

OCEAN POINTE DESIGN GUIDELINE COMPILATION

Ke 'Āina Kai Design Guidelines

Mariners Place Townhomes Design Guidelines

Ke Noho Kai Design Guidelines

Spinnaker Place Townhomes Design Guidelines

Ke'alohe Kai Design Guidelines

The Town Homes at Fairway's Edge Design Guidelines

I. INTRODUCTION

A. NEIGHBORHOODS

The Ocean Pointe master planned community consists of six (6) residential neighborhoods:

NEIGHBORHOODS	SINGLE-FAMILY HOMES	MULTI-FAMILY HOMES
Ke 'Āina Kai	X	X
Mariners Place Townhomes ("Mariners Place")		X
Ke Noho Kai	X	X
Ke'alohe Kai	X	
Spinnaker Place Townhomes ("Spinnaker Place")		X
Townhomes at Fairway's Edge ("Fairway's Edge")		X

B. RESTRICTIONS AND CONDITIONS

1. Master Declaration. All of the residential neighborhoods in Ocean Pointe are subject to the "Declaration of Covenants, Conditions, and Restrictions for Ocean Pointe (Residential)"¹ ("Master Declaration"). The Master Declaration provides for the creation of the design review committee (the "Design Review Committee" or "DRC") and design guidelines to maintain the uniformity of the exterior appearance of the residential neighborhoods within Ocean Pointe (each a "Design Guideline", collectively, the "Design Guidelines").

2. Special Restrictions.

a. DPP. Ke 'Āina Kai, Mariners Place, Ke Noho Kai and Ke'alohe Kai were developed under the regulations of either cluster housing permits or planned development housing permits ("Optional Development Regulations") issued by the Department of Planning and Permitting ("DPP") of the City & County of Honolulu (the "City") or its predecessor. Optional Development Regulations permit flexible planning in the placement and mixing of housing types, creating generous common areas to be enjoyed by the entire community. In exchange, Optional Development Regulations restrict redevelopment and expansion and these restrictions are evidenced by a declaration of restrictive covenants recorded on title to each of the Lots or Units developed under the Optional Development Regulations.

b. CPR. Additional restrictions are found in the declaration of condominium property regime (each a "Declaration of CPR") for each multi-family project. The "Apartments" created under the Declaration of CPR owned by individual owners, consist of the interior spaces within the walls of the Dwelling Units contained in the residential buildings and interior spaces within the walls of any garage appurtenant to those Dwelling Units. An undivided interest in the common elements of the multi-family project is owned by the individual owner, however, the association of apartment owners ("AOAO") controls the common elements, with the exception of the limited common elements reserved for the exclusive use of an Apartment.

The Design Guidelines for the multi-family projects do not require DRC approval of interior installations or interior renovations that are not visible from the outside.

¹ Dated September 15, 1998, and filed with the Assistant Registrar of the Land Court as Land Court Document No. 2486145.

3. Summary. This table summarizes the relevance of the documents containing general and special restrictions and conditions on construction activities applicable to each neighborhood.

	Ke 'Āina Kai		Mariners Place	Ke Noho Kai		Ke'alohe Kai	Spinnaker Place	Fairway's Edge
	SF HOMES	MF HOMES		SF HOMES	MF HOMES			
Master Declaration	X	X	X	X	X	X	X	X
Permit 96/CL-1 and Declaration of Restrictive Covenants	X	X	X					
Permit 2000/PDH-3 and Declaration of Restrictive Covenants				X	X			
Permit 2003/PDH-3 and Declaration of Restrictive Covenants						X		
Declaration of Covenants, Conditions and Restrictions ("Sub-Association Declaration")	X	X		X	X	X		
Declaration of Condominium Property Regime and Condo Map ("CPR")		X	X		X		X	X

C. HISTORY OF THE DESIGN GUIDELINES

In compliance with the Master Declaration, each developer of a neighborhood established initial Design Guidelines and set procedures for all construction activities in each residential subdivision within the Design Guidelines. The Master Declaration created the DRC to, among other things, review and approve all applications for externally visible construction and modification of residential improvements at Ocean Pointe in accordance with such Design Guidelines. Presently, there are separate Design Guidelines for each of the six (6) neighborhoods.

D. PURPOSE OF THIS COMPILATION

The different Design Guidelines have been compiled into this Ocean Pointe Residential Design Guideline Compilation (this "Compilation") to:

- Facilitate the transition of the DRC from the Master Declarant to the Ocean Pointe Residential Community Association (the "Master Association");
- Improve consistency in requirements between Design Guidelines and residential neighborhoods to the extent permitted by law (e.g. the Optional Development Regulations);
- Include or identify the source of entitlement or development permit obligations and restrictions;
- Facilitate the process for design review for the Owners and Associations (defined in Appendix I); and
- Facilitate the operation of the DRC.

Capitalized terms used herein shall have the meaning set forth in Appendix I.

DESIGN REVIEW PROCESS

II. DESIGN REVIEW PROCESS

A. DESIGN REVIEW COMMITTEE

1. Membership. The DRC shall consist of three to five members. The members of the DRC may, but need not, be members of the Association or representatives of members. The DRC may, but need not, include architects, engineers or similar professionals.

The address for the DRC is:

91-6545 Kapolei Parkway
‘Ewa Beach, HI 96706

2. Responsibilities. The DRC has jurisdiction over all construction, additions, alterations or repairs on any residential development in Ocean Pointe. The DRC responsibilities include:

- a. preserving the visual character of improvements within Ocean Pointe.
- b. regulating the exterior appearance of buildings, including landscaping, to maintain consistency with the intentions of the original designs of the developers.
- c. reviewing all applications for construction, additions, modifications, and site improvements visible from streets or neighboring properties.

Therefore, no improvements shall be placed, erected, constructed or installed (including, but not limited to, staking, clearing, excavation, grading and other site work, exterior alteration of existing improvements, and planting or removing of landscaping materials) upon any lot within Ocean Pointe except in compliance with the approval of the DRC; provided, however, that certain activities may not require the approval of the DRC when such activities are undertaken in strict compliance with the terms and conditions of the Design Guidelines.

B. SUBMITTALS

1. Types of Reviews. Four types of reviews have been created by the DRC. A short description (more detail is provided in Appendix I – Definitions) of each type of review and a summary of the information provided below are included in the following table:

REVIEW TYPE	PRELIMINARY	MAINTENANCE & REPAIR	MINOR		MAJOR
			ARCHITECTURAL	LANDSCAPE	
DESCRIPTION	Initial, non-binding review	Replacement of existing improvements	Minor site improvements and structures	Any other than replacement & replanting of identical plants	Additions & modifications
SUBMITTALS	Conceptual or schematic drawing	Plot plan, samples, colored brochures & photos	Plot plan, roof plan (if applicable), detailed drawings, brochures, & samples	Plot plan, drawings, & other information required by the DRC	Plot plan, building plan & specs, & elevations
FEE	\$25	\$50	\$100		\$200

2. Application for Design Review. Owners must complete one copy of the Application for Design Review (“Application”), and submit it together with the applicable fee and documentation set forth below. Application forms can be obtained from the DRC, whose office is located at the address listed

above. Applications for Major Projects require the prior notification of the Owners of adjacent Dwelling Units. Consent is not required from the Owners of adjacent Dwelling Units.

The DRC will not consider any Application that is incomplete or from an Owner who is not in good standing, i.e., has outstanding violations of:

- the Master Declaration,
- these Design Guidelines,
- the special conditions and restrictions identified above,
- any Sub-Association Declaration, rules, regulations, and
- any Declaration of CPR.

3. Documentation Requirements. Owners must submit sufficient copies (one copy for each member of the DRC) of the following documentation with their completed Application:

- a. Preliminary Review (When applicable): A conceptual or schematic design sufficient to illustrate the general nature and scope of the proposed work, including information on materials, finishes and colors.
- b. Maintenance and Repair:
 - i. A Plot Plan (scale: 1 inch = 20 feet) indicating diagrammatically the extent of the proposed Maintenance and Repair work;
 - ii. Material and color samples, mounted on 8 1/2" x 11" cards; and
 - iii. Brochures and/or color photos.
- c. Minor Architectural Projects:
 - i. Plot Plan (scale: 1 inch = 20 feet) clearly indicating the location of proposed attachment or structure on the Plot Plan;
 - ii. A roof plan showing the location of proposed roof attachments, if applicable;
 - iii. Detailed design drawings for any custom design;
 - iv. Original manufacturers product brochures for any ready-to install or pre-fabricated products; and
 - v. Material and color samples, mounted on 8 1/2" x 11" cards.
- d. Minor Landscaping Projects:
 - i. Plot Plan (scale: 1 inch = 20 feet), indicating the location of all landscape and paving work, with names of new planting materials;
 - ii. Information concerning irrigation systems, drainage, lighting or any changes in utility services, as applicable; and
 - iii. Drawings for any grading work reflecting that drainage will not be altered from its original state.
- e. Major Projects:
 - i. Plot Plan (scale: 1 inch = 20 feet), indicating the footprint of proposed addition or alteration

- ii. Building Plan (scale: 1/4 inch = 1 foot), at the "schematic design/design development" level of detail, properly drafted, showing any structural modifications, current square footage, square footage additions, electrical work, drainage and any other pertinent information necessary for the DRC to review the proposed changes. If such modification requires the signature of a licensed professional to be filed with DPP, the drawings submitted to the DRC must also bear the signature of the same licensed professional.
- iii. Specifications, including but not limited to product brochures and material and color samples, mounted on 8 1/2" x 11" cards.
- iv. Building Elevations (scale: 1/4 inch = 1 foot), of all exterior elevations of addition showing roof pitches, eave height, overall roof height, materials and colors. The color scheme of original structure must be indicated.
- v. Drawings for any grading work reflecting that drainage will not be altered from its original state.

All Plans and Drawings should be submitted on the paper size appropriate for the scale indicated for such Plans and Drawings, but not smaller than 11" x 17". All Specifications, product literature and other similar information may be submitted on letter sized paper.

4. Fees. Owners must submit the following fees with the completed Application and the required documentation set forth above:

- a. Preliminary Review: \$25.00.
- b. Maintenance and Repair: \$50.00; provided however, that no fee is required if the work replaces existing materials and colors with substantially identical materials and colors.
- c. Minor Projects (both Architectural and Landscaping): \$100.00
- d. Major Projects: \$200.00

No fees shall be charged for the installation of: (a) a photovoltaic device; (b) an antenna or transmission reception dish; or (c) an electric vehicle charging system.

If an Application is submitted after work has commenced, the Fee shall be two times the amount provided above.

5. Consultant's Fees. If the DRC determines that an Application requires the review of a professional consultant, including architects, engineers and other professionals, the DRC may charge the consultant's fees to the Owner (in addition to the DRC's basic review fee); provided that before any consultant review is commenced, an estimate of the consultant's fee shall be determined and provided to the Owner in writing, and the Owner shall have provided the DRC a cashier's check for the full amount of the estimate prior to review of any Application. The consultant may be a member of the DRC.

6. Expenses. The DRC may charge any reasonable out-of-pocket costs incurred by the DRC or its members in connection with the DRC's review of an Application. Such costs or expenses shall be in addition to the DRC's basic review fee and any consultant's fee.

7. Prior to Submittal to DRC. Before submitting an Application for Design Review, the Owner or the Owner's design professional shall ascertain as completely as possible that the proposed work complies with the relevant general and special conditions and restrictions noted above, the LUO, and the Building Code, as well as requirements of other permits issued by the City or other agencies.

The Owner shall submit their Application for Design Review to their AOA Board if the approval of the AOA Board is required under the Declaration of CPR governing their development. Upon the AOA Board's review and approval, the AOA Board shall forward the Owner's Application for Design Review together with a cover letter noting the AOA Board's approval (and any conditions thereto), and confirming that the Owner is in good standing with the AOA.

C. REVIEW

DRC's review process begins when the DRC receives a complete Application and all required documents and fees. In reviewing each Application, the DRC may consider the quality of workmanship and design, harmony of the design with existing structures, and location in relation to surrounding structures, topography, and finish grade elevation, among other things.

D. APPROVAL

1. Preliminary Review Approval. Preliminary Review Approval shall be provided in writing mailed to the address listed in the Application. Upon receipt of written approval of an Application for Preliminary Review, the Owner may proceed with an Application for full approval, by submitting a new Application, the required documents and fees, and a copy of the written notice of Preliminary Review Approval from the DRC.

2. Full Approval. Written approval of an Application, in the form attached as Appendix II, will be mailed to the address on file with the Managing Agent. Once an approval has been granted by the DRC, no substitution of materials or colors is permitted.

The DRC shall retain one copy of all submittals in their records together with a record of the DRC's decision. The other copies shall be kept at the DRC office for fourteen (14) calendar days for the Owner's retrieval, provided that such submittals shall be discarded immediately thereafter.

Written approval from the DRC must be obtained prior to any submittal to the City and prior to the start of any work; provided however, that the DRC, in its sole discretion, may temporarily waive the approval process for casualty or other emergency repairs. A building permit issued by the City does not guarantee approval from the DRC, and approval granted by the DRC does not guarantee the issuance of a building or other permit from the City. If construction or improvement work is started without the proper approvals, the DRC will issue a notice to suspend all site and building work until written approval has been obtained. The DRC is not responsible for any cost incurred by suspending construction.

Any approval by the DRC does not relieve the applicant from:

- a. Working with a licensed architect or engineer to ensure the plans submitted to the DRC are complete and buildable when submitted;
- b. seeking and securing all applicable governmental approvals and permits prior to commencing construction or renovation of any improvements at Ocean Pointe;
- c. consulting with governmental entities having jurisdiction over the Dwelling Unit; and
- d. complying with all lawful directions from such governmental entities.

Additionally, any approval by the DRC does not warrant that the proposed improvements will be: (a) individually pleasing to the parties; (b) architecturally sound; (c) structurally sound; (d) economically sound; (e) fit for their intended purpose; (f) useful for any purpose; or (g) in compliance with any building codes or other laws, regulations, rules or ordinances, or the special conditions and restrictions applicable to the proposed improvements.

Finally, the DRC's approval of any proposals, plans and specifications, or drawings for any work done or proposed, or in connection with any other matter requiring approval, shall not be deemed to constitute a waiver of the right to withhold approval as to any similar proposals, plans and specifications, drawings, or other matters subsequently or additionally submitted for approval.

3. Lapse of Approval. Landscaping work shall be completed within thirty (30) days of DRC approval. Maintenance and repair, and minor work shall commence within six (6) calendar months of DRC approval. Major work shall commence within twelve (12) calendar months of DRC approval. Any approval shall be deemed revoked if the approved construction, reconstruction, alteration or other work has not commenced within these time periods. If approval shall lapse, the Owner shall resubmit an Application and the required documentation and fees. The DRC shall not be bound by any previous decision, but shall either approve or deny the Application upon such resubmission.

E. DENIAL

1. Written Notice. Notice of Denial of any Application shall set forth the reasons for denial, cite the specific provisions warranting such denial, and shall be mailed to the address on file with the Managing Agent.

2. Incomplete Submittal. If the Application and required documents are incomplete or the DRC has questions regarding the proposed construction reflected in the Application, the DRC shall relay their comments and questions to the Owner. Provided the Owner shall submit any additional documentation necessary to address the comments and questions of the DRC within seven (7) calendar days or such other reasonable time period determined by the DRC, the DRC shall reconsider the Application and additional information at the DRC's next regularly scheduled meeting. If the DRC does not receive the additional information necessary to address the DRC's comments and questions in a timely manner, the DRC shall deny the Application at the DRC's next regularly scheduled meeting.

If an Application is denied due to the Owner's failure to comply with these Design Guidelines, within sixty (60) days of receipt of the Notice of Denial, the Owner shall restore the Lot or Dwelling Unit to substantially the same condition as existed immediately prior to the commencement of the work, at the Owner's sole cost and expense.

F. RESUBMITTAL.

1. General. There is no charge for the initial resubmittal in response to the DRC's comments and questions upon the DRC's rejection. Fifty percent (50%) of the original fee will be charged for other subsequent submittals or for any resubmittal involving revisions substantial enough to be considered a new design.

2. Non-Compliance. If any work is not performed in strict accordance with plans and specifications approved by the DRC, the applicant shall be assessed fees **TWO TIMES** the amount provided above for by the DRC for review of any proposed revised plans and/or specifications for the remediation of any non-compliant work. Although DRC does not charge fees for its review of any planned installation of photovoltaic devices, antennae or transmission reception dishes, or electric vehicle charging systems, the applicant shall be charged a fee of \$_____ for review of any proposed revised plans and/or specification for the remediation of any non-compliance installation.

G. VARIANCES.

1. **Hardship.** The DRC may authorize variances when circumstances, such as topography, natural obstructions, aesthetic or environmental considerations require, but only to the extent warranted by such circumstances. No variance shall: (a) be effective unless in writing; (b) be contrary to the Master Declaration; (c) be contrary to any special restrictions or conditions applicable to the Lot or Dwelling Unit, or other governmental regulation; or (d) prevent the DRC from denying a variance in other circumstances. For purposes of these Design Guidelines, the inability to obtain approval of any governmental agency, the issuance of any permit, or the desired terms of any financing shall not be considered a hardship warranting a variance.

2. **Design Variances.** A variance in material or color will be considered at the discretion of the DRC if an approved material or color is discontinued, or if a proposed new material will enhance the aesthetic appearance of each neighborhood. For other variances, an Owner may submit an Application for Preliminary Review of Design Variances. If the proposed improvement has significant merit, the DRC may issue a Notice of Approval of Preliminary Review, at which time the Owner should proceed with an Application for full approval. Upon review and approval of the Application and required submittals, the DRC may issue its written approval together with a Variance Approval notice.

H. UPON COMPLETION.

Upon 100% completion of any work, the Owner shall certify, on the form provided by the DRC, that the work completed substantially complies with the DRC approved documents. If a building permit was required, the Owner shall retain the job site set of drawings, specifications and other calculations, stamped and signed by the licensed professional preparing the drawings, specifications and calculations, stamped by the City, and containing the contractor's certification that the completed work complies with such plans (the "Job Site Plans"), and make the Job Site Plans available to the DRC when and if requested by the DRC.

DESIGN GUIDELINES

III. DESIGN GUIDELINES

In the event of inconsistencies between the requirements of the Master Declaration, these Design Guidelines, any applicable DPP Declaration of Covenants, any applicable Project Declaration and any applicable Declaration of CPR, the stricter requirements shall apply.

A. SPECIFIC GUIDELINES

Restrictions and conditions not applicable to all neighborhoods have been organized and placed in the following appendices attached to this Compilation:

APPENDIX	NEIGHBORHOODS
III	Ke 'Āina Kai
IV	Mariners Place
V	Ke Noho Kai
VI	Spinnaker Place
VII	Ke'alohe Kai
VIII	Fairway's Edge

Generally, the restrictions and conditions have been organized in the following order within these appendices:

SECTION	SUBJECT
A	MATERIALS AND COLORS
B	LANAI AND ENTRY ENCLOSURES
C	EXTENSIONS OR EXTERIOR MODIFICATIONS
D	STANDARD OPTIONS
E	MAINTENANCE OF SERVICE LANE TREES

Section E does not appear in Appendices IV (Mariner's Place), VI (Spinnaker Place) and VIII (Fairway's Edge) as these Townhome projects do not contain rear Service Lanes. Appendix VII (Ke'alohe Kai) includes a landscaping setback applicable only to perimeter lots in Ke'alohe Kai. Appendix VIII (Fairway's Edge) includes additional landscaping restrictions applicable to Townhomes adjacent to the golf course.

B. GENERAL GUIDELINES

This section of the Compilation contains the restrictions that are applicable to all residential neighborhoods within Ocean Pointe.

1. Planning and Site Work.

a. Setbacks. All setbacks that applied to the original construction apply to new improvements. The Owner cannot build or install any improvements within any setback or upon any easement shown on the approved plot plan on file at DPP.

b. Setbacks at Intersections and Bends. No construction or installation of any improvements or landscaping is permitted within site distance easements ("Traffic Sightline Distance Areas of Control") designated on the subdivision maps on file with the Land Court of the State of Hawai'i, except as permitted in these Design Guidelines and with the approval of the DRC. Landscaping at all other street intersections (or intersections of service lanes and streets) shall be maintained to permit safe sight across the corners, subject to additional limitations set forth in the Design Guidelines.

c. Easements. The Owner should verify that the proposed improvement does not encroach into any easement in or near the Lot.

d. Grading. All grading, excavation, fill and site work shall be done only in accordance with approved drawings and at the expense of the Owner. Grading shall not alter existing drainage patterns in front or rear yard areas. Excavation, footings or drainage areas extending beyond the subject property line are not allowed. All fill materials brought to the site must be free of termites and deleterious matter.

e. Drain Inlets. No connection or alteration to rear yard drain inlets and other drainage inlets are allowed. Inlet locations and drainage patterns must be maintained.

