

SYNOPSIS OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

The following is a brief synopsis of the above Covenants, as they pertain to all and any improvements. The complete text, as recorded in the Bureau of Conveyances, State of Hawaii, in Liber 6446, was issued to all property owners at time of purchase.

- 1. ARCHITECTURAL COMMITTEE:** Before any building, garage, wall, fence or any other improvement is constructed or maintained upon the lots or any alteration made thereto, a duplicate set of plans and specifications relating to said construction work shall be submitted to the Architectural Committee. (Addressed as above). One set must be the County approved plans, which will be returned (see also item 16).
- 1. ARCHITECTURAL COMMITTEE. Certificate of Extension Of the Architectural Committee Of The Leilani Community Association. Liber/Page 23129/783 Recorded May 1, 1989).**
- 2. SINGLE FAMILY RESIDENCE:** All lots shall be used for only single family residence, with only one such residence being permitted on any such lot.
- 3. GARAGE:** Every residence shall have a minimum of a 2-car garage or a 2-car carport, which shall be considered as part of the residence.
- 4. MINIMUM SIZE:** No residence shall be constructed which contains less than 800 square feet of livable ground floor space, exclusive of porches, lanais and garage.
- 5. HEIGHT:** No improvement shall be constructed that will exceed 18 ft. in height from the highest point of land within the perimeter of the structure.
- 5. HEIGHT. Residences and other structures built on lots must be built so that the highest point in elevation of the structure must be 18 ft. or lower from the highest point of land in elevation on that lot. (No. 92-115 Finds of Fact, Conclusion of Law, Order Granting motion for Partial Summary Judgement; Judgement Recorded June 10, 1993).**
- 6. TEMPORARY OR SEPARATE IMPROVEMENTS:** No trailer, mobile home, tent, shack, garage or other outbuilding shall be constructed prior to or during construction of a residence.
- 7. NUISANCE:** No noxious or offensive activity shall be carried on upon any of said lots, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
- 8. MATERIALS:** All materials used in the construction of any improvement upon any portion of the lots shall be new materials only except that used decorative or structural materials may be used to enhance the appearance of the improvement.
- 9. FOUNDATIONS:** No conventional sub-floor framing shall be exposed from any side of any residence. All sub-floor framing shall be concealed in a manner acceptable to the Architectural Committee.
- 10. DRIVEWAYS:** Driveways shall be a minimum of 12 feet wide at the street and shall be paved during or prior to completion of a residence.
- 10. DRIVEWAYS. Driveway is area between a lot owner's home and the boundary line adjacent to the roadway, the term "paved" allows the use of any smooth surface. (Civil No. 6865 Findings Of Fact, Conclusions Of Law and Judgement Recorded September 28, 1982).**
- 11. ROOFS:** Cedar shakes, cedar shingles, clay tiles, composite materials or metals, shall be among some of the approved roofing materials.
- 12. ANIMALS:** Only dogs, cats or other household pets may be kept on any of said lots, provided that they are not kept, bred or maintained for any commercial purpose and are otherwise kept in accordance with the zoning ordinances, rules and regulations otherwise applicable.
- 13. SIGNS:** No signs of any kind shall be displayed to the public view on any of said lots except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent; or signs used by a builder to advertise th property during the construction and sales period.
- 14. RUBBISH AND TRASH:** None of the lots shall be used or maintained as a dumping ground for discarded or old vehicles, rubbish, trash, garbage or other waste. No such material shall be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean sanitary condition.
- 15. ALL CONVEYANCES SUBJECT HERETO:** All deeds, mortgages, agreements of sale, leases, or other conveyances made or delivered by any legal or equitable owner of any lot or interest therein shall be subject to the same covenants, conditions and restrictions as in this Declaration set forth whether expressly contained in such conveyances or not.
- 16. BUILDING PERMIT:** No work shall be commenced on the construction of any improvement until such building permit has been obtained from the Building Department of the County of Hawaii as required by law or ordinance.
- 17. COMMUNITY ASSOCIATION:** Each owner shall be a member in good standing of the LEILANI COMMUNITY ASSOCIATION, a Hawaii nonprofit corporation, and shall pay all assessments levied and billed according to law. Unpaid assessments shall constitute a lien against subject property, which may be enforced by suit for money judgement or may be foreclosed by the Association in the same manner as a real estate mortgage may be foreclosed.

