hawaii corporation ("**HDCC**"), as Mortgagee under (a) that certain Mortgage, Security Agreement and Financing Statement (KMC Partners LLC Pre-Construction Mortgage) dated April 9, 2015, recorded in the Bureau as Document No. A-55810361, and filed in the Land Court as Land Court Document No. T-9233111 (the "**Pre-Construction Mortgage**"), and (b) that certain Accommodation Mortgage, Security Agreement and Financing Statement (KMC Units and Undeveloped Parcel) dated June 28, 2013, recorded in the Bureau as Document No. A-55810362, and filed in the Land Court as Land Court Document No. T-9233112 (the "**KMC Units Mortgage**"; together with the Pre-Construction Mortgage, the "**Mortgages**"), made by KMC PARTNERS LLC, a Hawaii limited liability company ("**Mortgagor**"), each of which Mortgage affects all of Mortgagor's units in the Project, hereby joins in and consents to the Fourth Amendment to Declaration of Condominium Property Regime of Mary Savio Medical Plaza Aiea Pearl City (the "**Fourth Amendment**").

HDCC is not the developer of the Project and HDCC's joinder shall not, in any way or for any purpose, be construed to mean that HDCC is the developer of the Project or a partner with Declarant in the conduct of its business, or otherwise, or a joint venturer or a member of a joint enterprise with Declarant. The statements set forth in this Fourth Amendment are solely those of Mortgagor and are not and should not be construed as statements made by or representations of HDCC. HDCC shall not be liable for the statements or the conduct of Declarant relating to the development of the Project and is not assuming any such liability in any way by its execution of this document.

Consented to this 31st day of March, 2017.

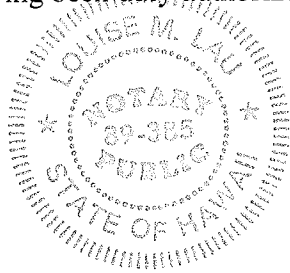
**HAWAIIAN DREDGING AND  
CONSTRUCTION COMPANY,**  
a Hawaii corporation

By   
Name: Paul D. Silen  
Its: Vice President

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

On this 31st day of March, 2017, before me personally appeared  
Paul D. Silen and N/A, to me  
satisfactorily proven, who, being by me duly sworn, did say that said persons executed the  
foregoing instrument as the free act and deed of such persons, and if applicable in the capacities  
shown, having been duly authorized to execute such instrument in such capacities.



Louise M. Lau

Print Name: Louise M. Lau

Notary Public for the above-noted State and County

My Commission Expires: July 5, 2017

Document Date: March 31, 2017

Number of Pages: 2

Notary Name: Louise M. Lau

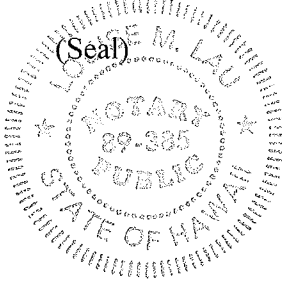
First Judicial Circuit

Document Description: Joinder to Fourth Amendment to Declaration of Condominium Property  
Regime of Mary Savio Medical Plaza Aiea Pearl City

Louise M. Lau  
Notary Signature

March 31, 2017  
Date

#### NOTARY CERTIFICATION



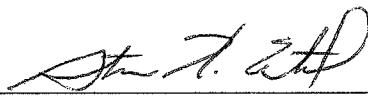
**JOINDER TO**  
**FOURTH AMENDMENT TO**  
**DECLARATION OF CONDOMINIUM PROPERTY REGIME**  
**OF MARY SAVIO MEDICAL PLAZA AIEA PEARL CITY**