2. New Construction. All structural additions, alterations and new construction must use materials and colors that are substantially similar to those utilized in the original construction. A variance will be considered, at the discretion of the DRC, if any of the approved materials and colors are discontinued, or if a proposed new material will enhance the aesthetic appearance of Ocean Pointe. All materials used for new construction, as well as for repair and replacements, shall be new, and termite- and fungus-free.

Other than routine maintenance and touch-up (less than 10% of the total surface area), including repainting with an existing original color, DRC approval is required for painting, including painting to match existing colors. Building additions are required to match the existing structure. The Owner shall carry the new paint to a natural breaking point in the Dwelling Unit or garage such as a corner, change in plane, or a change in materials, in order to blend with the existing paint.

Except for photovoltaic device installation, no exterior wiring, plumbing, piping, ductwork or concealed chases shall be attached to the exterior of any Dwelling Unit or structure. All wiring, plumbing, piping or ductwork shall be installed within the interior of the building, in concealed attic spaces or within existing wall cavities.

3. Landscaping. All landscaping must be approved by the DRC. However, it is incumbent upon the Owner to confirm the planned landscaping complies with the Master Declaration of Covenants and any relevant Optional Development Regulation, DPP Declaration of Covenants or Declaration of CPR. Furthermore, Appendix VII (Ke'alohe Kai) and Appendix VIII (Fairway's Edge) contain additional landscaping restrictions.

a. Planting Materials List. The Owner or occupant shall select plant materials from the lists contained below.

i. Flowering and Non-Flowering Trees.

Alahe'e	Kou Haole (Geiger Tree)	Rose-flowered Jatropha
Dwarf Poinciana	Lignum vitae	Silver buttonwood
Dwarf White Tecoma	Manila Palm	Stiff Bottlebrush
Italian Cypress	Naio	Tahitian gardenia
Japanese Yew	Puakenikeni	Tulipwood

ii. Fruit Trees.

Banana	Jaboticaba
Citrus – Varieties	Papaya
Dwarf Banana	Pomegranate

iii. Palms.

Alexander Palm	Foxtail Palm	Princess Palm
Alexandra Palm	Giant Bird of Paradise	Queen Palm
Areca Palm	Joannis Palm	Red Sealing Wax Palm
Bottle Palm	Kentia Palm	Rhapis Palm
Cabada Palm	Licuala Palm	Sago Palm
Cardboard Palm	Loulu Fan Palm	Silver Palm
Clustering Fishtail Palm	MacArthur Palm	Spindle Palm
Dwarf Date-Phoenix	Manila Palm	Thatch Palm
Fiji Fan Palm	Montgomery Palm	Travelers Palm
	Old Man Palm	Triangle Palm

iv. Vines.

Allamanda	Clerodendrum Vine	Mandevilla – Varieties
Asparagus Fern	Creeping Fig	Monstera
Bougainvillea varieties	Galphimia	Orange Trumpet Vine
Bleeding Heart Vine	Huapala	Stephanotis
Cats Claw	Jade	Thunbergia
	Jasmine-Varieties	

v. Ferns.

Birds Nest Fern	Laua’e Fern	Begonias-Varieties
Fishtail Fern	Narrow Sword Fern	Caladiums-Varieties
Kupukupu Fern	Palapalai Fern	Orchids-Varieties
Lacy Hare’s Foot Fern	Southern Maidenhair Fern	Roses-Varieties

vi. Shrubs.

African Iris	Gardenia varieties	Philodendron
Agapanthus	Geranium	Pikake
Bird of Paradise	Ginger varieties	Plumbago
Bougainvillea	Hawaiian Cotton	Showboat
Century Plant	Heleconia varieties	Shrimp Plant
Croton varieties	Hibiscus varieties	Snake Plant
Dragon Tree	Impatiens	Snowbush
Dwarf Bottle Brush	Ixora Varieties	Spathyphyllum varieties
Dusty Miller	Jade Plant	Spider Lily
Dwarf Cycad	Kokutan	Thai Dwarf Ixora
Dwarf Date Palm	Leea	Ti Leaf
Eldorado	Lollipop Plant	Umbrella Plant
Elephant Ear	Monstera	Xanadu
Eranthemum	Natal Plum	Yellow Adler

vii. Hedges.

Croton	Hibiscus varieties	Natal Plum
Eldorado	Leea	Podocarpus
Eranthemum	Mock Orange	Snowbush
Gardenia		

viii. Grasses.

Bermuda	El Toro	Syngonium
Centipede	Seashore Paspalum	Walking Iris
	St. Augustine	Zoysia – El Toro and Z-3

ix. Ground Cover.

African Iris Agapanthus	Joyweed	Portulaca
Agapanthus	Lantana	Pothos
Aloe Vera	Laua'e Fern	Rhoeo
Asparagus Fern	Lilies varieties	Ruellia
False Heather	Liriope varieties	Shore Juniper
Foxtail Asparagus Fern	Marygolds	Society Garlic - Varieties
Golden Glory	Mondo Grass varieties	Spider Plant
Hearts and Flowers	Nehe	Sprenger Asparagus
Heather	Neomarcia	Syngonium
Hemigraphis	Oyster Plant varieties	Walking Iris
Hinahina	Pansies	Wedelia
Impatiens varieties		

b. Maintenance of Existing Landscaping.

i. Private Yards. Owners must maintain their Private Yard's landscaping to the standards and concepts established by the original design. Each Owner shall keep all Private Yards landscaped, adequately watered, pruned, mowed and fertilized at all times. Without limiting the generality of the foregoing, each Owner will maintain all Private Yards as well as areas outside of side yard fences which border the Common Area as well as the landscaping portions of any Service Lanes which are located within an Owner's Lot.

Trees in Private Yards shall be limited in size as follows:

	Townhomes	Single-Family Homes (including Paired Homes)
Maximum Canopy Width	20 feet	20 feet
Maximum Height (Trees)	25 feet	25 feet
Maximum Height (Palms)	40 feet	40 feet

Trees shall be kept trimmed and in good condition. Regardless of the maximum canopy widths permitted above, trees shall be pruned to avoid foliage touching any part of the Dwelling Unit and shall not cross over any fence line to an adjacent Private Yard or to a Common Area or a Common Element. Regular maintenance and trimming will help keep trees healthy and in compliance of these Design Guidelines.

All trees on the Lot are the Owner's responsibility to maintain and replace if they become diseased, die, or become fully overgrown and matured. Trees from the above listing shall be used for planting in Private Yards, provided that all trees planted Private Yards of Townhomes with attached garages shall be planted in pots.

Palms exceeding 40 feet in height shall be removed and replaced by the Owner. Large growing palm species such as coconut, royal and Mexican fan palms are not appropriate for confined areas such as Private Yards and should be replaced with smaller species.

The parkway strip trees are in a Common Area controlled by the Association. However, the Owner of the Lot adjacent to the Common Area shall irrigate these trees.

ii. Common Areas/Common Elements. Service Lanes and Private Roadways have been carefully designed to provide an aesthetically pleasing environment for pedestrians and others using the lanes and roadway. Trees, grass areas, ground cover and hedges are to be maintained in the original locations and similar condition as originally provided by the Developer. **NOTE: Requirements for the maintenance of trees in rear Service Lanes are addressed in the guidelines specific to each neighborhood.**

As provided in the Master Declaration and the Sub-Association Declarations, only the Association is permitted to remove, trim or prune Common Area trees. With the exception of trees in limited common elements (which are the responsibility of the Owner of the Unit), only the AOA is permitted to remove, trim or prune Common Element trees.

If a tree has outgrown the allotted planter space or its roots are damaging roadways, sidewalks or utility boxes:

- A. In neighborhoods subject to an Optional Development Regulation², DPP review is required for any proposed tree removal and replacement. The Association or AOA responsible for maintaining the landscaping must submit a request for tree removal and replacement along with a site plan showing the location of the tree removal and replacement.
- B. In all other neighborhoods, the Association or AOA responsible for maintaining the landscaping may remove the tree and replace it with one of the tree species listed above.

In order to preserve the original intent of the design, paving is only allowed for the width of garage doors or gates. All spaces or intervals between garage doors or gates shall remain landscaped. Should a gate be removed, the Owner is required to replace any concrete or hardscape with landscape material.

²Ke 'Āina Kai, Mariner's Place, Ke Noho Kai, and Ke'ālohi Kai.

Trees planted in rear Service Lanes serve the same purpose as street trees within the public right of way. Owners shall provide water for the irrigation of such trees.

Shrubs or hedges along fence lines planted by the Developer are to remain in place. It is the Owner's responsibility to maintain the planting materials to the standards required by any Optional Development Regulation and the Design Guidelines. The hedges are to be at least 30 inches from the ground and not higher than the top of the fence line. If a gate is added, the shrub or hedge can only be removed for the width of the gate subject to DRC approval.

c. New Landscaping. All new landscaping must be approved by the DRC and comply with the Master Declaration and other conditions and restrictions imposed upon the Owner's property. The Owner shall choose trees from the listing in subsection a.i. above.

Trees shall not be planted within five feet (5') of property lines, utility lines, walls, building foundations and overhangs. Root barriers shall be installed where trees are planted in the vicinity of building foundations or walls. Trees with aggressive root systems, large or high canopies, or which drop large quantities of leaves or fruit, such as African Tulip, Kou, Octopus, Ficus, Monkey Pod, Banyan, Breadfruit, Litchi and Mango, shall not be planted. Poisonous plants and vegetable gardens are also not permitted.

All planting materials, with the exception of ground cover and grass, shall be planted in pots in the Private Yards of Townhomes with attached garages.

4. Public Street Trees. No trees planted by the Developer or Master Developer shall be removed or cut down without prior approval by the DRC and the City. The City's rules forbid any person from injuring or destroying trees in the public right-of-way planting strip in any manner or by any means. The rules also forbid the removal or pruning of such trees, or the planting of new trees in the public right-of-way planting strip without first obtaining a permit from the City. Besides the City, as provided in the Master Declaration and the Sub-Association Declarations, only the Association is permitted to remove, trim or prune public street trees.

5. Exterior Paving.

a. Hardscape in Rear Service Lanes. The rear Service Lanes on Ocean Pointe have been carefully designed to provide an aesthetically pleasing environment for pedestrians and others using the lanes. In order to preserve the original intent of the design, paving is only allowed for the width of garage doors or gates.

b. Single Family and Paired Homes. Paving materials in front Private Yards cannot exceed the width of an approved front fence gate, and is to extend parallel to the side yard. Paving materials are limited to the planter area only and are not to extend into the predetermined lawn or grass areas.

c. Townhomes. Exterior paving materials are generally only allowed in Private Yards unless provided by the AOA.

Private Yard of Detached Garage Townhomes	Private Yard of Attached Garage Townhomes
<p>Minimum setback of 2'-6" from the fence separating the Townhome Unit's Private Yard from adjacent Townhome Units' Private Yards.</p> <p>Townhome Side Yards: For brick pavers set in sand, a minimum of 8" must be left from the edge of the brick paver to the adjacent Townhome Unit's fence line</p> <p>Garage Side Yards: The minimum width may be reduced to 2'-0" where building side yard setbacks are 5'-1 ¼" or less.</p>	<p>Maximum of 50% exterior paving (or hardscape) subject to DRC approval</p>

Townhome Units Adjacent to Golf Course
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<p>Hardscaping, including pavers, is limited to 15 s/f and shall not extend beyond the adjacent side yard solid fence line.</p>

d. Permitted Paving Materials. The following materials are permitted for public pathways in Common Areas and pathways to front door:

- i. Uncolored concrete with sand, trowel or broom finish;
- ii. Natural stone;
- iii. Brick paver tiles in earth tones.
- iv. Stamped concrete in earth tones.
- v. Other permanent paving materials with matte finishes, in neutral or muted earth tones.

Stairs and pathways may be tiled as long as the above color scheme is followed.

e. Paving Materials Not Permitted.

- i. Asphaltic concrete is not permitted except in rear lanes and public right of ways as provided by Developer.
- ii. Carpeting, artificial turf (except for synthetic grasses in the locations described below), or other similar materials.
- iii. Painted surfaces, metallic or similar materials and non-earth tone colors.

6. Synthetic Grasses. The following types of synthetic grasses are permitted in Rear Private Yards upon DRC review and approval:

- a. SYNZoysia X47 (SKU: SZX47);
- b. SYNAugustine X47 (SKU: SAX47);
- c. SYNTipede 343 (SKU: ST343);
- d. SYNReye 214 (SKU: SR214); and

- e. SYN Lawn Play Platinum (SKU: R251P).

Synthetic grass is not allowed in Front Yards or Rear Service Lanes.

7. Fences and Retaining Walls. All fences and retaining walls installed by the Developer shall remain. All new and replacement fences must match the original materials, dimensions, style and quality. No fences shall be higher than six feet measured from the adjacent ground. Fences and wall guidelines are primarily for replacement purposes and changes requested by the AOA. Chain link fences and lattices are permitting in Rear Private Yards provided the chain link fence or lattice does not exceed the height of the existing fence and is not visible from the street. Otherwise, no additional fencing is allowed. All replacement fences are to match the original material, finish and color. No chain link fences or metal fences are allowed nor shall chicken wire, lattice, or other barrier or fencing be placed or installed against or adjacent to the fences installed by the Developer. Solid exterior walls or retaining walls shall comply with any restrictions set forth in the specific guidelines for each neighborhood. All fences in neighborhoods developed under Optional Development Regulations are subject to DPP approved fence master plans.

8. Exterior Lighting. No light source shall be visible from the street or from neighboring Dwelling Units. All exterior lighting shall be subdued or shielded to prevent glare on surrounding properties and streets. Fixtures with full cutoff shields are preferred. The following types of lighting are permitted (Mercury vapor and low/high pressure sodium lamps are prohibited):

- a. low voltage, low-to-the-ground lighting installed for landscaping/garden accents;
- b. security lights, provided that any security light, including motion-sensitive lighting, must be of residential grade (not industrial or commercial) and must match the color of the house or trim;
- c. fluorescent lighting, provided that these fixtures must have an apron around the outside of the light which matches the surface to which it is attached and must block the light/glare to neighboring Dwelling Units and must restrict the light source to the Owner's Dwelling Unit.

All related wiring must be furred or hidden from view. If not possible, then wiring and conduits shall be painted to match the surfaces on which they are fastened.

9. Installation of Electric Vehicle Charging Systems. Electric vehicle ("EV") charging systems may only be installed in the garage of a Dwelling Unit. The DRC's approval for the installation of an EV charging system is only required in those cases where the installation will be in the garage of a Townhome Building or will require trenching from the Dwelling Unit to the Detached Garage. The rules and guidelines for the installation of Electric Vehicle Charging Systems in Townhome Projects is attached as Appendix X.

10. Roofs. New roofs must replicate the original design in form, material and color. The roof pitch shall match that of the Dwelling Unit. Connections between existing roofs and new roof additions must preserve the overall form and architectural style. Flat or Mansard roofs are not permitted, except at covered walkways (where permitted). Roofs made of fabrics (canvas, PVC tarpaulins, etc.) are not permitted.

11. Antennas and Transmission Reception Dishes. Only antennas or dishes permitted under the FCC's Antenna Rule (47 C.F.R. Sec. 1.4000 et. seq.) may be installed. They should be installed in an area within the exclusive use or control of the Owner.

- a. Single Family Homes. Installation at the rear of the Dwelling Unit or on the side of the garage facing the Dwelling Unit, at a height that does not exceed the eaves (gutter line) of the first floor, is preferred, provided such installation does not unreasonably increase the cost of installation, maintenance or use or preclude reception of an acceptable quality signal.
- b. Townhomes. Installation on freestanding poles (that do not attach to either the garage or Townhome Building) at a height that does not exceed the height of the fence line, is preferred, provided such installation does not unreasonably increase the cost of installation, maintenance or use or preclude reception of an acceptable quality signal.

The DRC shall allow alternative locations to the extent these locations unreasonably increase the cost of installation, maintenance or use, or an acceptable quality signal cannot be obtained from these locations. Plans showing the type of antenna (including dimensions and specifications), the location of the proposed antenna or disk, and the name of the television service provider shall be submitted to the DRC no later than seven (7) days prior to installation.

12. Miscellaneous.

All items visible from neighboring properties and streets shall follow the criteria stipulated in this section. The Design Guidelines do not attempt to cover every possible situation, therefore, any improvements or items not specifically covered in the Design Guidelines shall be subject to the review and approval of the DRC.

- a. Installation of Solar Energy Devices. The rules and guidelines for the installation of Solar Energy Devices are attached as Appendix IX.
- b. Barbecues. Barbecues shall be concealed from view from streets and common areas. The applicable setbacks for the property shall also apply to built-in structures. The following features are prohibited:
 - i. Open flame barbecue pit.
 - ii. Smoke that causes annoyance to adjacent residents.
 - iii. Storage of tanks of cooking gas that may be a fire hazard or prohibited by code.
- c. House Numbers and Signage. All signs shall comply with applicable signage laws (signage is subject to the LUO as well as Design Guidelines). The following signs within Lots are permitted:
 - i. House number complying with City ordinances. For Townhome Units, the type of house numbers shall be the same for all Dwelling Units.
 - ii. Signs that may be required by legal proceedings.
 - iii. "For Sale" or "For Rent" signs having a maximum face area of four square feet each, referring only to the property on which it is located. Only one such sign per Lot is permitted at any given time.
 - iv. Security or alarm company signs.

- v. “No Soliciting” signs.
- vi. “Beware of Dog” signs
- d. Exhaust Vents. Allowed provided they are no greater than 12 inches above the roof plane, below the peak of the roof and, to the extent permitted by the Building Code, located to the rear of the home.
- e. Gutters and Downspouts. Gutters and Downspouts are Common Elements under the Declarations of CPR. Downspouts must be located so as to discharge the runoff entirely within the property. All gutter and downspout locations must be clearly shown on the roof plan and Plot Plan submitted with the Application by the Owner or AOA, as appropriate.
- f. Dog Houses and Tool Sheds.
 - i. Single Family Homes. Dog houses and tool sheds visible from the street shall be considered individually. Proposed location must comply with applicable setbacks.
 - ii. Townhomes.

Townhomes with Detached Garage	Townhome with Attached Garage
Dog houses, prefabricated, non-metallic storage cabinets, and children’s play houses may be located within rear Enclosed Private Yards to the extent such structures are not higher than the fence surrounding the rear yard and the Owner provides evidence that they comply with all applicable building codes. Proposed location must comply with applicable setbacks.	Not permitted.

- g. Lanai Drop Blinds.
 - i. General. All designs and colors for lanai drop blinds visible from the street or neighboring properties shall be approved by the DRC. Owners are responsible for ensuring that the blinds are installed inside the eaves of the roof, maintained in proper working condition and are tied down in high winds to avoid causing annoyance to Owners or occupants of adjacent Dwelling Units.
 - ii. Additional Restrictions Applicable to Townhomes.

Townhomes with Detached Garage	Townhome with Attached Garage
Blinds for all lanais of a Townhome Building shall be uniform and agreed upon by all Owners of Dwelling Units in	Not Applicable.

the Townhome Building prior to seeking approval from the DRC.	
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- h. Screen Doors. Screen doors shall be a traditional conservative design generally straight, with clean vertical and horizontal design without any ornamentation and must be of a non-reflective surface matching the paint trim color of the door jamb or white in color. If available the screen door design shall be one of the following styles:

- i. From Screens & Things, Inc (2960 Mokumoa Street): Kawili, Ikaika or Colonial;
- ii. From Home Depot: Chesapeake Bay, Summit Wood, or Kimberley

Security screen doors may be installed when approved by the DRC. All screen doors and security screen doors shall be identical for a Townhome building. Screen doors and security screen doors shall be reviewed by the DRC subject to prior approval by the applicable AOA for Townhomes.

- i. Clotheslines. No laundry or clotheslines shall be hung from any second story.

- i. Single Family Homes: Portable clotheslines may be used in fenced Enclosed Private Yards provided they are less than 6 feet in height and not visible from the roadways, pathways, or other public areas.