COVENANTS RUNNING WITH THE LAND. The covenants, conditions and restrictions shall run with the land, and are of record with the Bureau of Conveyances of the State of Hawaii.

ADDRESS SERVICE REQUESTED

Leilani Community Association
P.O. Box 361
Pahoa, Hawaii 96778



Leilani Community Association

NEWSLETTER

LEILANI HALE LOA, 13-3441 MOKU STREET, P.O. BOX 361, PAHOA, HAWAII 96778, PHONE/FAX (808) 965-9555
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A MESSAGE FROM THE PRESIDENT

By Al Dettweiler

Aloha and greetings to all the members of the Leilani Association. This year your board is busy working on a few projects to improve road maintenance and to upgrade the community property. As you know, from the last newsletter, the board purchased a new cutter head for the side-arm mower. So now our maintenance man will be able to cut back the bigger seedlings of Albizia. As I mentioned in past newsletters, these trees grow up to 5 feet the first year. We are hoping to be able to cut these trees back about 10 feet from the road where its possible.

The Community Park will be upgraded with a new exercise unit and we also are in the process of finishing the stone wall in front on the community building. This will give the park the finished look it needs and we will also have a new stone fireplace to grill your hot dogs / hamburgers / whatever. We hope that this will aid in the community picnic and also be available to the community for their own parties.

There has been great concern about outside restroom. We now only have one unit and that is also ADA accessible. The board wanted to have a separate building located close to the pavilion. The board had an Architect draw a draft plan and asked for bids from contractors. We only had one bid and that was around \$70,000.00. So as for now, the board has decided that to answer the immediate needs of the park we will split the office restroom. There will be an outside entrance with its own toilet and sink. This will give our facility accessible restrooms. The board will have to form a committee and submit plans and a cost analysis, and how to raise the necessary funds.

Building a new building is considered a CIP (capital improvement project) and the board cannot use the annual assessment money for that purpose. This means that the board either would have to add a special assessment of about \$45.00 per lot for one year or grant money. There maybe some funds available if the community as a C.E.R.T (Community Emergency Response Team). There are federal grant funds

available for the CERT program. Also there is grant money for communities available, but the Association will need a grant writer to do this.

2008-2009 ELECTION RESULTS

by Jean Kristanko

The new Board of Directors for 2008-2009 are: Officers - Alfred Dettweiler, President; Mark Hauanio, Vice President; Richard Robbins, Treasurer and Marcie Ughoc, Secretary. Directors - Vern Rice, John Vurich, and Wymond Wilds.

Normally seven are on the board but only six were nominated this year. Wymond Wilds applied to be the seventh member and was accepted. Others were interested but did not apply in the required way, in writing.

LONG HOUSE RENOVATIONS

By Al Dettweiler

The board, representing all land owners in Leilani Estates, would like to extend a big Mahalo (thank you) to Rich Willing and Russ Schultz for the bathroom renovations to the Long House. We now have two outside bathrooms that are open 7 am to 7 pm daily for benefit to the members using the park area. The inside bathroom has been upgraded in the process. The kitchen area in the meeting hall has been upgraded and made into a more efficient area. All the labor was donated by these two excellent workers and the work was done in record time. Leilani is fortunate to have these two members who are community minded. Once again, THANK YOU.

Aloha and A hui hou

GENERAL MEMBERSHIP MEETING

Leilani Community Association will hold the General Membership Meeting on **Saturday, September 20, 2008**, at 2:00 p.m. at the Rec Center, 13-3441 Moku Street. All members are welcome and encouraged to attend.