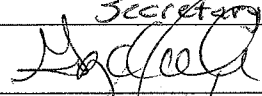
The undersigned, ASSOCIATION OF UNIT OWNERS OF MARY SAVIO MEDICAL PLAZA AIEA PEARL CITY, a Hawaii corporation ("AOUO"), (a) as Mortgagee under that certain Real Property Mortgage and Financing Statement dated April 9, 2015, recorded in the Bureau as Document No. A-55810363, and filed in the Land Court as Land Court Document No. T-9233113 (the "*Mortgage*"), made by KMC PARTNERS LLC, a Hawaii limited liability company ("*Mortgagor*"), which Mortgage affects all of Mortgagor's units in the Project, and (b) through its Board of Directors, as the holder of certain consent rights under that certain Declaration of Condominium Property Regime of Mary Savio Medical Plaza at Newtown dated August 13, 2012, recorded in the Bureau as Document No. A-46440570, and filed in the Land Court as Land Court Document No. T-8296571 (the "*Declaration*"), hereby joins in and consents to the Fourth Amendment to Declaration of Condominium Property Regime of Mary Savio Medical Plaza Aiea Pearl City (the "*Fourth Amendment*").

AOUO is not the developer of the Project and AOUO's joinder shall not, in any way or for any purpose, be construed to mean that AOUO is the developer of the Project or a partner with Declarant in the conduct of its business, or otherwise, or a joint venturer or a member of a joint enterprise with Declarant. The statements set forth in this Fourth Amendment are solely those of Mortgagor and are not and should not be construed as statements made by or representations of AOUO. AOUO shall not be liable for the statements or the conduct of Declarant relating to the development of the Project and is not assuming any such liability in any way by its execution of this document.

Consented to this 13 day of April, 2017.

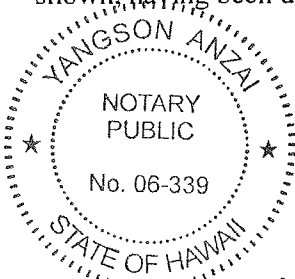
**ASSOCIATION OF UNIT OWNERS OF  
MARY SAVIO MEDICAL PLAZA AIEA  
PEARL CITY,**  
a Hawaii corporation

By   
Name: Steven K. Ertel  
Its: Secretary

By   
Name: GARY S. YONEMOTO  
Its: Treasurer

STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

On this 13th day of April, 2017, before me personally appeared Steven K. Ertel and Gary S. Yonemoto, to me satisfactorily proven, who, being by me duly sworn, did say that said persons executed the foregoing instrument as the free act and deed of such persons, and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.



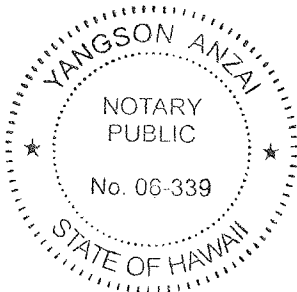
Yangson Anzai  
Print Name: YANGSON ANZAI  
Notary Public for the above-noted State and County  
My Commission Expires: JUN 11 2018

Document Date: APR 13 2017 Number of Pages: 2  
Notary Name: YANGSON ANZAI First Judicial Circuit  
Document Description: Joinder to Fourth Amendment to Declaration of Condominium Property Regime of Mary Savio Medical Plaza Aiea Pearl City

Yangson Anzai APR 13 2017  
Notary Signature Date

#### NOTARY CERTIFICATION

(Seal)



**EXHIBIT A**

<b>CPR NO.</b>	<b>UNIT NO.</b>	<b>TCT NO.</b>
1	101	1,044,426
2	102	1,108,629
3	103	1,106,532
4	104	1,056,416
5	105	1,106,531
6	106	1,061,409
7	107/107A	1,061,738
8	108A	1,106,533
9	109B	1,061,737
10	109/111	1,044,426
11	110	1,051,641
12	113/115	1,085,612
13	114	1,061,126
14	116	1,062,372
15	117A	1,044,426
16	117B	1,044,426
17	118A	1,062,366
18	118B	1,054,752
19	119	1,062,371
20	122	1,062,936
21	202	1,051,762
22	203	1,044,426
23	204	1,051,642
24	205	1,065,427
64	205A	1,071,674
25	206/208/210	1,108,635
26	207/209/211	1,108,630
27	212	1,062,674
28	213	1,108,631
29	214	1,058,049
30	215	1,108,632
31	216/218	1,071,467
32	217A	1,062,675
33	219B/219C	1,136,438
34	220	1,062,937
35	222	1,061,123
36	223	1,052,160
37	224	1,058,486
38	301	1,062,938
39	302	1,055,382