- ii. Townhomes:

Private Yard of Detached Garage Townhomes	Private Yard of Attached Garage Townhomes
Portable clotheslines may be used in the Enclosed Private Yard provided they are less than 6 feet in height and not visible from roadways, pathways, or other public areas of the Project.	Portable clotheslines may be used in areas within a Townhome Unit that are not visible from the roadways, pathways, or other public areas.

- j. Party Tents and Temporary Structures. Party tents and temporary structures for a special event may be erected no more than 48 hours prior to the event; provided however, that Declarations of CPR may contain additional restrictions. Tents and temporary structures shall not be attached or fastened to any fence or other Common Element. The Owner is responsible for the removal of such structures within 48 hours after the event. Placement of any temporary structures on any property for any purpose longer than four days will require DRC approval.

- k. Mail Boxes. All mailboxes and exterior design elements shall remain as originally provided by the Developer. Reflective materials may not be used for house numbers. All other materials and surfaces must be finished with paint or specialized coatings to withstand the elements.

- I. Window Tinting and Reflective Surfaces. Non-opaque, non-reflective, window tinting installations are permitted provided they meet guidelines established by the DRC. No reflective finishes or paints shall be used on the exterior of any Dwelling Unit visible from the street or adjacent properties. Owner is responsible for maintaining tinting and that it is aesthetically pleasing.
- m. Air Conditioning. Wall-mounted air conditioning units that are visible from the exterior are permitted only within the fenced area as depicted in the Approved Plot Plan, and the top of the unit may be no higher than four feet above the ground floor. No air conditioner may be installed in any window. Free standing air compressors for central air conditioning or “split units” are allowed provided they meet applicable side yard requirements and height limitations. Compressors are to be mounted on ground and are not to be visible from the street.
- n. Pools.
 - i. Single Family Homes. In ground pools are allowed in rear yard areas of Enclosed Private Yards, provided that the waterline shall be at least five feet (5') from the property line. Above ground pools are not allowed.
 - ii. Townhomes. In ground pools are only allowed in the Recreation Area, if any, controlled by the AOA. Above ground pools and interior jetted tubs are not allowed.
- o. Hot Tubs.
 - i. Single Family Homes. Above ground, premanufactured hot tubs are allowable in rear yard areas of Enclosed Private Yards. Should hot tubs be approved, Owner is responsible for maintaining the hot tub in good working condition and that it is aesthetically pleasing. Owner is responsible for determining that the hot tub complies with electrical service requirements.
 - ii. Townhomes.

Private Yards of Detached Garage Townhome	Private Yards of Attached Garage Townhome
Above ground, pre-manufactured hot tubs will be reviewed for consistency with the Design Guidelines. Should hot tubs be approved, Owner is responsible for maintaining hot tub in good working condition and that it is aesthetically pleasing. Owner is responsible for determining that hot tub complies with electrical service requirements.	Not permitted.
- p. Flag Poles. A maximum of two 3 foot by 5 foot United States, Hawai'i State, or U.S. Armed Forces flags may be displayed on separate projecting (angled) flagpole (not to

exceed 6 feet) on the front or rear of a Dwelling Unit (except from an Attached Garage) over a porch, door or other appropriate location at or below the roof eave line. Flagpoles are not permitted on Attached or Detached Garages. The top of the flagpole may not be higher than 9 feet above the front door entry slab elevation. Freestanding flagpoles are not permitted.

APPENDICES

- I.** Capitalized Terms
- II.** Approval Form
- III.** Ke 'Āina Kai Specific Guidelines
- IV.** Mariners Place Specific Guidelines
- V.** Ke Noho Kai Specific Guidelines
- VI.** Spinnaker Place Specific Guidelines
- VII.** Ke'alohe Kai Specific Guidelines
- VIII.** The Town Homes at Fairway's Edge Specific Guidelines
- IX.** Rules and Guidelines Governing the Placement of Photovoltaic Devices
- X.** Rules and Guidelines Governing the Installation of Electric Vehicle Charging Systems in Townhome Projects.

APPENDIX I

CAPITALIZED TERMS

Air Conditioners. Both window and split system units, condensers and all associated piping are considered part of the air conditioners.

AOAO. The association of apartment owners for the condominium.

AOAO Board. The Board of Directors of the AOAO.

Approved Plot Plan. A lot layout submitted to and approved by DPP under an Optional Development Regulation, and filed with the Assistant Registrar of the Land Court of the State of Hawai'i in a DPP Declaration of Covenants.

Associations. Collectively, the Master Association and the Sub-Associations.

Attached Garage Townhome. A Townhome with an attached garage and a private front yard.

Board of Directors or Board. The Board of Directors of the Master Association.

Building Area. Area of the building "footprint" as defined by the LUO for the purpose of calculating lot coverage.

Building Code. The Building Code of the City.

City. The City and County of Honolulu.

Cluster Housing Permit. Cluster Housing Permit No. 96/CL-1 issued by the City.

Common Area. Service Lanes, pedestrian pathways, parks, and any other real or personal property in which the Sub-Associations hold title or an interest (whether by deed, lease, easement, license, assignment or other instrument) for the use and enjoyment of the members of the Sub-Associations.

Common Elements. All portions of a condominium project, other than the Apartments, established under a Declaration of CPR for the benefit of the Apartments.

Declaration of CPR. The Declaration of Condominium Property Regime applicable to a Townhome Unit.

Design Review Committee (DRC). Design Review Committee created pursuant to the Master Declaration of Covenants, whose duty it shall be to consider and act upon all construction, repair and other improvement activities in Ocean Pointe.

Design Alteration Plan (DAP). A restrictive covenant on file with the City that limits the allowable building location, area and height for additions for each lot.

Detached Garage Townhome. A Townhome with a detached garage in the rear of the Townhome, where the Townhome, garage and fence grouping create a private rear yard.

Developer. Shall mean the following:

- For Ke 'Āina Kai and Mariners Place: Haseko Homes, Inc., a Hawai'i corporation, and any of its successors, successors -in-title, or assigns;
- For Ke Noho Kai and Ke'alohi Kai: Ke Noho Kai Development, LLC, a limited liability company, and any of its successors, successors -in-title, or assigns;
- For Spinnaker's Place: Spinnaker Place Development, LLC, a limited liability company, and any of its successors, successors -in-title, or assigns;
- For Townhomes at Fairway's Edge: Fairway's Edge Development, LLC, a limited liability company, and any of its successors, successors -in-title, or assigns;

DPP. The City's Department of Planning and Permitting.

DPP Declaration of Covenants. The Declaration of Restrictive Covenants recorded against the Lot or Townhome Unit developed under the Optional Development Regulation.

Dwelling Unit (DU). A collection of rooms, containing a single kitchen, constituting an independent housekeeping unit for a family. A Single Family Home or Townhome Unit.

Design Variances. Either: (1) variances in material or color if an approved material or color is discontinued; or (2) uniquely different proposed improvements or improvements not otherwise covered by these Design Guidelines, but that follow the spirit and intent of the Guidelines.

Easement. Private or common lands dedicated for a specific use, in which other uses are limited or not permitted.

Enclosed Private Yard. The fenced area between the garage and Dwelling Unit on lots that are accessible through a rear lane. It also means the fenced rear or partial side yard areas of Dwelling Units that are not serviced by rear lanes.

Excavation. Any disturbance of the surface of the land (except temporary for planting) which results in the removal of earth or rock for a depth of more than 18 inches.

Existing Grade. The topography of the Lot at the time the Lot is conveyed from the Developer to the original purchaser.

Fill. Any addition of rock or earth materials to the surface of the land, which increase the previous elevation of such surface by more than 18 inches.

Finished Grade. Final grade as approved by the DRC and the City and County of Honolulu.

Floor Area. The enclosed building area as defined in the LUO for the purpose of calculating floor area ratios, and maximum floor area allowed by the Optional Development Regulation.

Front (of the building). The side of the building facing the public street used for its address.

Front Yard. The area between the front of the building and public rights-of-way enclosed by an entry gate and fences, not including service and access easements.

Granny Flat. An option available on a limited number of Lots within Ke‘alohi Kai, identified on City subdivision maps as GF (Granny Flat). These Lots allow a kitchen area in expanded rooms that are separated by a fire rated wall from detached garages provided the Lot areas and utilities are adequate.

Improvements. The result of any and all work to improve real property, including but not limited to buildings, patios, garages, driveways, fences, retaining walls, swimming pools, landscaping, and utilities.

Ke ‘Āina Kai Declaration of Covenants. The Declaration of Covenants, Conditions and Restrictions for Ke ‘Āina Kai.

Ke‘alohi Kai Declaration of Covenants. The Declaration of Covenants, Conditions and Restrictions for Ke‘alohi Kai.

Ke Noho Kai Declaration of Covenants. The Declaration of Covenants, Conditions and Restrictions for Ke Noho Kai.

Landscape. (v.t.) To improve the ground by clearing, grading, contouring the land and planting grass, ground cover, flowers, shrubs and or trees. (n:) Completed improvements that meet the Landscaping section of these Guidelines.

Lot. Any legally subdivided parcel of land, together with all improvements constructed thereon.

Lot Coverage. The percentage or ratio of the Lot covered by building area (as defined in the LUO).

LUO. The most current Land Use Ordinance of the City and County of Honolulu.

Maintenance and Repairs Project. The proposed work replaced existing materials and colors with substantially identical materials and colors, including:

- Re-roofing.
- Repainting.
- Replacing or adding gutters.
- Replacing siding and trims.
- Replacing windows and doors.
- Replanting.
- Re-surfacing driveways and exterior paving materials.
- Repairing or replacing fences or walls.

Major Projects. Building or structural work entailing additions and modifications to the building or structure of the original dwelling and garage, regardless of construction cost, including:

- New building or structure.
- Garage extension.
- Lanai extension.
- Roof extension.
- Covered walkways, trellises, gazebos.

- Inground swimming pools, spas and ponds.
- Any other type of site improvements or structures not previously described, or deemed by the DRC to be a Major Project.

Master Association. The Ocean Pointe Residential Community Association, Inc., a non-profit corporation organized under the laws of the State of Hawai'i, and its successors or assigns.

Master Declaration of Covenants. The Declaration of Covenants, Conditions and Restrictions (CC&Rs) for Ocean Pointe (Residential), as the same has been supplemented and/or amended from time to time.

Master Developer. Haseko (Ewa), Inc., a Hawai'i corporation, and its successors, successors-in-title, or assigns; developer of Ocean Pointe.

Minor Projects. For site improvements and the following types of structures:

- Walls, fences, retaining walls.
- Above ground spas, and ponds.
- Driveway slab, patio slab, other hardscaping.
- Installation of photovoltaic devices, electric vehicle charging systems or antennas or transmission reception dishes.
- Landscaping other than replacement and replanting.
- Adding screen doors or other fenestration.
- Installation of pre-approved types of synthetic grass in Rear Private Yards.
- Any other type of site improvements or structures determined by the DRC to be a Minor Project.

OPRCA Staff. An employee of the Ocean Pointe Residential Community Association designated to assist the DRC.

Optional Development Regulation. The terms, conditions and restrictions included in the issued Cluster Housing Permit or PDH Permit, as relevant.

Owner. The person, persons or legal entity which hold the record fee simple title to any Dwelling Unit but excluding in all cases any entity holding an interest merely as security for the performance of an obligation. Owner shall not include Master Developer concerning any Lots owned by the Master Developer.

Paired Homes (Duplex). A duplex unit comprised of two attached single-family homes.

Planned Development Housing (PDH). A flexible planning permit administered by DPP which allows a mixing of housing types and unique planning that is not possible utilizing standard zoning ordinances. Several design requirements of the PDH are reflected in the Design Guidelines and other project documents including the use of open spaces, lanes, building design and landscape standards.

PDH Permit. Planned Development Housing Permits 2000/PDH-3 applicable to the Ke Noho Kai neighborhood and 2003/PDH-3 applicable to the Ke'alohe Kai neighborhood, both issued by the City.

Plot Plan. The plan indicating the lot, surrounding properties and streets, metes and bounds, easements, locations of buildings, and other improvements thereon. The *Approved Plot Plan* shall be that which is duly stamped as approved by the City as part of the building permit for any Lot.

Preliminary Review. Initial, non-binding review of Design Variances.

Private Roadway. Roadway to the sides of and behind the Dwelling Units that are dedicated for vehicular and pedestrian access and utility purposes.

Private Yard. For Single Family Homes, the yard areas, including Enclosed Private Yards, located on lots that have Dwelling Units. For Townhomes, the fenced area between the garage and Dwelling Unit in a Detached Garage Townhome; or the fenced area at the main entrance to the Dwelling Unit for an Attached Garage Townhome.

Project Declaration. Individually, or collectively, the Ke 'Āina Kai Declaration of Covenants, the Ke 'ālohi Kai Declaration of Covenants and/or the Ke Noho Kai Declaration of Covenants.

Property Line. The imaginary line separating the property from other properties, street, and other easements.

Retaining Wall. Any structure used for the purpose of containing or supporting any embankment, fill or other earthen form.

Service Lane. Easements to the sides of and behind Dwelling Units that are dedicated for vehicular and pedestrian access and utility purposes.

Single Family Home. A detached building or buildings used for residential purposes for one nuclear family, together with any garages, or similar outbuilding, whether or not part of the same structure.

Solar Energy Device. Any identifiable facility, equipment apparatus, or the like, including a photovoltaic cell application that is applicable to a single-family residential dwelling or townhome and makes use of solar energy for heating, cooling, or reducing the use of other types of energy dependent upon fossil fuel for generation.

Standard Options. These are the options for exterior improvements and expansions offered to the original buyer and described in the options package for each type of building, and as depicted in the Master Tract construction documents approved by the City. Standard Options, if any, appear in the Specific Guidelines for each subdivision. Standard Options are only approved for exact match in manufacturer, design, dimensions, texture, color and installation.

Sub-Associations. Collectively, the Ke 'Āina Kai Community Association, the Ke Noho Kai Community Association, the Ke 'ālohi Kai Community Association, the Ke 'Āina Kai AOA, the Mariners Place AOA, the Ke Noho Kai AOA, the Spinnaker Place AOA, and the Fairway's Edge AOA, each individually a "Sub-Association".

Sub-Association Declarations. The Declarations of Covenants, Conditions and Restrictions for Ke 'Āina Kai, Ke Noho Kai and Ke 'ālohi Kai.

Total Area. The total area of all floors of all structures on the Lot measured to the outer face of walls, supports and balconies. Unroofed structures flush with finished grade shall not be considered part of total area.

Townhome Building. A building containing multiple dwelling units, not including Paired Homes.

Townhome Unit. A Dwelling Unit in a Townhome Building.

Traffic Sightline Distance Area of Control. The area at street intersections or bends which is controlled by the Honolulu Department of Transportation Services. Construction and landscaping in the prescribed Area is limited in height to allow adequate sightlines for motorists.

END OF APPENDIX I

APPENDIX II
APPROVAL FORM

[DATE]

[NAME]

[ADDRESS]

[CITY], Hawai'i [ZIP CODE]

RE: [NEIGHBORHOOD], [UNIT/LOT NUMBER]: Application for [PROJECT DESCRIPTION]

Aloha [FIRST NAME],

Your application for the above referenced project submitted on [DATE OF SUBMITTAL] to the Design Review Committee of Ocean Pointe (the "Committee"), has been approved subject to the conditions listed below:

[CONDITIONS]

The approval of the Committee means that, based on the information you provided, your proposed project meets the exterior appearance design requirements for your neighborhood (the "Design Guidelines"). You are responsible for the structural soundness of the construction and compliance with all relevant laws, rules, regulations and codes.

This approval does not guarantee that the City & County of Honolulu (the "City") will issue you a building or other required permit. Additionally, this approval does not relieve you from:

- a. Working with a licensed architect or engineer to ensure that your plans are complete and buildable when submitted to the City for a building permit;
- b. seeking and securing all applicable governmental approvals and permits prior to commencing construction or renovation of any improvements;
- c. consulting with governmental entities having jurisdiction over your home; and
- d. complying with all lawful directions from such governmental entities.

Additionally, this approval does not warrant that the proposed improvements will be: (a) individually pleasing to the parties; (b) architecturally sound; (c) structurally sound; (d) economically sound; (e) fit for their intended purpose; (f) useful for any purpose; or (g) in compliance with any building codes or other laws, regulations, rules or ordinances, or the special conditions and restrictions applicable to the proposed improvements.

This approval will lapse _____ (____) calendar months from the date of this approval. If construction has not commenced within that time period, this approval shall be deemed revoked and you will need to resubmit another application and the documents and fees required under the Design Guidelines. This Committee will not be bound by this approval, but will approve or deny the new application based upon the resubmission and any changes to the Design Guidelines or other circumstances.

The Committee will retain one (1) copy of your submittals for their records. The other copies will be retained at the Committee's office for 14 days from the date of this letter so that you may retrieve those extra copies for your records or use.

APPENDIX III

KE 'ĀINA KAI SPECIFIC GUIDELINES

Ke 'Āina Kai was the first phase of development at Ocean Pointe. Ke 'Āina Kai is a mix of Single-Family Homes and Townhome Units that was developed under the Cluster Housing Permit and is subject to a DPP Declaration of Covenants.

The Appendix contains the specific restrictions and conditions applicable to the external appearance of the Dwelling Units in Ke 'Āina Kai. Other restrictions and conditions are found in, among other things, the Cluster Permit, the DPP Declaration of Covenants, the LUO and the Building Code. Owner is responsible for reviewing those documents and complying with the applicable restrictions and conditions.

A. MATERIALS AND COLORS. All structural additions, alterations and new construction must use materials that are substantially similar to the following:

ROOFING

Model: *20-year asphaltic shingles*
Manufacturer: *Celotex Corporation*
Distributor: *Advance Roofing*

SIDING

Model: *Hardiplank*
Manufacturer: *James Hardie Building Products, Inc.*
Distributor:

WINDOWS

Model: *Series 8600*
Manufacturer: *Summit Polyvinyl Windows*
Distributor:

EXTERIOR DOORS

Model: *Wood stile and rail, with exterior grade MDF panels. Similar to Simpson or NorthWest Doors.*
Manufacturer: *Various*
Distributor: *Mid Pacific Lumber + Various*

DECORATIVE SHUTTERS AND GRILLES

Model: *#1050*
Manufacturer: *Fypon*
Distributor:

GARAGE DOORS

Model: *The Decade I R/P*
Manufacturer: *Raynor Garage Door*
Distributor: *Raynor Pacific Overhead Doors*

EXTERIOR FINISHES SYSTEM

Base Material:
Model: *Dens Glass Gold*
Manufacturer: *Georgia Pacific Corporation*
Distributor: *G.W. Killebrew Company, Inc.*
Finishes:
Model: *Akroflex Styro-Bond w/ Malibu 20*
Manufacturer: *Omega Products International, Inc.*
Distributor: *G.W. Killebrew Company, Inc.*

PAINT

Model: *Millennium*
Manufacturer: *Spectratone Paint Corporation*
Distributor: *BC & Associates, Inc.*

DECORATIVE MEDALLIONS

Model: *#085M-037 Leaf and Ball (etc., etc.)*
Manufacturer: *Pineapple Grove*
Distributor:

FENCES

Model: *Westech Fence-72" T&G Privacy Vinyl Fence*
Color: *White*
Manufacturer: *North American Pipe Corporation*
Distributor: *GMB Vinyl*

Exterior colors have been approved by the DRC and, if applicable, governmental authorities. When replacing existing roofing or repainting the exterior of a Dwelling Unit, the original color scheme combination must be kept intact. A color copy of this chart is available for viewing at the office of the DRC.

SCHEME	ROOF	PAINT 1	PAINT 2	PAINT 3
A	Driftwood	CW049W Light Antique	8773M Dauphin Gray	8775D Metal Shavings
B	Driftwood	8181W Maison Blanche	8674M Muddy River	8625D Shipyard
C	Bark Brown	8230W Sunbaked Sand	8233M Crisp Khaki	8255D Jamocha
D	Bark Brown	8721W Clay Beige	8303W Lapstone	8345D Western Cedar
E	Weathered Wood	8692W Bauhaus Buff	8714W Wildcat	8715WD Moose Paint
F	Weathered Wood	8711W Misty Mica	8693M Stucco Greige	8575D Bay Bridge

If the Owner wishes to select another color scheme combination, approval must be obtained from the DRC; provided however, that the color scheme must conform to the color scheme permitted for the existing or new roof color selected from above. No "mix and match" of colors from different color schemes will be permitted. Additionally, the Owner may not select the same color scheme used by adjacent Dwelling Units.

