

**ACTION BY UNANIMOUS WRITTEN CONSENT
OF THE BOARD OF DIRECTORS
OF THE
KU'AU BAYVIEW AT PAIA HOMEOWNERS' ASSOCIATION**

WHEREAS, it is deemed desirable and in the best interests of this Corporation that the following actions be taken by the Directors of this Corporation pursuant to this Unanimous Written Consent,

NOW, THEREFORE, BE IT RESOLVED that, pursuant to applicable law and Article IV, Section 2(d) of the Bylaws of the Corporation, the undersigned, being all of the Directors of this Corporation, hereby consent to, approve, and adopt the following:

- 1) that the Kuau Bayview Rules #14 be amended to clarify that hedges along property lines fall within the height limit of six feet; the wording will be changed to read as follows:

14	Having a fence (or hedge-used-as-a-fence) that exceeds the height limit of 6' above the average grade of the lot, or having the fence structural supports showing on the outside of the fence.	CC&Rs p11, 10b xvii	\$100
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- 2) that the Kuau Bayview Rules be amended to remove Rules #16 and #17, as the 1996 Telecommunications Act preempts HOA covenant restrictions on dish antennae, and HRS Section 2. Section 196-7 preempts HOA covenant restrictions on solar devices;
- 3) that a lawsuit be filed in Small Claims Court to recover the maintenance & late fees for Lot 50, which fees will be more than 90 days past due as of April 1, 2004;
- 4) that the Annual Homeowners' Meeting be rescheduled to May 26, 2004 due to time constraints for the Directors resulting from the April 26, 2004 court date to recover \$1555 from former bookkeeper, Lyn Erickson;
- 5) that the voting rights be suspended at the Annual Meeting for all members who are "in default in the payment of any assessments levied by the Corporation or the observance of any provision of the Declaration" in accordance with the Kuau Bayview Bylaws, Section 2(c);

This Unanimous Written Consent shall be filed in the Minute book of the corporation and become a part of the records of the corporation.

Dated: March 29, 2004.

Ann Pitcaithley, President

Brian Ross, Secretary/Treasurer

George-ann Kealoha, VP