

**ACTION BY WRITTEN CONSENT
OF THE KUAU BAYVIEW BOARD OF DIRECTORS
September 1, 2012**

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 a majority of the Directors of this Corporation, hereby consent to, approve, and adopt the following motions:

- 1) To send Lot 50 owner, David Irwin, a formal letter of apology from the Board of Directors for the misdeeds that were perpetrated upon him by previous Boards, along with a promise to treat him with respect and fairness in future. All liens will be lifted and his overpayment will be refunded by KB check #1020 in the amount of \$66.00. A notarized Certificate of Estoppel will be provided him to ensure this settlement is permanent.
- 2) To approve the rock wall construction along Lae Street at a cost not to exceed \$10,000 in total. The Board is awaiting documentation from the A&B attorney regarding the Association landscaping easement that runs along the Lae St side of Lots 41, 42, and 43.
- 3) To send attorney Shannon Imlay a letter rescinding the power of attorney granted her by the 2011 Board to file liens and foreclose on Kuau Bayview homeowners, and directing her to take no further actions on behalf of the Association unless specifically requested.
- 4) To adopt a policy of not using lawyers in dealings with owners except as a last resort. The 2012 Board wishes to employ a non-confrontational method of understanding and compassion when it comes to owners which results in better results and embodies the aloha spirit we wish to bring to the Kuau Bayview Ohana. Liens will be used to collect fees only when a house is going into foreclosure. The homeowners are our neighbors and friends and, when they are having financial difficulties, rather than increasing their burden, the Board will work with them in an amicable way to resolve issues.
- 5) To send Aloha Property Management a check to cover their \$395 fee (plus tax) for August. Walter Clur has been a wonderful source of expert guidance for the Board.
- 6) To reduce late fees from \$15 to \$10 per month and to lift the moratorium that has been in effect since July 1, 2012 due to Valley Isle Management's failure to return the Association's financial data in an accessible form. Late fees will be charged for fees overdue as of October 1st, 2012.

/s/ Luba Reeves
Luba Reeves, President

/s/ Dan Judson
Dan Judson, Secretary

/s/ Ann Pitcaithley
Ann Pitcaithley, Treasurer

/s/ Stan Goosby
Stan Goosby, Director

/s/ Tom Atkins
Tom Atkins, Director

Opposed: Marcy Martin & Nancy Firestine