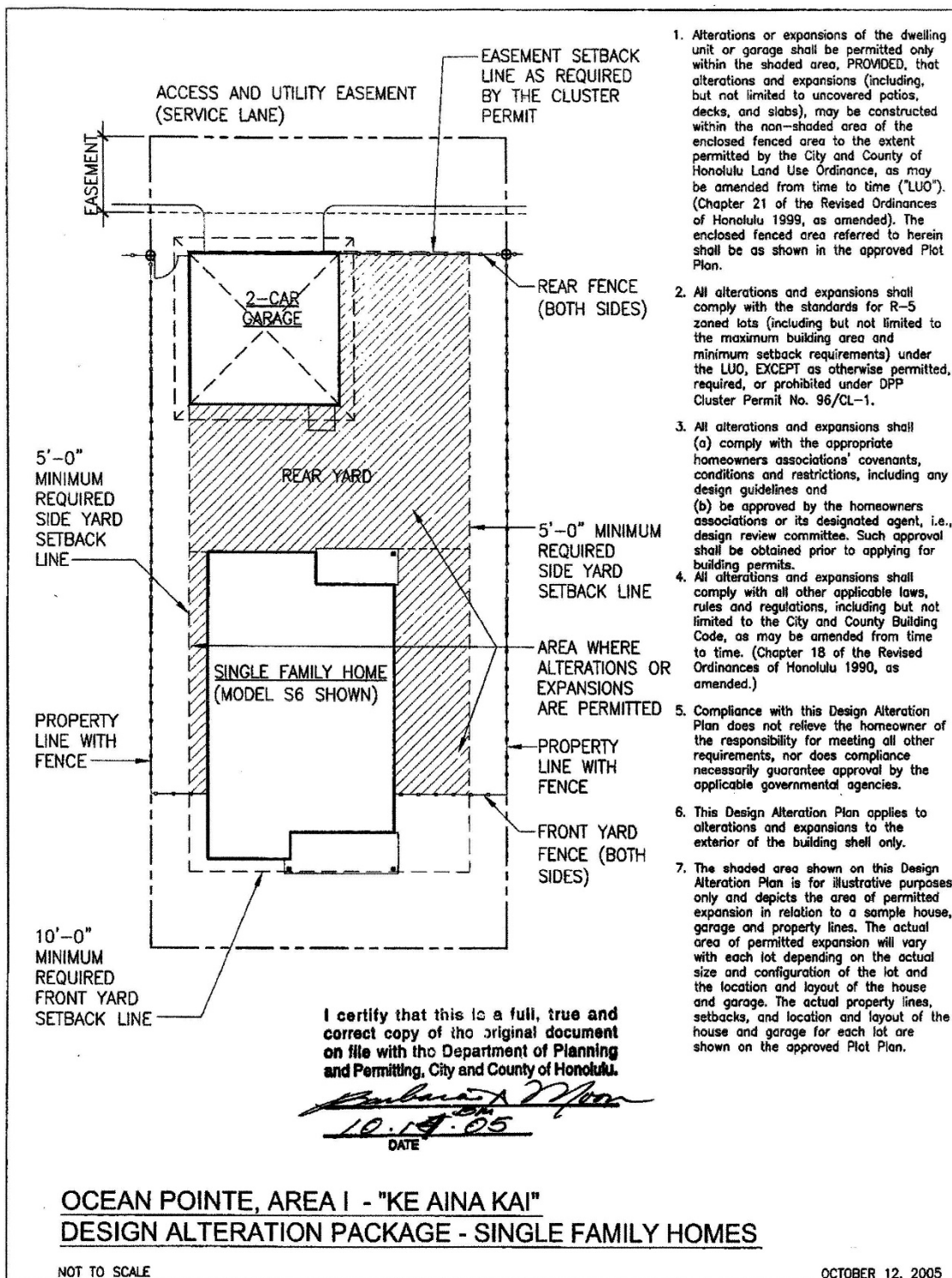
B. LANAI AND ENTRY ENCLOSURES. Front entries may not be enclosed. Rear lanais may be enclosed, and the proposed design of the enclosure is subject to review by the DRC.

C. EXTENSIONS OR EXTERIOR MODIFICATIONS. No second floor additions or height increases are permitted.

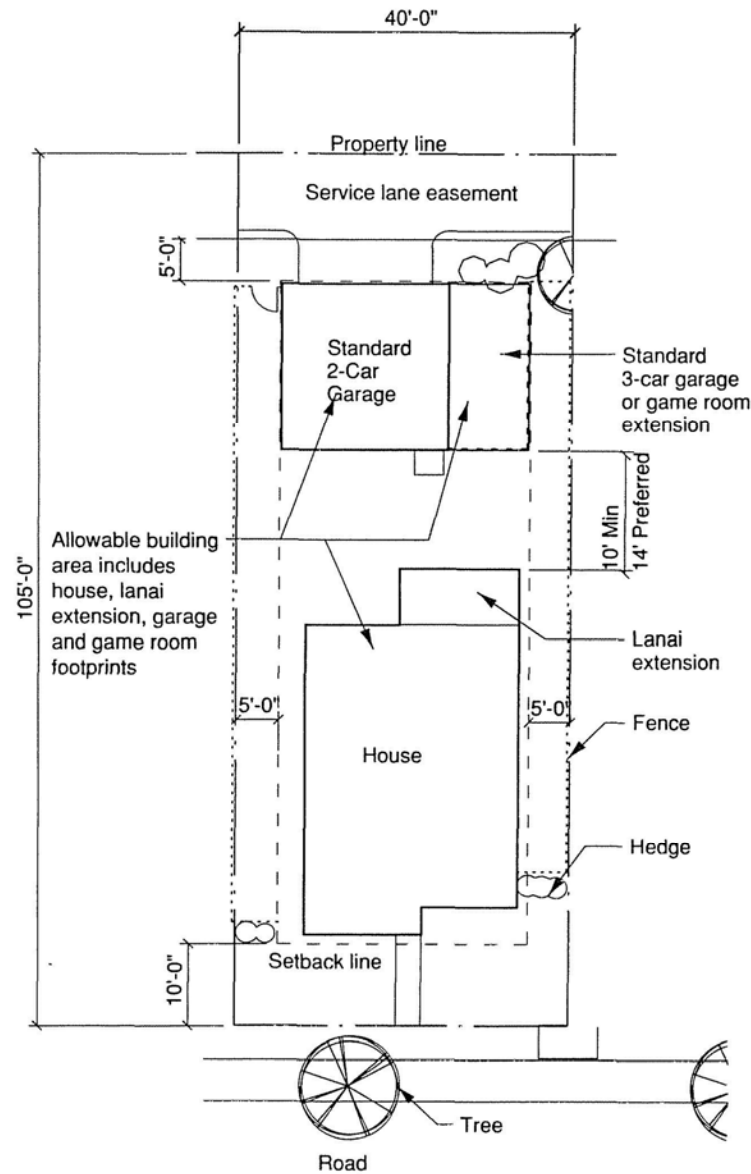
1. SINGLE FAMILY HOMES.

- a. Subject to limitations on setbacks indicated on Plot Plans reflected in the DPP Declaration, lot coverage (discussed below), and compliance with all applicable laws, rules and regulations, Single Family Homes may be expanded, or additions made thereto, within the shaded areas indicated on the Design Alteration Plan for the Single Family Home shown below.

The Owner must examine the full Design Alteration Plan on file with DPP for the Single Family Home to ensure the proposed design is in compliance with the Cluster Housing Permit.

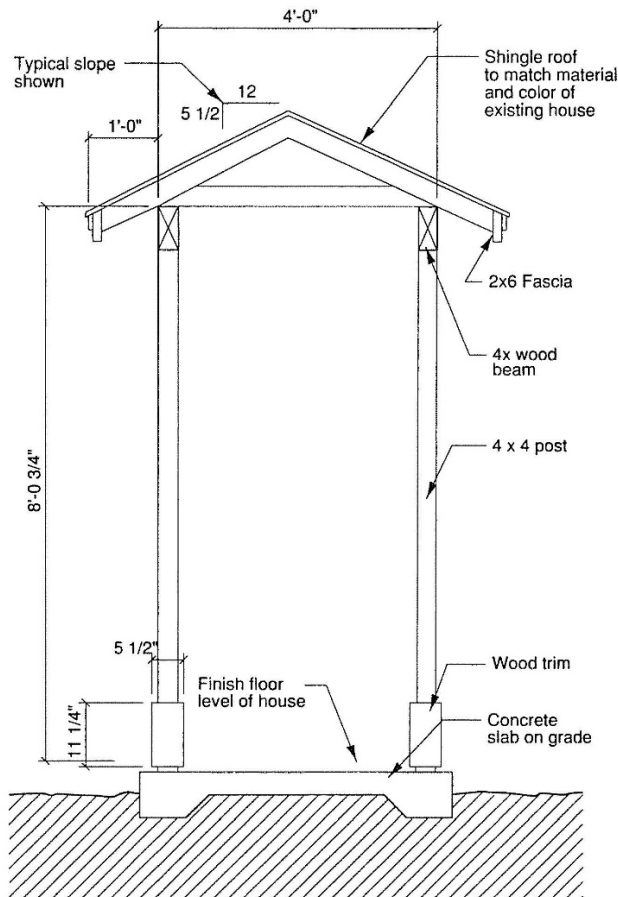


- b. Lot coverage is limited to 50% of the net lot area or 2,500 square feet, whichever is less. Note that this calculation uses the *building area* as defined by the LUO and not *floor area*. For a typical 105' x 40' single-family lot in Ke 'Āina Kai, the gross lot area is 4,200 square feet, and the net area is 3,800 square feet. For this typical lot, therefore, the allowable building area, including house, garage, and covered lanais, is 1,900 square feet maximum. See, Conceptual Site Plan below.

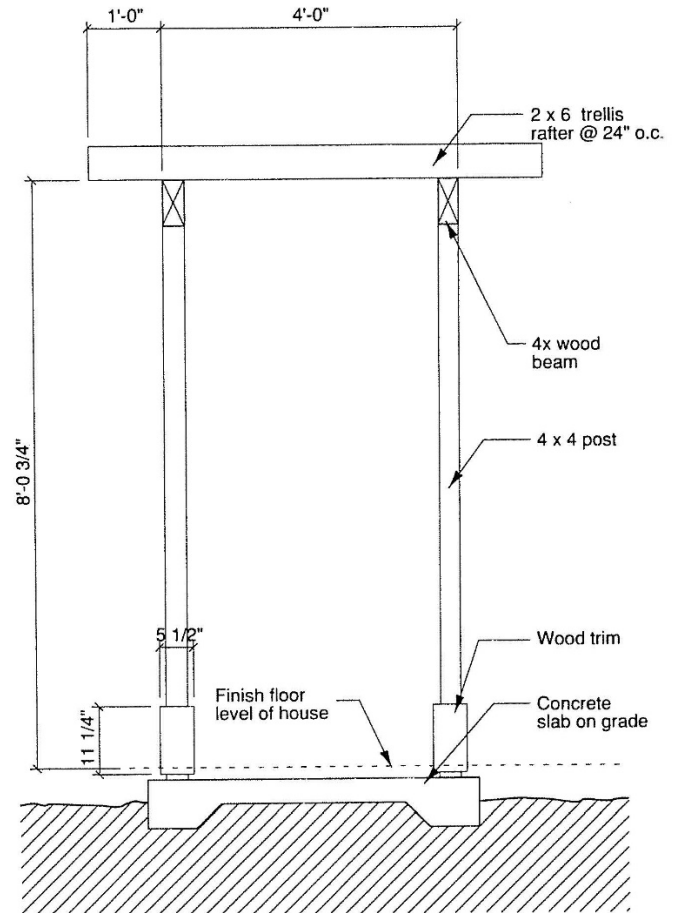


Conceptual Site Plan (showing typical 40' x 105' lot)
Scale: 1"=20'

- c. Covered or trellised walkways may be designed to connect a Single-Family Home with its garage.



Covered Walkway
Scale: 1/2" = 1'-0"

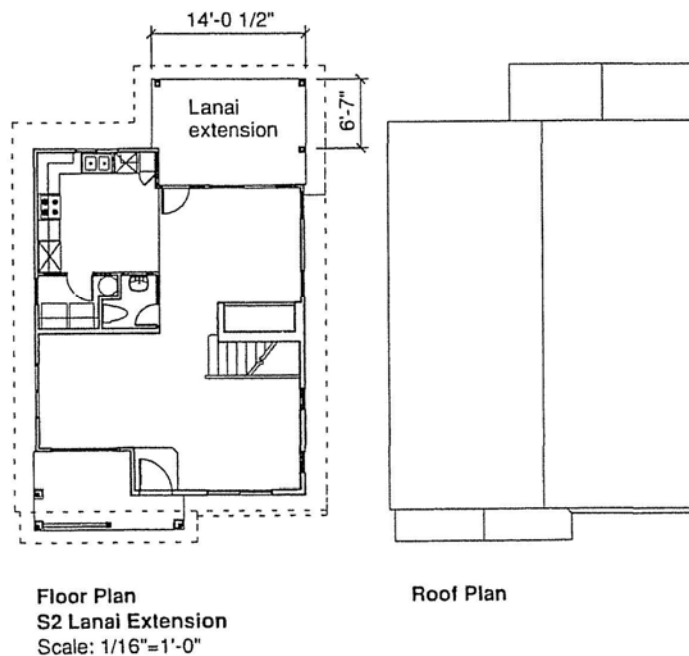
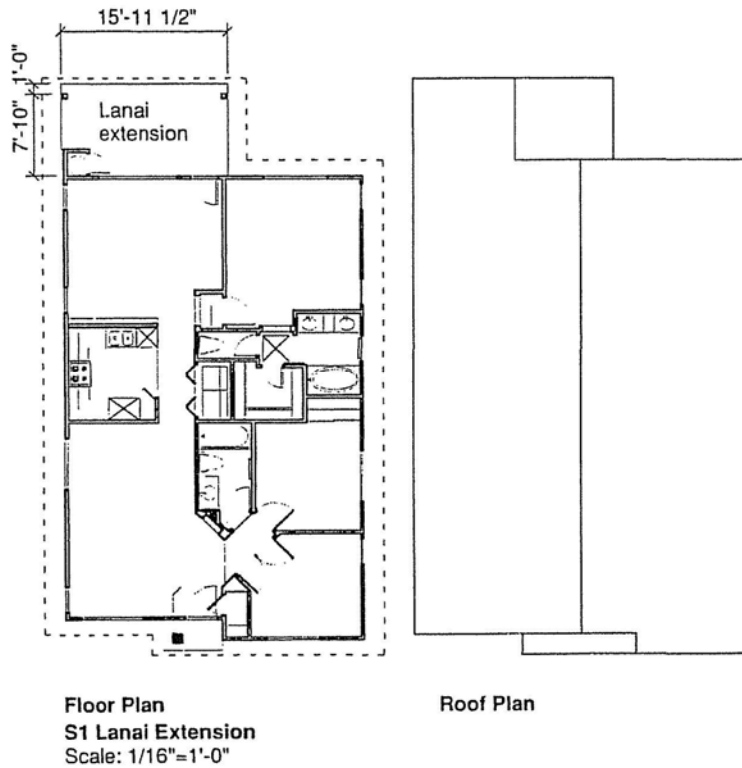


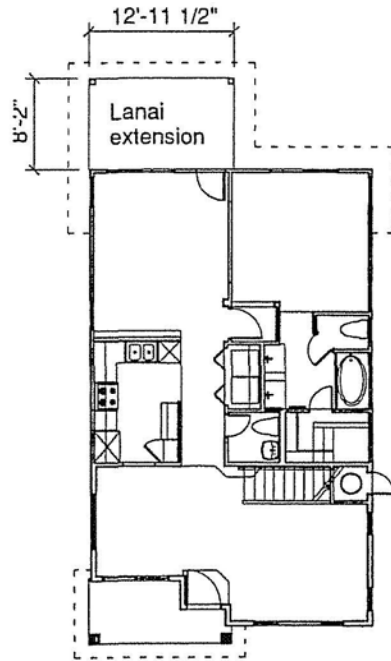
Typical Open Trellis Walkway
Scale: 1/2" = 1'-0"

2. TOWNHOMES. No exterior extensions or modifications, including height increases, of any Townhome Building or Limited Common Element is permitted, except for the Lanai Extensions reflected under Standard Options.

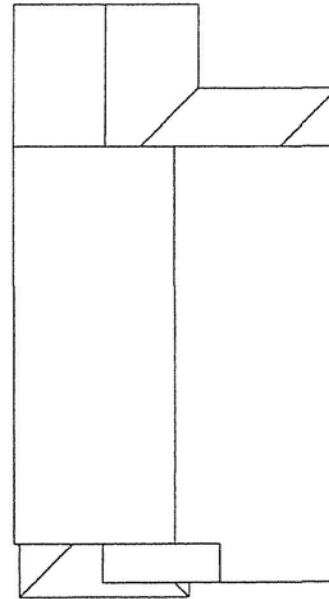
D. STANDARD OPTIONS. Standard Options are pre-approved designs for exterior improvements and expansions, provided that the rules of the LUO, Building Code and other codes are met.

1. SINGLE FAMILY HOMES. The Standard Options for exteriors for Single Family Homes are documented in the Master Tract construction documents approved by the City are shown below. Conditions specific to each Lot must be reviewed by the Owner to determine whether the option is allowed by the DPP Declaration of Covenants or other ordinances, and whether grading would adversely affect drainage and other similar effects of the proposed work.