CPR NO.	UNIT NO.	TCT NO.
40	303	1,062,939
41	304	1,100,053
42	305	1,044,426
43	306/306A	1,062,782
44	307	1,062,576
45	308	1,108,633
46	309	1,097,883
47	310A	1,061,298
48	310B	1,061,300
49	311	1,052,538
50	312	1,061,302
51	312A	1,061,304
52	314	1,059,360
53	315	1,108,634
54	316	1,059,361
55	318/320A	1,062,575
56	319	1,054,077
57	320	1,044,426
58	321	1,056,417
63	322	1,064,626
59	324	1,044,426
60	325	1,052,539
61	S-1	1,044,426
62	S-2	1,057,473

### EXHIBIT C

#### Unit Areas and Common Interests

Unit Count	Unit Number	Floor Area (Sq. Ft)	Common Interest
1	101	930.00	1.50%
2	102	744.00	1.22%
3	103	912.00	1.47%
4	104	787.00	1.26%
5	105	834.00	1.35%
6	106	1,134.00	1.82%
7	107/107A	832.00	1.34%
8	108A	571.00	0.92%
9	109B	521.00	0.84%
10	109/111	1,448.00	2.34%
11	110	1,622.00	2.61%
12	113/115	1,689.00	2.72%
13	114	747.00	1.20%
14	116	967.00	1.55%
15	117A	412.00	0.66%
16	117B	416.00	0.67%
17	118A	2,163.00	3.48%
18	118B	929.00	1.50%
19	119	948.00	1.52%
20	122	2,062.00	3.32%
21	202	999.00	1.61%
22	203	1,388.00	2.24%
23	204	673.00	1.09%
24	205	707.00	1.16%
25	205A	400.00	0.65%
26	206/208/210	2,528.00	4.08%
27	207/209/211	1,674.00	2.70%
28	212	843.00	1.36%
29	213	840.00	1.36%
30	214	835.00	1.35%
31	215	1,129.00	1.82%
32	216/218	1,668.00	2.69%
33	217A	1,159.00	1.87%
34	219B/219C	1,608.00	2.59%
35	220	638.00	1.03%

<b>Unit Count</b>	<b>Unit Number</b>	<b>Floor Area (Sq. Ft)</b>	<b>Common Interest</b>
36	222	1,024.00	1.65%
37	223	1,120.00	1.81%
38	224	834.00	1.35%
39	301	1,033.00	1.67%
40	302	835.00	1.35%
41	303	639.00	1.03%
42	304	832.00	1.34%
43	305	369.00	0.61%
44	305A	447.00	0.73%
45	306/306A	831.00	1.34%
46	307	830.00	1.34%
47	308	481.00	0.78%
48	309	527.00	0.85%
49	310A	831.00	1.34%
50	310B	342.00	0.55%
51	311	1,143.00	1.84%
52	312	493.00	0.80%
53	312A	339.00	0.55%
54	314	842.00	1.36%
55	315	1,677.00	2.71%
56	316	834.00	1.35%
57	318/320A	1,186.00	1.91%
58	319	831.00	1.34%
59	320	821.00	1.34%
60	321	1,672.00	2.70%
61	322	484.00	0.79%
62	324	824.00	1.33%
63	325	837.00	1.35%
64	S-1	-	1.00%
65	S-2	-	1.00%
<b>Total:</b>		<b>60,728.00</b>	<b>100.00%</b>