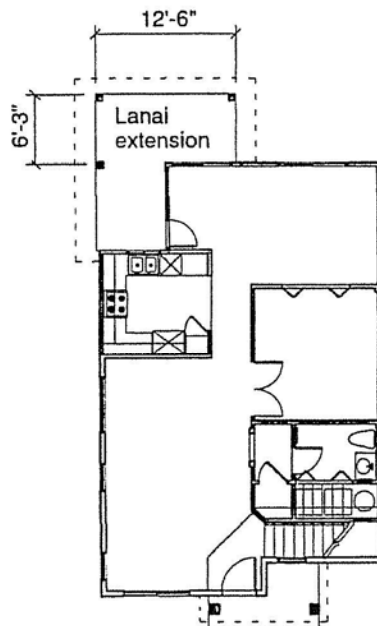




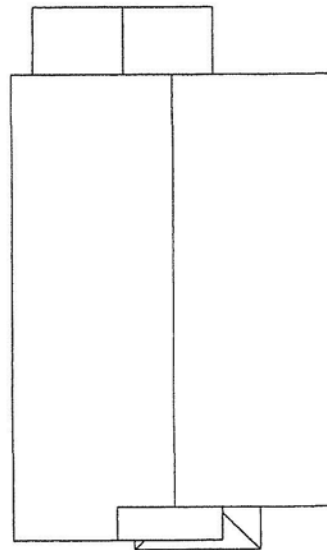
Floor Plan
S3 Lanai Extension
 Scale: 1/16"=1'-0"



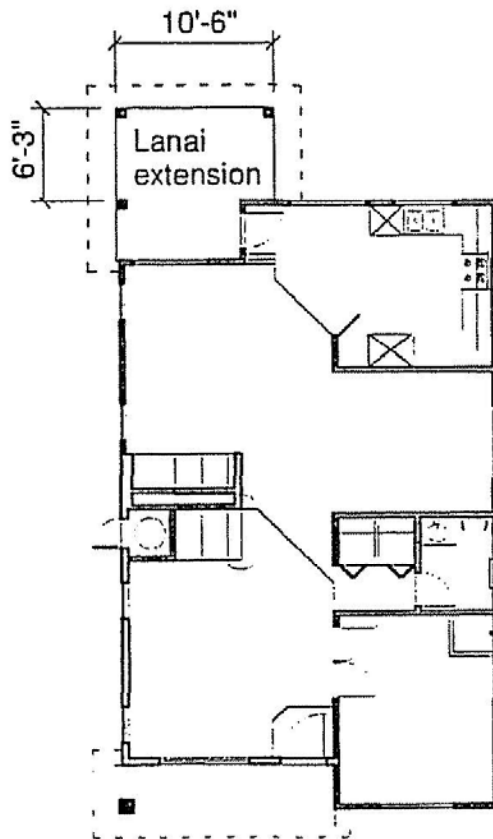
Roof Plan



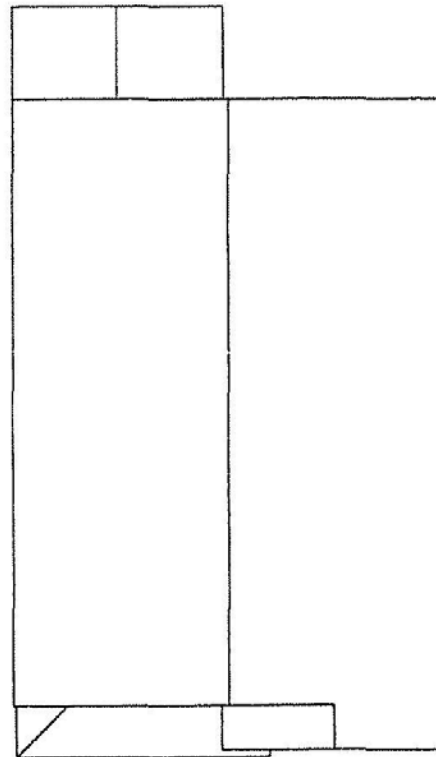
Floor Plan
S4 Lanai Extension
 Scale: 1/16"=1'-0"



Roof Plan

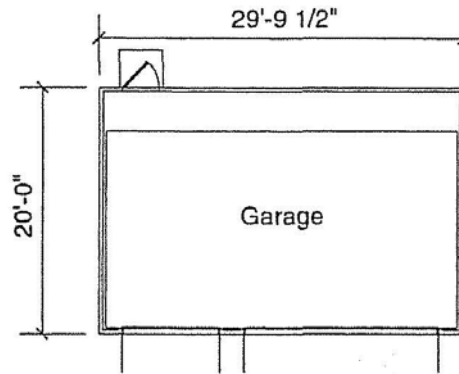


Floor Plan
S5 Lanai Extension
 Scale: 1/16"=1'-0"

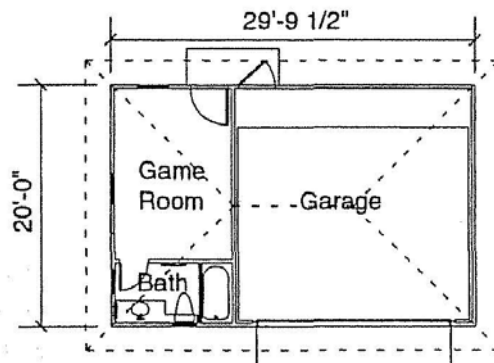


Roof Plan

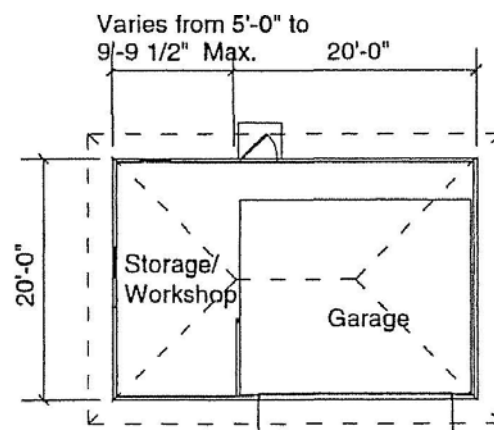
Garage Options



**3-Car Garage
(Standard Option)**
1/16"=1'-0"



**2-Car Garage with Game Room
(Standard Option)**
1/16"=1'-0"



**2-Car Garage with Storage/ Workshop Area
(Standard Option)**
1/16"=1'-0"

2. TOWNHOMES. Standard Options for lanai extensions, as set forth in the Design Alteration Plans (“DAP”) in each recorded DPP Declaration of Restrictive Covenants for the Ke ‘Āina Kai Townhomes are summarized and illustrated below (Apartments with Model Types that include an (R) designation below, indicate that the floor plan for the Apartment is the “reverse” of that shown):

Incr.	Apt.	Model	DAP
1	A1	D	D
1	A2	F(R)	None
1	A3	C	C
1	A4	E	E
1	A5	B	None
1	B1	D	D
1	B2	E	E
1	B3	A	A
1	B4	C	C
1	B5	F	None
1	B6	B	None
1	C1	F(R)	None
1	C2	E	E
1	C3	A	A
1	C4	C	C
1	C5	E(R)	E
1	C6	F	None
1	D1	D	D
1	D2	E	E
1	D3	A	A
1	D4	C	C
1	D5	F	None
1	D6	B	None
1	M1	B(R)	None

Incr.	Apt.	Model	DAP
1	M2	F(R)	None
1	M3	C(R)	C
1	M4	A(R)	A
1	M5	E(R)	E
1	M6	D(R)	None
2	E1	D	D
2	E2	E	E
2	E3	A	A
2	E4	C	C
2	E5	F	None
2	E6	B	None
2	F1	D	D
2	F2	E	E
2	F3	A	A
2	F4	C	C
2	F5	F	None
2	F6	D(R)	D
2	G1	D	D
2	G2	F(R)	None
2	G3	C	C
2	G4	E	E
2	G5	B	None
3	N1	D	D
3	N2	E	E

Incr.	Apt.	Model	DAP
3	N3	A	A
3	N4	C1	C1
3	N5	F	None
3	N6	D(R)	D
3	P1	D	D
3	P2	F(R)	None
3	P3	C1	C1
3	P4	E	E
3	P5	B	None
3	Q1	D	D
3	Q2	E	E
3	Q3	A	A
3	Q4	C1	C1
3	Q5	F	None
3	Q6	B	None
3	R1	D	D
3	R2	F(R)	None
3	R3	C1	C1
3	R4	E	E
3	R5	B	None
3	S1	D	D
3	S2	E	E
3	S3	A	A
3	S4	C1	C1

Incr.	Apt.	Model	DAP
3	S5	F	None
3	S6	D(R)	D
4	2M1	D	D
4	2M2	E	E
4	2M3	A	A
4	2M4	C1	C1
4	2M5	F	None
4	2M6	B	None
4	2N1	D	D
4	2N2	F(R)	F(R)
4	2N3	E	E
4	2N4	E(R)	E
4	2N5	F	None
4	2N6	B	None
5	2A1	D	D
5	2A2	E	E
5	2A3	A	A
5	2A4	C1	C1
5	2A5	F	None
5	2A6	B	None
5	2B1	F(R)	None
5	2B2	E	E
5	2B3	A	A
5	2B4	C1	C1
5	2B5	E(R)	E
5	2B6	F	None
5	2C1	D	D
5	2C2	F(R)	None

Incr.	Apt.	Model	DAP
5	2C3	E	E
5	2C4	E(R)	E
5	2C5	F	None
5	C26	B	None
5	2D1	D	D
5	2D2	E	E
5	2D3	A	A
5	2D4	C1	C1
5	2D5	F	None
5	2D6	B	None
6	2H1	F(R)	None
6	2H2	C1(R)	C1
6	2H3	A(R)	A
6	2H4	E	E
6	2J1	F(R)	None
6	2J2	C1(R)	C1
6	2J3	A(R)	A
6	2J4	E	E
6	2K1	F(R)	None
6	2K2	C1(R)	C1
6	2K3	A(R)	A
6	2K4	E	E
6	2L1	D	D
6	2L2	F(R)	None
6	2L3	C1	C1
6	2L4	E	E
6	2L5	B	None
7	2P1	F(R)	None

Incr.	Apt.	Model	DAP
7	2P2	E	D
7	2P3	A	A
7	2P4	C1	C1
7	2P5	E(R)	E
7	2P6	F	None
7	2Q1	D	D
7	2Q2	F(R)	None
7	2Q3	C1(R)	C1
7	2Q4	C1	C1
7	2Q5	F	None
7	2Q6	B	None
7	2R1	D	D
7	2R2	F(R)	None
7	2R3	E	E
7	2R4	E(R)	E
7	2R5	F	None
7	2R6	B	None
7	2S1	F(R)	None
7	2S2	E	E
7	2S3	A	A
7	2S4	C1	C1
7	2S5	E(R)	E
7	2S6	F	None
7	2T1	D	D
7	2T2	F(R)	None
7	2T3	E	E
7	2T4	E(R)	E
7	2T5	F	None

Incr.	Apt.	Model	DAP
7	2T6	B	None
7	2U1	D	D
7	2U2	F(R)	None
7	2U3	C1(R)	C1
7	2U4	C1	C1
7	2U5	F	None
7	2U6	B	None
8	2E1	D	D
8	2E2	F(R)	None
8	2E3	E	E
8	2E4	E(R)	E
8	2E5	F	None
8	2E6	B	None
8	2F1	F(R)	None
8	2F2	E	E
8	2F3	A	A
8	2F4	C1	C1
8	2F5	E(R)	E
8	2F6	F	None
8	2G1	B(R)	None
8	2G2	F(R)	None
8	2G3	C1(R)	C1
8	2G4	C1	C1
8	2G5	F	None
8	2G6	D(R)	D
9	3A1	D	D
9	3A2	E	E
9	3A3	A	A

Incr.	Apt.	Model	DAP
9	3A4	C1	C1
9	3A5	F	None
9	3A6	D(R)	D
9	3B1	B(R)	None
9	3B2	F(R)	None
9	3B3	E	E
9	3B4	E(R)	E
9	3B5	F	None
9	3B6	D(R)	D
9	3C1	D	D
9	3C2	F(R)	None
9	3C3	C1(R)	C1
9	3C4	C1	C1
9	3C5	F	None
9	3C6	B	None
10	3D1	B(R)	None
10	3D2	E(R)	E
10	3D3	C1(R)	C1
10	3D4	F	None
10	3D5	D(R)	D
10	3E1	D	D
10	3E2	E	E
10	3E3	A	A
10	3E4	C1	C1
10	3E5	F	None
10	3E6	D(R)	D
10	3F1	D	D
10	3F2	E	E

Incr.	Apt.	Model	DAP
10	3F3	A	A
10	3F4	C1	C1
10	3F5	F	None
10	3F6	B	None
10	3G1	D	D
10	3G2	F(R)	None
10	3G3	E	E
10	3G4	E(R)	E
10	3G5	F	None
10	3G6	B	None
11	3H1	D	D
11	3H2	E	E
11	3H3	A	A
11	3H4	C1	C1
11	3H5	F	None
11	3H6	B	None
11	3J1	D	D
11	3J2	E	E
11	3J3	A	A
11	3J4	C1	C1
11	3J5	F	None
11	3J6	D(R)	D
11	3K1	D	D
11	3K2	E	E
11	3K3	A	A
11	3K4	C1	C1
11	3K5	F	None
11	3K6	B	None

Incr.	Apt.	Model	DAP
12	H1	D	D
12	H2	F(R)	None
12	H3	C1(R)	C1
12	H4	C1	C1
12	H5	F	None
12	H6	B	None

Incr.	Apt.	Model	DAP
12	J1	D	D
12	J2	E	E
12	J3	A	A
12	J4	C1	C1
12	J5	F	None
12	J6	B	None

Incr.	Apt.	Model	DAP
12	L1	F(R)	None
12	L2	C1(R)	C1(R)
12	L3	A(R)	A(R)
12	L4	E	E

[Design Alteration Plans appear on next page.]

The diagrams show six models of town homes, each with a 2-CAR GARAGE and a REAR YARD. Models A, C, D, and E have shaded areas indicating permitted expansions, each labeled with a 5'-0" dimension. Model B has a different layout without a shaded area. Model F has a shaded area at the bottom.

MODELS B AND F:

- Alterations or expansions of the dwelling unit or garage shall not be permitted.
- This Design Alteration Plan applies to alterations and expansions to the exterior of the building shell only.

MODELS A, C, D AND E:

- The dwelling unit or garage shall not be altered or expanded, except that the lanai may be altered or expanded (including enclosures of the lanai) within the shaded area.
- Any alterations or expansions of the lanai shall comply with all applicable laws, rules and regulations, including but not limited to the City and County of Honolulu Building Code and Land Use Ordinance (for R-5 zoned lots), as may be amended from time to time (Chapter 16 and 21 of the Revised Ordinances of Honolulu 1999, as amended), EXCEPT as otherwise permitted, required, or prohibited under DPP Cluster Permit No. 96/CL-1.
- Any alterations or expansions of the lanai shall
 - comply with the appropriate homeowners associations' covenants, conditions and restrictions, including any design guidelines and
 - be approved by the homeowners associations or its designated agent, i.e., design review committee. Such approval shall be obtained prior to applying for building permits.
- Compliance with this Design Alteration Plan does not relieve the homeowner of the responsibility for meeting all other requirements, nor does compliance necessarily guarantee approval by the applicable governmental agencies.
- This Design Alteration Plan applies to alterations and expansions to the exterior of the building shell only.
- This Design Alteration Plan is illustrative in nature and is based on a sample apartment of each Model. The actual area of permitted expansion may be less depending on the actual location and layout of the Apartment and garage or due to other physical constraints.

I certify that this is a full, true and correct copy of the original document on file with the Department of Planning and Permitting, City and County of Honolulu.

[Signature]
 10.14.05
 DATE

OCEAN POINTE, AREA I - "KE AINA KAI"
DESIGN ALTERATION PACKAGE - TOWN HOMES

NOT TO SCALE

OCTOBER 12, 2005

E. MAINTENANCE OF SERVICE LANE TREES. Trees in Service Lanes are to be maintained in the original locations and quantity as originally provided by the Developer, and at a height limit of 25 feet. Owners shall provide water for the irrigation of such trees.

APPENDIX IV

MARINERS PLACE TOWNHOMES SPECIFIC GUIDELINES

Mariners Place was part of the second phase of development at Ocean Pointe. Mariners Place is a mix of two types of Townhome Units that was developed under the Cluster Housing Permit and is subject to a DPP Declaration of Covenants. All Townhome Units are two-story units with interior stairs and an attached garage. One type of Townhome Unit has a two-car garage, the other has a one-car garage and an uncovered assigned parking stall.

The Appendix contains the specific restrictions and conditions applicable to the aesthetic external appearance of the Dwelling Units in Mariners Place. Other restrictions and conditions are found in, among other things, the Cluster Permit, the DPP Declaration of Covenants, the LUO and the Building Code. Owner is responsible for reviewing those documents and complying with the applicable restrictions and conditions.

A. MATERIALS AND COLORS. All structural additions, alterations and new construction must use materials that are substantially similar to those utilized in the original construction.

Exterior colors have been approved by the DRC and, if applicable, governmental authorities. When replacing existing roofing or repainting the exterior of a Townhome Building, the AOA shall keep the original color scheme combination intact. A color copy of this chart is available for viewing at the office of the DRC.

SCHEME	BODY & EAVE	TRIM	FACIA/DOOR
A	CW049W Light Antique	8773 M Dauphin Gray	8775 D Metal Shavings
B	8181 W Maison Blanche	8674 M Muddy Rive	8625 D Shipyard
B-1	CW053W Natural Bisque	8633 W Smoky Candle	8586 A Metropolis
C	8230 W Sunbaked Sand	8233 M Crisp Khaki	8255 D Jamocha
D	8721 W Clay Beige	8303 W Lapstone	8345 D Western Cedar
D-1	7750 W Beach Basket	7752 W Oakbuff	8756 N Cordwood
E	8692 W Bauhaus Buff	8714 M Wildcat	8715 D Moosepoint
F	8711 W Misty Mica	8693 M Stucco Grege	8575 D Bay Bridge
F-1	8681 W Artists Canvas	8684 M Oak Flats	8496 A Darkquest
G	8300 W Normadic Ivory	8733 M Walnut Wash	8326 N Brick Shadow
H	7720 W Delicate Cream	8723 M Desert Tumbleweed	8756 N Cordwood
H-1	CW055W Honeywind	7754 M Safari Tan	8556 A Peking Blue

SCHEME	COLOR #1	COLOR #2	COLOR #3	COLOR #4
J (Scheme A with white trim)	CW049W Light Antique	8773 M Dauphin Gray	8775 D Metal Shavings	SP 27404 (CW002W) Rain Shimmer
K (Scheme B-1 with white trim)	CW053W Natural Bisque	8633 W Smoky Candle	8586 A Metropolis	SP 27404 (CW002W) Rain Shimmer
L (Scheme F-1 with white trim)	8681 W Artists Canvas	8684 M Oak Flats	8496 A Darkquest	SP 27404 (CW002W) Rain Shimmer

USE	COLOR
Exterior Primer	White
Metal Primer	Gray
Accent C Release	SP 27404
Exterior Rails – Common Areas	8232W Lulled Beige

B. LANAI AND ENTRY ENCLOSURES. Entry porches may not be enclosed. Gutters shall be of baked enamel on aluminum, of the standard “ogee” section shown, and down-spouts shall be round in section.

C. EXTENSIONS OR EXTERIOR MODIFICATIONS. No exterior extensions or modifications of any Townhome Building or Limited Common Element is permitted.

D. STANDARD OPTIONS. Not Applicable.

APPENDIX V

KE NOHO KAI SPECIFIC GUIDELINES

Ke Noho Kai was the second phase of development at Ocean Pointe. Ke Noho Kai is a mix of Single-Family Homes and Townhome Units that were developed under the PDH Permit 2000/PDH-3 and is subject to a DPP Declaration of Covenants. The Townhomes are all Detached Garage Townhomes.

The Appendix contains the specific restrictions and conditions applicable to the external aesthetic appearance of the Dwelling Units in Ke Noho Kai. Other restrictions and conditions are found in, among other things, the PDH Permit, the DPP Declaration of Covenants, the LUO and the Building Code. Owner is responsible for reviewing those documents and complying with the applicable restrictions and conditions.

A. **MATERIALS AND COLORS.** All structural additions, alterations and new construction must use materials that are substantially similar to those utilized in the original construction.

Paint: Spectratone/ICI

Roof: Certainteed/Landmark Series 30

Exterior colors approved by the DRC and, if applicable, governmental authorities. When replacing existing roofing or repainting the exterior of a Dwelling Unit, the original color scheme combination must be kept intact. A color copy of this chart is available for viewing at the office of the DRC.

HAWAIIAN COTTAGE TOWNHOUSES 100 SERIES - 'A' ELEVATIONS				
SCHEME	1	2	3	4
Color Scheme 1 Fascia	8656D Pinedale	8725A Coach House	8635D Mansard Stone	8715D Moose Pointe
Color Scheme 2	001 White	001 White	001 White	001 White
Color Scheme 3 Body	8652W Whippoorwill	8723M Desert Tumbleweed	8633W Smokey Candle	8713W Kindling Wood
Color Scheme 4 Body	8653M Stone Lion	8724M Meadowlark	8634M Dusty Miller	8714M Wildcat
Color Scheme 5 Accent	8315D Ravenwood	ICI1038 Plymouth Rock	ICI 527 Camel Tan	8285A Monk's Hood
Roof	WW, HB, GG	HB, WW	GG, WW	HB, WW

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN COTTAGE TOWNHOUSES 100 SERIES - 'B' ELEVATIONS				
SCHEME	5	6	7	8
Color Scheme 1	CW057W White Solitude	CW057W White Solitude	CW057W White Solitude	CW057W White Solitude
Color Scheme 2 Body	8722W Desert Castle	ICI 637 Fossil Grey	ICI 917 Grey Nuisance	ICI 719 Pillar
Color Scheme 3 Body	ICI 371 Sanderling	ICI 611 Sea Gull Grey	ICI913 Silverlawn	ICI 631 Sudan Sand
Color Scheme 4 Body	ICI 364 Maple Season	ICI 591 Cityscape	ICI 909 Slippery Rock	ICI 610 Sisal
Color Scheme 5 Accent	ICI 1030 Ironstone Green	8835D Pawnee	8666N Potting Shed	8516A Temptress
Roof	WW, HB	HB, WW, GG	GG, WW	HB, WW, GG

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN MISSION 200 SERIES - 'A' ELEVATIONS				
SCHEME	1	2	3	4
Color Scheme 1	8685D Woodlet	8725A Coach House	8705D Barn Rafter	ICI 984 Whetstone
Color Scheme 2 Body	ICI 649 Oyster White	ICI 729 Seed Pearl	8723M Desert Tumbleweed	ICI 479 Dapper Tan
Color Scheme 3 Body	ICI 416 Sandy Cove	ICI 533 Obelisk	8724M Meadowlark	ICI 371 Sanderling
Color Scheme 4 Accent	8876N Spiced Plum	8646N Blackened Beam	ICI 161 Black Burgundy	8586A Metropolis
Roof	WW, HB	HB, WW	GG, WW, HB	HB, WW, GG

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN CRAFTSMAN 200 SERIES - 'B' ELEVATIONS				
SCHEME	5	6	7	8
Color Scheme 1	ICI 367 Cinnamon Glaze	ICI 610 Sisal	8634M Dusty Miller	ICI 593 Barn Swallow
Color Scheme 2	181 White Shadow	181 White Shadow	181 White Shadow	181 White Shadow
Color Scheme 3 Body	8683W Tinderbox	8642W Foggy London	ICI 428 Indian Painting	ICI 833 Grey Birch
Color Scheme 4 Body	8684M Oak Flats	8644M Seal Beach	ICI 372 Taupewood	ICI 830 Khaki Green
Color Scheme 5 Accent	8866A Curtain Call	ICI 1235 Clayton Lake	8636N Old Porch	ICI 514 Rough Hewn
Roof	WW, HB	HB, WW	GG, WW	HB, WW

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN COTTAGE 200 SERIES - 'C' ELEVATIONS				
SCHEME	9	10	11	12
Color Scheme 1	001 White	001 White	001 White	001 White
Color Scheme 2*	ICI 434 Pink Beige	ICI 1154 Alumina	8211W Sandy Lake	8703M Rockbridge
Color Scheme 3** Body	ICI 333 Fawn Beige	ICI 11545 Cinder Grey	8214M Tobacco Road	8704D Stratford Brown
Color Scheme 4 Accent	ICI 1143 Stonewall	8336N Bavarian Chalet	8585D Smoke Brush	8605D English Pine
Roof	WW, HB, GG	HB, WW, GG	WW, HB	HB, WW, GG

* Color 2 is balance of house for 201C, 202C, 203C

** Color 3 is balance of house for 204C

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN MISSION 300 SERIES - 'A' ELEVATIONS			
SCHEME	1	2	3
Color Scheme 1	8695D Thatched Roof	8755A Spice Nut	ICI 588 Grey Tweed
Color Scheme 2 Body	ICI 472 Fortress Stone	8732W Frontier Tan	390 Western Beige
Color Scheme 3 Body	ICI 464 Brown Bag	8734M Bark Mulch	ICI 421 Onionskin Tan
Color Scheme 4 Accent	ICI 1027 Granite Green	ICI 21 Shaker Village	ICI 1285 Iron Creek
Roof	WW, HB	HB, WW	WW, HB

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN CRAFTSMAN 300 SERIES - 'B' ELEVATIONS			
SCHEME	4	5	6
Color Scheme 1	8305D Jericho Brown	ICI 460 Arrow Wood	8734M Bark Mulch
Color Scheme 2	181 White Shadow	181 White Shadow	181 White Shadow
Color Scheme 3 Body	8663W Rugged Trail	8722W Desert Castle	8771W Silver Shimmer
Color Scheme 4 Body	8664M Backpack	8722M Crisp Khaki	8771W Dauphin Gray
Color Scheme 5 Accent	ICI 204 Chestnut	8233M Iron Horse	8306N Alcazar Brown
Stone Veneer	Shale	Mohave	Grey
Roof	WW, HB, GG	HB, WW, GG	WW, HB

Stone: Profit LedgeStone

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN CRAFTSMAN 300 SERIES – 'B' ELEVATIONS			
SCHEME	7	8	9
Color Scheme 1	001 White	001 White	001 White
Color Scheme 2 Body	ICI 1045 Sterling	ICI 640 Ivory Sampler	8621W Chromox Green
Color Scheme 3 Body	ICI 1038 Plymouth Rock	8224M Balsam Bark	8623M Silent Path
Color Scheme 4 Accent	ICI 164 Grapewine Wreath	ICI 1290 Western Sky Blue	ICI 410 Nuttty Brown
Roof	WW, HB, GG	HB, WW, GG	WW, HB

Stone: Profit LedgeStone

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN COTTAGE 300 SERIES - 'C' ELEVATIONS			
SCHEME	7	8	9
Color Scheme 1	001 White	001 White	001 White
Color Scheme 2 Body	ICI 1045 Sterling	ICI 640 Ivory Sampler	8621W Chromox Green
Color Scheme 3 Body	ICI 1038 Plymouth Rock	8224M Balsam Bark	8623M Silent Path
Color Scheme 4 Accent	ICI 164 Grapewine Wreath	ICI 1290 Western Sky Blue	ICI 410 Nuttty Brown
Roof	WW, HB, GG	HB, WW, GG	WW, HB

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN MISSION 400 SERIES - 'A' ELEVATIONS			
SCHEME	1	2	3
Color Scheme 1	8745A Kayak Brown	ICI 910 Heather Grey	8715D Moose Point
Color Scheme 2 Body	8713 Kindling Wood	182 Arizona White	8743M Polished Oak
Color Scheme 3 Body	8714M Wildcat	8223M Sienna Sand	8744D Sweetwood
Color Scheme 4 Accent	8526A Dark Colossus	ICI 1025 Bunker Hill	ICI 88 Wild Cranberry
Color Scheme 5 Accent 2	8796M Black Metal	8796M Black Metal	8796M Black Metal
Roof	WW, HB, GG	HB, WW, GG	WW, HB

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN CRAFTSMAN 400 SERIES - 'B' ELEVATIONS			
SCHEME	4	5	6
Color Scheme 1	ICI 512 Hale Village	8694M Woodcut	ICI 412 Briar Patch
Color Scheme 2	181 White Shadow	181 White Shadow	181 White Shadow
Color Scheme 3 Body	8782W Sterling Coin	8232W Lulled Beige	ICI 523 Heron Grey
Color Scheme 4 Body	8783M Stonewall	8234M Dalpin	ICI 515 American Eagle
Color Scheme 5 Accent	ICI 414 Crème Brulee	8745A Kayak Brown	8296N Treasure Chest
Stone	Grey	Mojave	Shale
Roof	WW, HB, GG	HB, WW	WW, HB, GG

Stone: Profit LedgeStone

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN COTTAGE 400 SERIES - 'C' ELEVATIONS			
SCHEME	7	8	9
Color Scheme 1	001 White	001 White	001 White
Color Scheme 2 Body	ICI 474 Stone Harbor	8633W Smokey Candle	ICI 541 Desert Castle
Color Scheme 3 Body	ICI 463 Neutral Wheat	8634M Dusty Miller	ICI 521 Deacon's Bench
Color Scheme 4 Accent	8575D Baybridge	ICI 203 Casbah	8625D Shipyard
Roof	WW, HB	HB, WW, GG	WW, HB

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN MISSION 500 SERIES - 'A' ELEVATIONS			
SCHEME	1	2	3
Color Scheme 1	8694M Woodcut	8794M Fired Steel	8755A Spicenut
Color Scheme 2 Body	8242W Northern Plains	ICI 637 Fossil Grey	ICI 649 Oyster White
Color Scheme 3 Body	8724M Meadowlark	8743M Polished Oak	ICI 8533 Obleisk
Color Scheme 4 Accent	8525D Rock Garden	ICI 161 Black Burgandy	ICI 1027 Granite Green
Roof	WW, HB	HB, WW, GG	WW, HB

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN CRAFTSMAN 500 SERIES - 'B' ELEVATIONS			
SCHEME	4	5	6
Color Scheme 1	8715D Moose Pointe	8745A Kayak Brown	8655D Pinedale
Color Scheme 2	CW057W White Solitude	CW057W White Solitude	CW057W White Solitude
Color Scheme 3 Body	ICI 472 Fortress Stone	8773M Daphne Gray	ICI 631 Sudan Sand
Color Scheme 4 Body	ICI 521 Deacon's Bench	ICI 371 Sanderling	ICI 913 Silverlawn
Color Scheme 5 Accent	8315D Ravenwood	8636N Old Porch	8285A Monks Hood
Stone	Mojave	Grey	Platinum
Roof	WW, HB, GG	HB, WW, GG	WW, HB

Stone: Profit LedgeStone

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

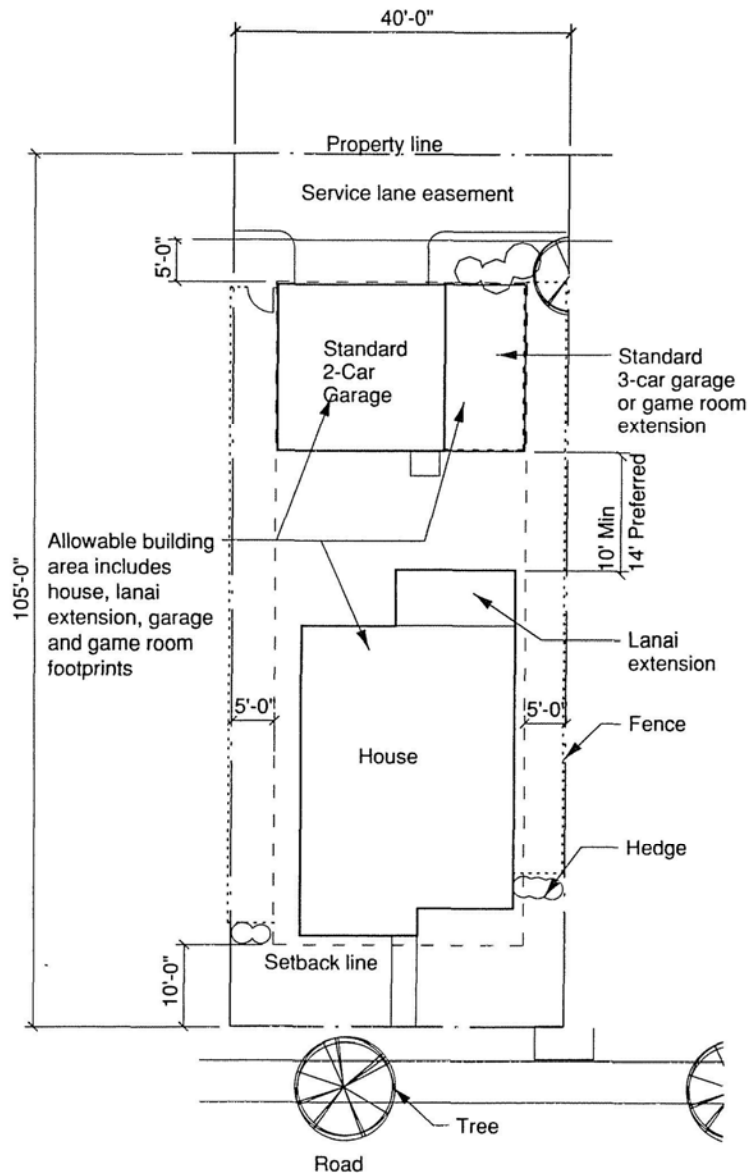
If the Owner wishes to select another color scheme combination, approval must be obtained from the DRC; provided however, that the color scheme must conform to the color scheme permitted for the existing or new roof color selected from appropriate color chart. No "mix or match" of colors from different color schemes will be permitted. Additionally, the Owner may not select the same color scheme used by adjacent Dwelling Units.

If the Owner wishes to select another color scheme combination, approval must be obtained from the DRC. No "mix and match" of colors from different color schemes will be permitted.

B. LANAI AND ENTRY ENCLOSURES. Front entries may not be enclosed. Rear lanais may be enclosed, and the proposed design of the enclosure are subject to review by the DRC.

C. EXTENSIONS OR EXTERIOR MODIFICATIONS. No second floor additions or height increases are permitted.

1. SINGLE FAMILY HOMES. Subject to limitations on setbacks indicated on Plot Plans reflected in the DPP Declaration, lot coverage (discussed below), and compliance with all applicable laws, rules and regulations, Single Family Homes may be expanded, or additions made thereto, within the shaded areas indicated on the Design Alteration Plan for the Single Family Home in Section E.1. below.
2. LOT COVERAGE. For single family homes, the Lot coverage is limited to 50% of the net lot area or 2,500 square feet, whichever is less. Note that this calculation uses the *building area* as defined by the LUO and not *floor area*. For a typical 105' x 40' lot in Ke Noho Kai, the gross lot area is 4,200 square feet, and the net area is 3,800 square feet. For this typical lot, therefore, the allowable building area, including house, garage, and covered lanais, is 1,900 square feet maximum. See, Conceptual Site Plan below.

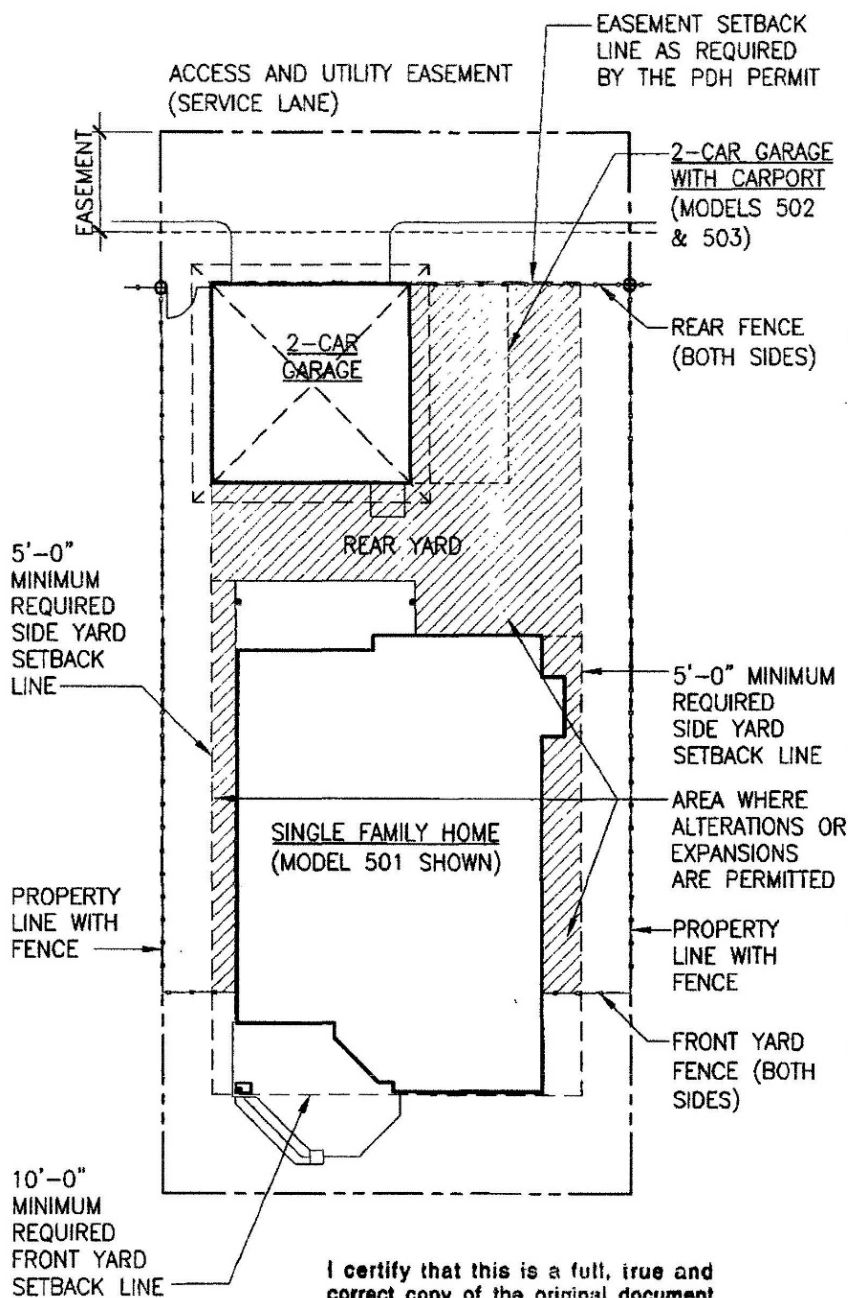


Conceptual Site Plan (showing typical 40' x 105' lot)
Scale: 1"=20'

D. STANDARD OPTIONS.

1. SINGLE FAMILY HOMES.

- a. Design Alteration Plan. Single-Family Homes may be expanded or additions made thereto within the shaded area indicated on the Design Alteration Plan for the model upon which the Single-Family Home is based. The Owner must examine the full Design Alteration Plan on file with DPP for the Single-Family Home to ensure the proposed design is in compliance with the PDH Permit.



I certify that this is a full, true and correct copy of the original document on file with the Department of Planning and Permitting, City and County of Honolulu.

Barbara A. Moon
10.14.05
DATE

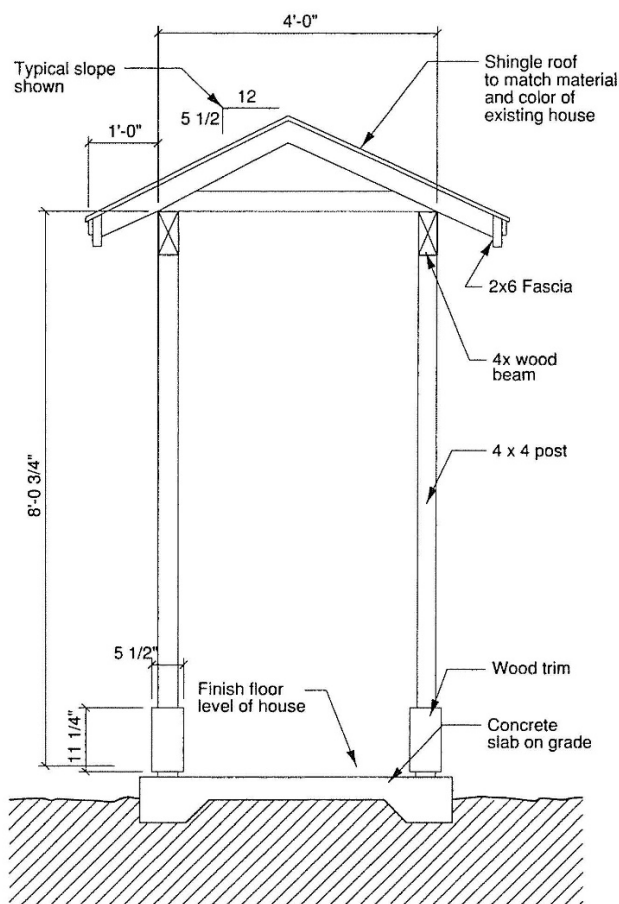
1. Alterations or expansions of the dwelling unit or garage shall be permitted only within the shaded area, PROVIDED, that alterations and expansions (including, but not limited to uncovered patios, decks, and slabs), may be constructed within the non-shaded area of the enclosed fenced area to the extent permitted by the City and County of Honolulu Land Use Ordinance, as may be amended from time to time ("LUO"). (Chapter 21 of the Revised Ordinances of Honolulu 1999, as amended). The enclosed fenced area referred to herein shall be as shown in the approved Plot Plan.
2. All alterations and expansions shall comply with the standards for R-5 zoned lots (including but not limited to the maximum building area and minimum setback requirements) under the LUO, EXCEPT as otherwise permitted, required, or prohibited under DPP Planned Development Housing Permit No. 2000/PDH-3.
3. All alterations and expansions shall
 - (a) comply with the appropriate homeowners associations' covenants, conditions and restrictions, including any design guidelines and
 - (b) be approved by the homeowners associations or its designated agent, i.e., design review committee. Such approval shall be obtained prior to applying for building permits.
4. All alterations and expansions shall comply with all other applicable laws, rules and regulations, including but not limited to the City and County Building Code, as may be amended from time to time. (Chapter 18 of the Revised Ordinances of Honolulu 1990, as amended.)
5. Compliance with this Design Alteration Plan does not relieve the homeowner of the responsibility for meeting all other requirements, nor does compliance necessarily guarantee approval by the applicable governmental agencies.
6. This Design Alteration Plan applies to alterations and expansions to the exterior of the building shell only.
7. The shaded area shown on this Design Alteration Plan is for illustrative purposes only and depicts the area of permitted expansion in relation to a sample house, garage and property lines. The actual area of permitted expansion will vary with each lot depending on the actual size and configuration of the lot and the location and layout of the house and garage. The actual property lines, setbacks, and location and layout of the house and garage for each lot are shown on the approved Plot Plan.

OCEAN POINTE, AREA II - "KE NOHO KAI" DESIGN ALTERATION PACKAGE - SINGLE FAMILY HOMES

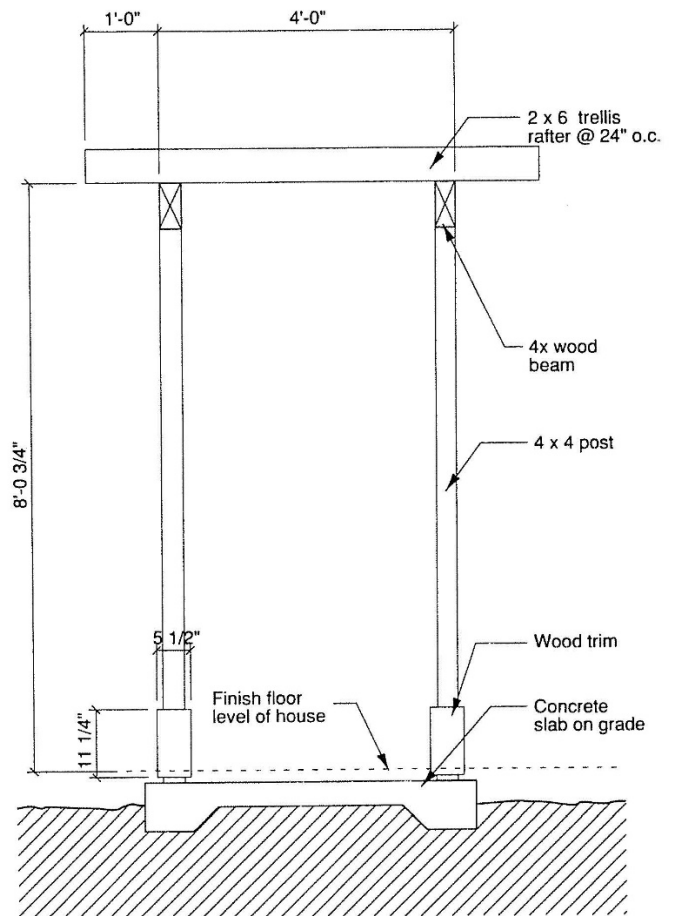
NOT TO SCALE

OCTOBER 12, 2005

- b. Garage. If the garage is built or expanded in size beyond a standard two-car garage, the expanded portion of the garage may be used for a game room or workshop purposes.
- c. Driveway. The driveway on any Lot may be expanded to accommodate a third vehicle only within the shaded area indicated on the Design Alteration Plan for the model upon which the Single-Family Home is based.
- d. Exterior Walkways. Covered or trellised walkways may be designed to connect a Single-Family Home with its garage.



Covered Walkway
Scale: 1/2" = 1'-0"



Typical Open Trellis Walkway
Scale: 1/2" = 1'-0"

2. TOWNHOMES.

Standard Options for lanai extensions, as set forth in the Design Alteration Plans (“DAP”) in each recorded DPP Declaration of Covenants for the Ke Noho Kai Townhomes are summarized below (Apartments with Model Types that include an (R) designation below, indicate that the floor plan for the Apartment is the “reverse” of that shown):

Incr.	Apt.	Model	DAP
1	E1	101	None
1	E2	105	105
1	E3	104	104
1	E4	104R	104R
1	E5	105R	105R
1	E6	102	102
1	F1	101	None
1	F2	105	105
1	F3	103	None
1	F4	104	104
1	F5	102	102
1	G1	101	None
1	G2	105	105
1	G3	103	None
1	G4	104	104
1	G5	102	102
1	H1	101	None
1	H2	105	105
1	H3	103	None
1	H4	104	104
1	H5	102	102
1	J1	101	None
1	J2	105	105
1	J3	103	None

Incr.	Apt.	Model	DAP
1	J4	104	104
1	J5	102	102
1	K1	101	None
1	K2	105	105
1	K3	104	104
1	K4	104R	104R
1	K5	105R	105R
1	K6	102	102
1	L1	101	None
1	L2	105	105
1	L3	104	104
1	L4	104R	104R
1	L5	105R	105R
1	L6	102	102
1	M1	101	None
1	M2	105	105
1	M3	104	104
1	M4	104R	104R
1	M5	105R	105R
1	M6	102	102
2	N1	101	None
2	N2	105	105
2	N3	103	None
2	N4	104	104

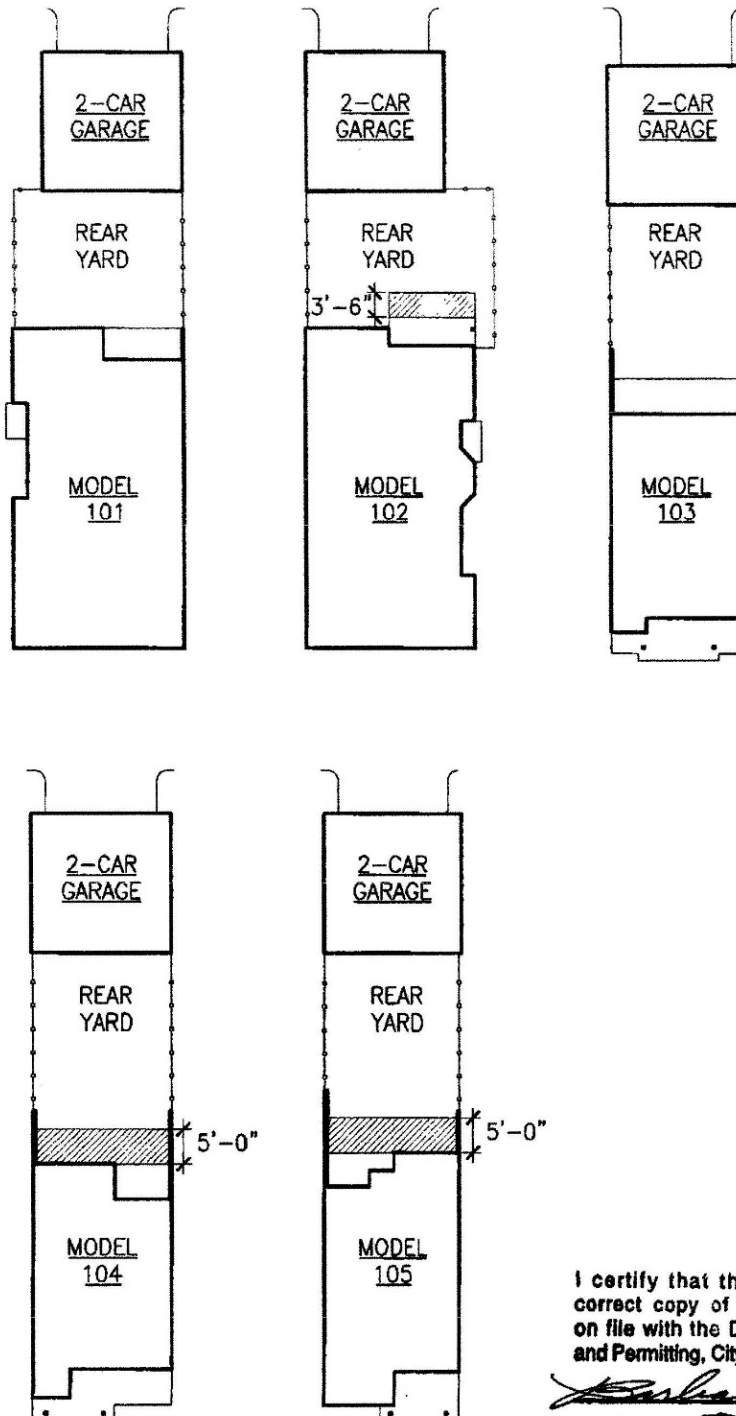
Incr.	Apt.	Model	DAP
2	N5	102	102
2	P1	101	102
2	P2	105	105
2	P3	104	104
2	P4	104R	104R
2	P5	105R	105R
2	P6	102	102
2	O1	101	None
2	O2	105	105
2	O3	104	104
2	O4	104R	104R
2	O5	105R	105R
2	O6	102	102
2	R1	101	None
2	R2	105	105
2	R3	104	104
2	R4	104R	104R
2	R5	105R	105R
2	R6	102	102
3	2A1	101	None
3	2A2	105	105
3	2A3	104	104
3	2A4	104R	104R
3	2A5	105R	105R

Incr.	Apt.	Model	DAP
3	2A6	102	102
3	2B1	101	None
3	2B2	105	105
3	2B3	103R	None
3	2B4	103	None
3	2B5	104	104
3	2B6	102	102
3	2C1	101	None
3	2C2	105	105
3	2C3	103R	None
3	2C4	103	None
3	2C5	104	104
3	2C6	102	102
3	2D1	101	None
3	2D2	105	105
3	2D3	104	104
3	2D4	104R	104R
3	2D5	105R	105R
3	2D6	102	102
3	2E1	101	None
3	2E2	105	105
3	2E3	104	104
3	2E4	104R	104R
3	2E5	105R	105R
3	2E6	102	102
4	2F2	105	105

Incr.	Apt.	Model	DAP
4	2F3	103	None
4	2F4	104	104
4	2F5	102	102
4	2G1	101	None
4	2G2	105	105
4	2G3	103R	None
4	2G4	103	None
4	2G5	104	104
4	2G6	102	102
4	2H1	101	None
4	2H2	105	105
4	2H3	104	104
4	2H4	104R	104R
4	2H5	105R	105R
4	2H6	102	102
4	2J1	101	None
4	2J2	105	105
4	2J3	103	None
4	2J4	104	104
4	2J5	102	102
4	2K1	101	None
4	2K2	105	105
4	2K3	103R	None
4	2K4	103	None
4	2K5	104	104
4	2K6	102	102

Incr.	Apt.	Model	DAP
4	2L1	101	None
4	2L2	105	105
4	2L3	104	104
4	2L4	104R	104R
4	2L5	105	105
4	2L6	102	102
5	A1	101	None
5	A2	105	105
5	A3	103	None
5	A4	104	104
5	A5	102	102
5	81	101	None
5	82	105	105
5	83	103	None
5	84	104	104
5	85	102	102
5	C1	101	None
5	C2	105	105
5	C3	103	None
5	C4	104	104
5	C5	102	102
5	01	101	None
5	02	105	105
5	03	103	None
5	04	104	104
5	05	102	102

If no Design Alteration Plan is provided, no extension of the lanai is permitted for the Townhome Unit.



MODELS 101 AND 103:

1. Alterations or expansions of the dwelling unit or garage shall not be permitted.
2. This Design Alteration Plan applies to alterations and expansions to the exterior of the building shell only.

MODELS 102, 104 AND 105:

1. The dwelling unit or garage shall not be altered or expanded, except that the lanai may be altered or expanded (including enclosures of the lanai) within the shaded area.
2. Any alterations or extensions of the lanai shall comply with all applicable laws, rules and regulations, including but not limited to the City and County of Honolulu Building Code and Land Use Ordinance (for R-5 zoned lots), as may be amended from time to time (Chapter 16 and 21 of the Revised Ordinances of Honolulu 1990, as amended), EXCEPT as otherwise permitted, required, or prohibited under DPP Planned Development Housing Permit No. 2000/PDH-3.
3. Any alterations or extensions of the lanai shall
 - (a) comply with the appropriate homeowners associations' covenants, conditions and restrictions, including any design guidelines and
 - (b) be approved by the homeowners associations or its designated agent, i.e., design review committee. Such approval shall be obtained prior to applying for building permits.
4. Compliance with this Design Alteration Plan does not relieve the homeowner of the responsibility for meeting all other requirements, nor does compliance necessarily guarantee approval by the applicable governmental agencies.
5. This Design Alteration Plan applies to alterations and expansions to the exterior of the building shell only.
6. This Design Alteration Plan is illustrative in nature and is based on a sample Apartment. The actual area of permitted expansion may be less depending on the actual location and layout of the Apartment and garage or due to other physical constraints.

I certify that this is a full, true and correct copy of the original document on file with the Department of Planning and Permitting, City and County of Honolulu.

[Signature]
 10.14.05
 DATE

OCEAN POINTE, AREA II - "KE NOHO KAI" DESIGN ALTERATION PACKAGE - TOWN HOMES

NOT TO SCALE

OCTOBER 12, 2005

E. MAINTENANCE OF SERVICE LANE TREES. Trees in Service Lanes are to be maintained in the original locations and quantity as originally provided by the Developer, and at a height limit of 25 feet. Owners shall provide water for the irrigation of such trees.

The Master Declaration and the Sub-Association Declarations provide that only the Association is permitted to remove, trim or prune Common Area trees, however, the Ke Noho Kai Community Association has delegated the responsibility for maintaining the height of the trees in rear Service Lanes to the Owners. For the Townhome project, the AOA has delegated responsibility for maintaining the height of trees in rear Service Lanes to the Owners.

APPENDIX VI

SPINNAKER PLACE TOWNHOMES SPECIFIC GUIDELINES

Spinnaker Place was part of the second phase of Ocean Pointe. Spinnaker Place is a mix of two basic types of Townhome Units. The first type has a detached garage in the rear of the Townhome, where the garage, Townhome and fence grouping create a private rear yard (a “Detached Garage Townhome”). The second type has a garage attached to the Townhome, where the fence grouping at the main entrance to the Townhome creates a private front yard (an “Attached Garage Townhome”).

The Appendix contains the specific restrictions and conditions applicable to the aesthetic external appearance of the Townhome Buildings and Limited Common Elements in Spinnaker Place. Other restrictions and conditions are found in, among other things, Declaration of CPR, the LUO and the Building Code. Owner is responsible for reviewing those documents and complying with the applicable restrictions and conditions.

A. MATERIALS AND COLORS. All structural additions, alterations and new construction must use materials that are substantially similar to those utilized in the original construction.

Exterior colors approved by the DRC and, if applicable, governmental authorities.. When replacing existing roofing or repainting the exterior of a Townhome Building, the AOA shall keep the original color scheme combination intact. A color copy of this chart is available for viewing at the office of the DRC.

BEACH HOUSE 100 SERIES – ‘A’ ELEVATIONS				
SCHEME	9	10	11	12
Color 1	ICI 588 Grey Tweed	8715D Moose Point	8745A Kayak Brown	8635D Mansard Stone
Color 2	001 White	001 White	001 White	001 White
Color 3 Body	8732W Frontier Tan	8232W Lulled Beige	8683W Tinderbox	ICI 631 Sudan Sand
Color 4 Body	8694M Woodcut	8724M Meadowlark	8233M Crisp Khaki	ICI 611 Sea Gull Grey
Color 5 Accent	ICI 164 Grapevine Wreath	8285A Monk’s Hood	8635D Mansard Stone	ICI 464 Brown Bag
Roof	HB, WW, GG	HB, WW	HB, WW, GG	HB, WW, GG
Masonry	Shale	Mohave	Grey	Platinum

Paint: Spectratone/ICI

Stone: Cultured Stone – Profit LedgeStone

Roof: Certainteed/Landmark Series 30

Roof Legend: GG = Granite Grey; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN TOWNHOUSES 100 SERIES – 'B' ELEVATIONS				
SCHEME	5	6 (SALES OFFICE)	7	8
Color 1	CW057W White Solitude	CW057W White Solitude	CW057W White Solitude	CW057W White Solitude
Color 2	8722W	ICI 637	ICI 917	ICI 719
Body	Desert Castle	Fossil Grey	Grey Nuance	Pilla
Color 3	ICI 371	ICI 611	ICI 913	ICI 631
Body	Sanderling	Sea Gull Grey	Silverlawn	Sudan Sand
Color 4	ICI 364	ICI 591	ICI 909	ICI 610
Body	Maple Season	Cityscape	Slippery Rock	Sisal
Color 5	ICI 1030	8835D	866N	8516A
Accent	Ironstone Green	Pawnee	Potting Shed	Temptress
Roof	HB, WW	WW, HB, GG	GG, WW	GG, WW, HB

Paint: Spectratone/ICI

Roof: Certainteed/Landmark SE

Roof Legend: GG = Granite Grey; HB = Heather Blend; WW = Weathered Wood

COASTAL CRAFTSMAN 100 SERIES – 'B' ELEVATIONS				
SCHEME	13	14	15	16
Color 1	CW057W White Solitude	CW057W White Solitude	CW057W White Solitude	CW057W White Solitude
Color 2	8211W	8722W	8641W	ICI 719
Body	Sandy Lane	Desert Castle	Tradewind	Pillar
Color 3	ICI 649	8723M	8633W	ICI 631
Body	Oyster White	Desert Tumbleweed	Smoky Candle	Sudan Sand
Color 4	ICI 610	8734M	8634M	ICI 521
Body	Sisal	Bark Mulch	Dusty Miller	Deacon's Bench
Color 5	ICI 1285	8705D	8876N	ICI 1030
Accent	Iron Creek	Barn Rafter	Spiced Plum	Ironstone Green
Roof	HB, WW	GG, HB, WW	GG, HB, WW	HB, WW, GG
Masonry	Mohave	Grey	Platinum	Shale

Paint: Spectratone/ICI

Stone: Cultured Stone – Profit LedgeStone

Roof: Certainteed/Landmark Series 30

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

- B. LANAI AND ENTRY ENCLOSURES. Lanai and entry enclosures are not allowed.
- C. NO EXTERIOR EXTENSIONS OR MODIFICATIONS. No exterior extensions or modifications, including height increases, of any Townhome Building or Limited Common Element is permitted.
- D. STANDARD OPTIONS. Standard Options are only permitted when approved and constructed as part of the original construction.

APPENDIX VII

KE'ALOHI KAI SPECIFIC GUIDELINES

Ke'alohe Kai was the third phase of development at Ocean Pointe. Ke'alohe Kai is a mix of detached and paired Single-Family Homes that were developed under the PDH Permit 2003/PDH-3 and is subject to a DPP Declaration of Covenants.

The Appendix contains the specific restrictions and conditions applicable to the external aesthetic appearance of the Dwelling Units in Ke'alohe Kai. Other restrictions and conditions are found in, among other things, the PDH Permit, the DPP Declaration of Covenants, the LUO and the Building Code. Owner is responsible for reviewing those documents and complying with the applicable restrictions and conditions.

A. MATERIALS AND COLORS. All structural additions, alterations and new construction must use materials that are substantially similar to those utilized in the original construction.

Paint: Spectratone/ICI

Roof: Certainteed/Landmark Series 30

Exterior colors for Paired Homes approved by the DRC and, if applicable, governmental authorities. When replacing existing roofing or repainting the exterior of a Dwelling Unit, the original color scheme combination must be kept intact. A color copy of this chart is available for viewing at the office of the DRC.

HAWAIIAN MISSION 200 SERIES - 'A' ELEVATIONS				
SCHEME	1	2	3	4
Color Scheme 1	8685D Woodlet	8725A Coach House	8705D Barn Rafter	ICI 984 Whetstone
Color Scheme 2 Body	ICI 649 Oyster White	ICI 729 Seed Pearl	8723M Desert Tumbleweed	ICI 479 Dapper Tan
Color Scheme 3 Body	ICI 416 Sandy Cove	ICI 533 Obelisk	8724M Meadowlark	ICI 371 Sanderling
Color Scheme 4 Accent	8876N Spiced Plum	8646N Blackened Beam	ICI 161 Black Burgundy	8586A Metropolis
Roof	WW, HB	HB, WW	GG, WW, HB	HB, WW, GG

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN CRAFTSMAN 200 SERIES - 'B' ELEVATIONS				
SCHEME	5	6	7	8
Color Scheme 1	ICI 367 Cinnamon Glaze	ICI 610 Sisal	8634M Dusty Miller	ICI 593 Barn Swallow
Color Scheme 2	181 White Shadow	181 White Shadow	181 White Shadow	181 White Shadow
Color Scheme 3 Body	8683W Tinderbox	8642W Foggy London	ICI 428 Indian Painting	ICI 833 Grey Birch
Color Scheme 4 Body	8684M Oak Flats	8644M Seal Beach	ICI 372 Taupewood	ICI 830 Khaki Green
Color Scheme 5 Accent	8866A Curtain Call	ICI 1235 Clayton Lake	8636N Old Porch	ICI 514 Rough Hewn
Roof	WW, HB	HB, WW	GG, WW	HB, WW

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN COTTAGE 200 SERIES - 'C' ELEVATIONS				
SCHEME	9	10	11	12
Color Scheme 1	001 White	001 White	001 White	001 White
Color Scheme 2* Body	ICI 434 Pink Beige	ICI 1154 Alumina	8211W Sandy Lake	8703M Rockbridge
Color Scheme 3** Body	ICI 333 Fawn Beige	ICI 11545 Cinder Grey	8214M Tobacco Road	8704D Stratford Brown
Color Scheme 4 Accent	ICI 1143 Stonewall	8336N Bavarian Chalet	8585D Smoke Brush	8605D English Pine
Roof	WW, HB, GG	HB, WW, GG	WW, HB	HB, WW, GG

* Color 2 is balance of house for 201C, 202C, 203C

** Color 3 is balance of house for 204C

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN MISSION 300 SERIES - 'A' ELEVATIONS			
SCHEME	1	2	3
Color Scheme 1	8695D Thatched Roof	8755A Spice Nut	ICI 588 Grey Tweed
Color Scheme 2 Body	ICI 472 Fortress Stone	8732W Frontier Tan	390 Western Beige
Color Scheme 3 Body	ICI 464 Brown Bag	8734M Bark Mulch	ICI 421 Onionskin Tan
Color Scheme 4 Accent	ICI 1027 Granite Green	ICI 21 Shaker Village	ICI 1285 Iron Creek
Roof	WW, HB	HB, WW	WW, HB

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN CRAFTSMAN 300 SERIES - 'B' ELEVATIONS			
SCHEME	4	5	6
Color Scheme 1	8305D Jericho Brown	ICI 460 Arrow Wood	8734M Bark Mulch
Color Scheme 2	181 White Shadow	181 White Shadow	181 White Shadow
Color Scheme 3 Body	8663W Rugged Trail	8722W Desert Castle	8771W Silver Shimmer
Color Scheme 4 Body	8664M Backpack	8722M Crisp Khaki	8771W Dauphin Gray
Color Scheme 5 Accent	ICI 204 Chestnut	8233M Iron Horse	8306N Alcazar Brown
Stone	Shale	Mohave	Grey Profit
Roof	WW, HB, GG	HB, WW, GG	WW, HB

Stone: Profit LedgeStone

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN COTTAGE 300 SERIES - 'C' ELEVATIONS			
SCHEME	7	8	9
Color Scheme 1	001 White	001 White	001 White
Color Scheme 2 Body	ICI 1045 Sterling	ICI 640 Ivory Sampler	8621W Chromox Green
Color Scheme 3 Body	ICI 1038 Plymouth Rock	8224M Balsam Bark	8623M Silent Path
Color Scheme 4 Accent	ICI 164 Grapewine Wreath	ICI 1290 Western Sky Blue	ICI 410 Nuttty Brown
Roof	WW, HB, GG	HB, WW, GG	WW, HB

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN MISSION 400 SERIES - 'A' ELEVATIONS			
SCHEME	1	2	3
Color Scheme 1	8745A Kayak Brown	ICI 910 Heather Grey	8715D Moose Point
Color Scheme 2 Body	8713 Kindling Wood	182 Arizona White	8743M Polished Oak
Color Scheme 3 Body	8714M Wildcat	8223M Sienna Sand	8744D Sweetwood
Color Scheme 4 Accent	8526A Dark Colossus	ICI 1025 Bunker Hill	ICI 88 Wild Cranberry
Color Scheme 5 Accent 2	8796M Black Metal	8796M Black Metal	8796M Black Metal
Roof	WW, HB, GG	HB, WW, GG	WW, HB

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN CRAFTSMAN 400 SERIES - 'B' ELEVATIONS			
SCHEME	4	5	6
Color Scheme 1	ICI 512 Hale Village	8694M Woodcut	ICI 412 Briar Patch
Color Scheme 2	181 White Shadow	181 White Shadow	181 White Shadow
Color Scheme 3 Body	8782W Sterling Coin	8232W Lulled Beige	ICI 523 Heron Grey
Color Scheme 4 Body	8783M Stonewall	8234M Dalpin	ICI 515 American Eagle
Color Scheme 5 Accent	ICI 414 Crème Brulee	8745A Kayak Brown	8296N Treasure Chest
Stone	Grey	Mojave	Shale
Roof	WW, HB, GG	HB, WW	WW, HB, GG

Stone: Profit LedgeStone

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN COTTAGE 400 SERIES - 'C' ELEVATIONS			
SCHEME	7	8	9
Color Scheme 1	001 White	001 White	001 White
Color Scheme 2 Body	ICI 474 Stone Harbor	8633W Smokey Candle	ICI 541 Desert Castle
Color Scheme 3 Body	ICI 463 Neutral Wheat	8634M Dusty Miller	ICI 521 Deacon's Bench
Color Scheme 4 Accent	8575D Baybridge	ICI 203 Casbah	8625D Shipyard
Roof	WW, HB	HB, WW, GG	WW, HB

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN MISSION 500 SERIES - 'A' ELEVATIONS			
SCHEME	1	2	3
Color Scheme 1	8694M Woodcut	8794M Fired Steel	8755A Spicenut
Color Scheme 2 Body	8242W Northern Plains	ICI 637 Fossil Grey	ICI 649 Oyster White
Color Scheme 3 Body	8724M Meadowlark	8743M Polished Oak	ICI 8533 Obleisk
Color Scheme 4 Accent	8525D Rock Garden	ICI 161 Black Burgundy	ICI 1027 Granite Green
Roof	WW, HB	HB, WW, GG	WW, HB

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

HAWAIIAN CRAFTSMAN 500 SERIES - 'B' ELEVATIONS			
SCHEME	4	5	6
Color Scheme 1	8715D Moose Pointe	8745A Kayak Brown	8655D Pinedale
Color Scheme 2	CW057W White Solitude	CW057W White Solitude	CW057W White Solitude
Color Scheme 3 Body	ICI 472 Fortress Stone	8773M Daphne Gray	ICI 631 Sudan Sand
Color Scheme 4 Body	ICI 521 Deacon's Bench	ICI 371 Sanderling	ICI 913 Silverlawn
Color Scheme 5 Accent	8315D Ravenwood	8636N Old Porch	8285A Monks Hood
Stone	Mojave	Grey	Platinum
Roof	WW, HB, GG	HB, WW, GG	WW, HB

Stone: Profit LedgeStone

Roof Legend: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

OCEAN POINTE COMMUNITY CENTER	
SCHEME	1
Color Scheme 1	PP 510-1 Garlic Clove
Color Scheme 2 Body	ST 867M Muddy River
Color Scheme 3 Body	ST 867D Wooden Oar
Color Scheme 4	ST 8305D Jericho Brown
Roof	Heather Blend
Stone	Shale Profit LedgeStone

If the Owners wish to select another color scheme combination, approval must be obtained from the DRC; provided however, that the color scheme must conform to the color scheme permitted for the existing or new roof color selected from the appropriate color chart. No “mix or match” of colors from different color schemes will be permitted. Additionally, the Owner may not select the same color scheme used by adjacent Dwelling Units.

B. LANAI AND ENTRY ENCLOSURES. Lanai and entry enclosures are not allowed except in the rear yard area of Enclosed Private Yards. Screened lanais are allowed in Enclosed Private Yards, provided the addition or expansion complies with the Design Guidelines for permanent structures.

C. LANDSCAPING. Tree set backs on Perimeter Lots (Lots adjacent to Pāpipi Road, Pāpipi Drive, ocean park areas, golf course lots, and other lots with rear yards or lanes that are adjacent to external boundaries) shall be as follows: five foot (5') side yard setbacks and fifteen foot (15') rear yard setbacks, measured from the property line.

D. EXTENSIONS OR EXTERIOR MODIFICATIONS. No second floor additions or height increases are permitted. Covered and uncovered second floor decks are allowable expansions subject to DRC approval.

1. Subject to limitations of setbacks indicated on Plot Plans reflected in the DPP Declaration, lot coverage (discussed below), and compliance with all applicable laws, rules and regulations, Dwelling Units may be expanded, or additions made thereto, within the shaded areas indicated on the Design Alteration Plan shown below.

[Design Alteration Plans begin on next page.]

I certify that this is a full, true and correct copy of the original document on file with the Department of Planning and Permitting, City and County of Honolulu.

Barbara A. Allen
10.14.05
DATE

1. Alterations or expansions of the dwelling unit or garage shall be permitted only within the shaded area, PROVIDED, that alterations and expansions (including, but not limited to uncovered patios, decks, and slabs), may be constructed within the non-shaded area of the enclosed fenced area to the extent permitted by the City and County of Honolulu Land Use Ordinance, as may be amended from time to time ("LUO"). (Chapter 21 of the Revised Ordinances of Honolulu 1999, as amended). The enclosed fenced area referred to herein shall be as shown in the approved Plot Plan.
2. All alterations and expansions shall comply with the standards for R-5 zoned lots (including but not limited to the maximum building area and minimum setback requirements) under the LUO, EXCEPT as otherwise permitted, required, or prohibited under DPP Planned Development Housing Permit No. 2003/PDH-3.
3. All alterations and expansions shall
 - (a) comply with the appropriate homeowners associations' covenants, conditions and restrictions, including any design guidelines and
 - (b) be approved by the homeowners associations or its designated agent, i.e., design review committee. Such approval shall be obtained prior to applying for building permits.
4. All alterations and expansions shall comply with all other applicable laws, rules and regulations, including but not limited to the City and County Building Code, as may be amended from time to time. (Chapter 18 of the Revised Ordinances of Honolulu 1990, as amended.)
5. Compliance with this Design Alteration Plan does not relieve the homeowner of the responsibility for meeting all other requirements, nor does compliance necessarily guarantee approval by the applicable governmental agencies.
6. This Design Alteration Plan applies to alterations and expansions to the exterior of the building shell only.
7. The shaded area shown on this Design Alteration Plan is for illustrative purposes only and depicts the area of permitted expansion in relation to a sample house, garage and property lines. The actual area of permitted expansion will vary with each lot depending on the actual size and configuration of the lot and the location and layout of the house and garage. The actual property lines, setbacks, and location and layout of the house and garage for each lot are shown on the approved Plot Plan.
8. 200 Series only: No driveway for a third car parking stall shall be permitted, unless the lot width at the face of the garage is at least 37 feet. See Exhibit B, Page 3 of 3, for listing of eligible lots.

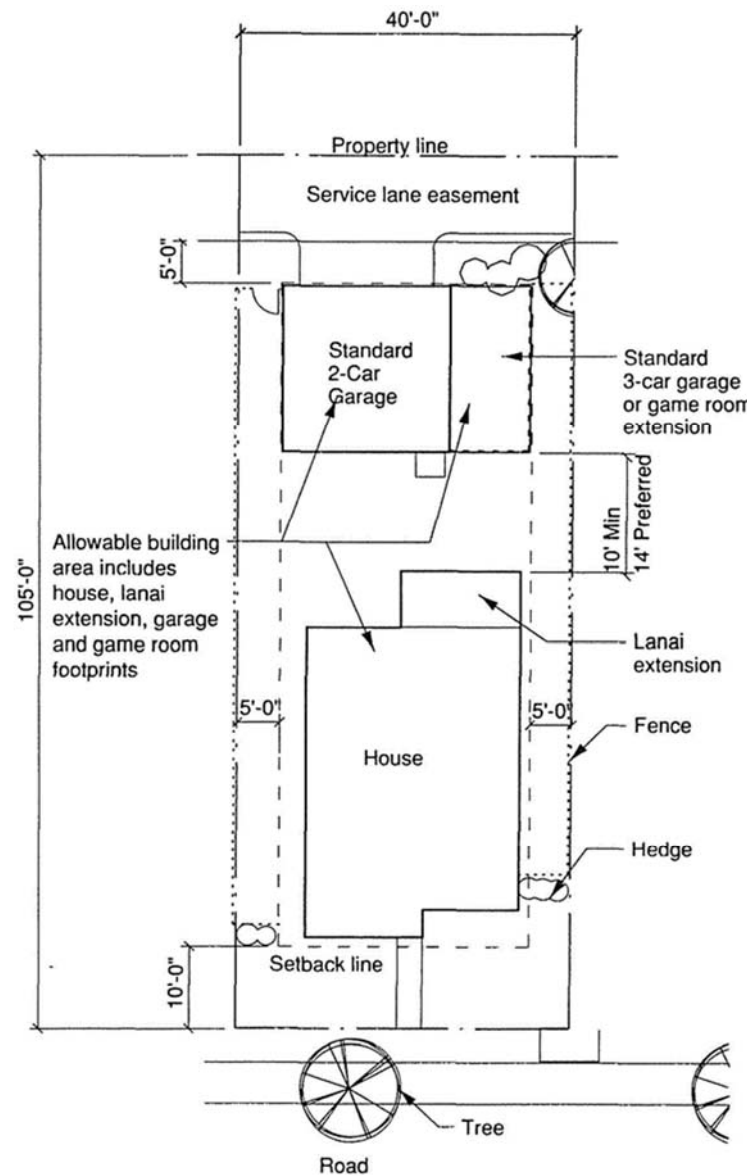
OCEAN POINTE, AREA III - "KE'ALOHI KAI"

DESIGN ALTERATION PACKAGE - SINGLE FAMILY HOMES

NOT TO SCALE

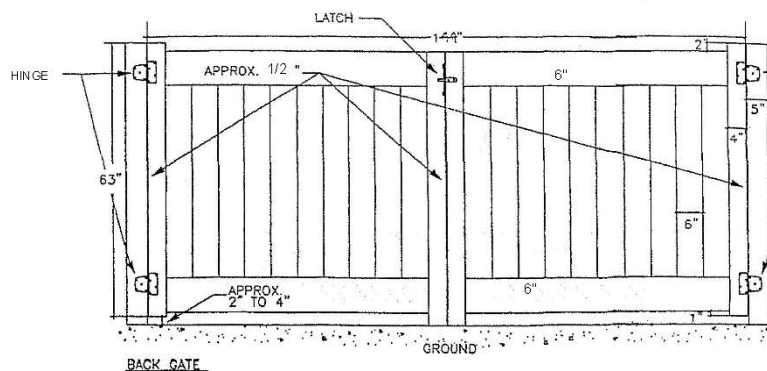
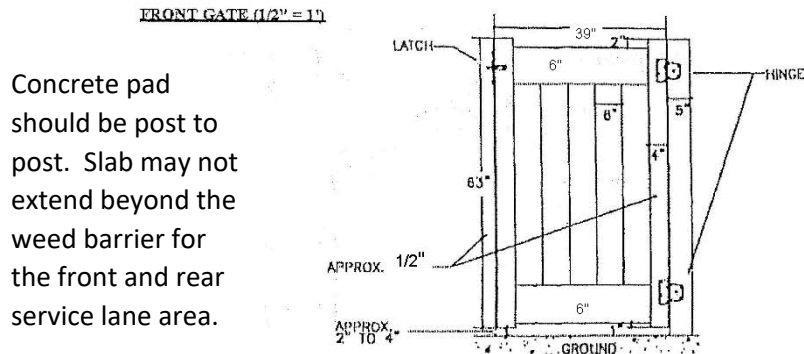
OCTOBER 12, 2005

2. **LOT COVERAGE.** For single family homes, the Lot coverage is limited to 50% of the net lot area or 2,500 square feet, whichever is less. Note that this calculation uses the *building area* as defined by the LUO and not *floor area*. For a typical 105' x 40' lot in Ke'alahi Kai, the gross lot area is 4,200 square feet, and the net area is 3,800 square feet. For this typical lot, therefore, the allowable building area, including house, garage, and covered lanais, is 1,900 square feet maximum. See, Conceptual Site Plan below.



Conceptual Site Plan (showing typical 40' x 105' lot)
Scale: 1"=20'

3. VINYL GATE DESIGN GUIDELINES.



E. STANDARD OPTIONS.

1. **GRANNY FLATS.** Lots identified on City subdivision maps as "Granny Flat" or "GF" units are allowed to have kitchen areas within living areas sharing a common wall with a detached garage structure, provided they comply with Design Guidelines and City requirements, and offsite utilities are adequate. The maximum area for the Granny Flat shall be the lesser of 500 square feet, maximum building area or other limits attributable to the configuration of a specific lot.
2. **ADDITIONAL PARKING STALL.** An additional parking stall may be constructed on certain Lots at Ke'alohe Kai depending on the garage type and options selected for the Lot. To preserve the architectural character of Ke'alohe Kai, an eligible lot must be accessible by a rear Service Lane and any additional parking stall may only be located at the rear of the eligible Lot (adjacent to the garage structure). Any such parking stall shall be constructed of poured concrete. Notwithstanding the foregoing, the 170 and 200 series Lots that are eligible for a third-car parking stall are as follows:

[List appears on next page.]

LIST OF 200 SERIES HOUSE LOTS
ELIGIBLE FOR AND ADDED
DRIVEWAY FOR A THIRD-CAR
PARKING STALL:

AREA IIIA:

LOTS A92, A94, A95, A96, A97,
A98, A99

AREA IIIB:

LOTS B19, B23, B65, B66, B67,
B68, B69, B70, B71, B83

AREA IIIC:

LOTS (TBD)

AREA IIID:

LOTS (TBD)

AREA IIIE:

LOTS (TBD)

AREA IIIF:

LOTS (TBD)

AREA IIIG:

LOTS (TBD)

LIST OF 170 SERIES (DUPLEX)
LOTS ELIGIBLE FOR AN ADDED
DRIVEWAY FOR A THIRD-CAR
PARKING STALL:

AREA IIIA:

LOTS A9, A111, A112, A113,
A114, A115, A116, A117, A118,
A130

AREA IIIB:

NONE

AREA IIIC:

LOTS (TBD)

AREA IIID:

LOTS (TBD)

AREA IIIE:

LOTS (TBD)

I certify that this is a full, true and
correct copy of the original document
on file with the Department of Planning
and Permitting, City and County of Honolulu.

AREA IIIF:

LOTS (TBD)

AREA IIIG:

LOTS (TBD)

OCEAN POINTE, AREA III - "KE'ALOHI KAI"

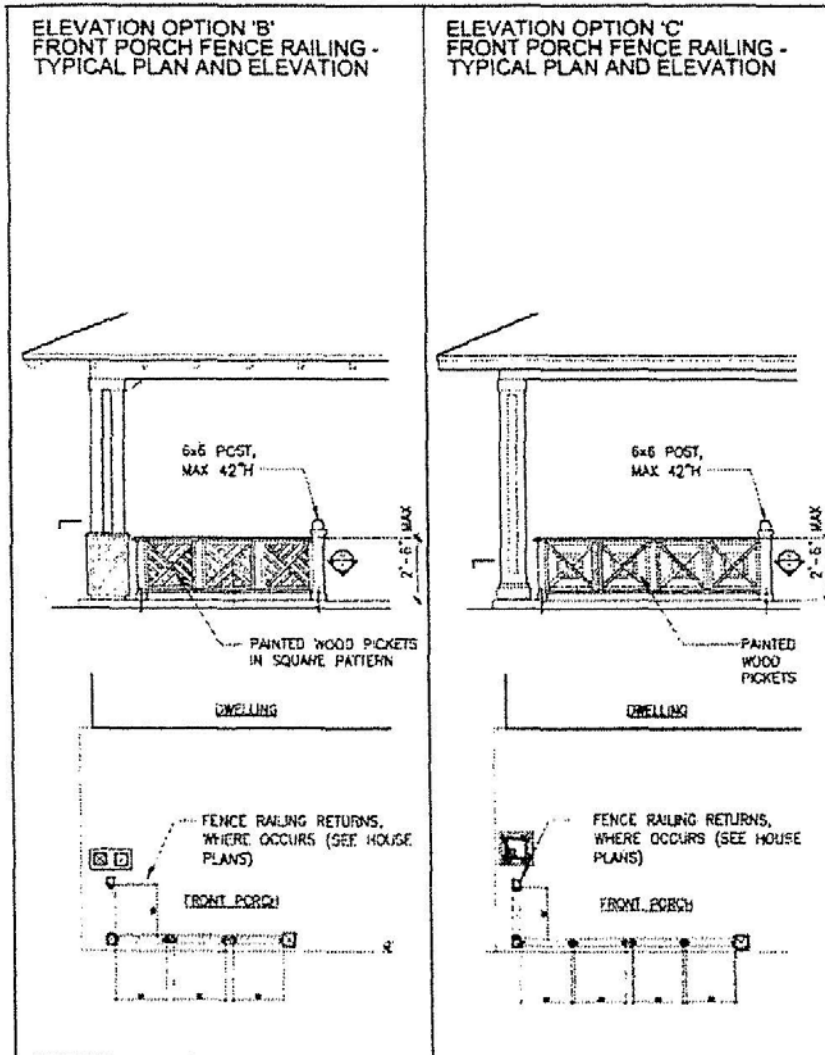
DESIGN ALTERATION PACKAGE -

LIST OF 200 SERIES SINGLE FAMILY AND 170 SERIES

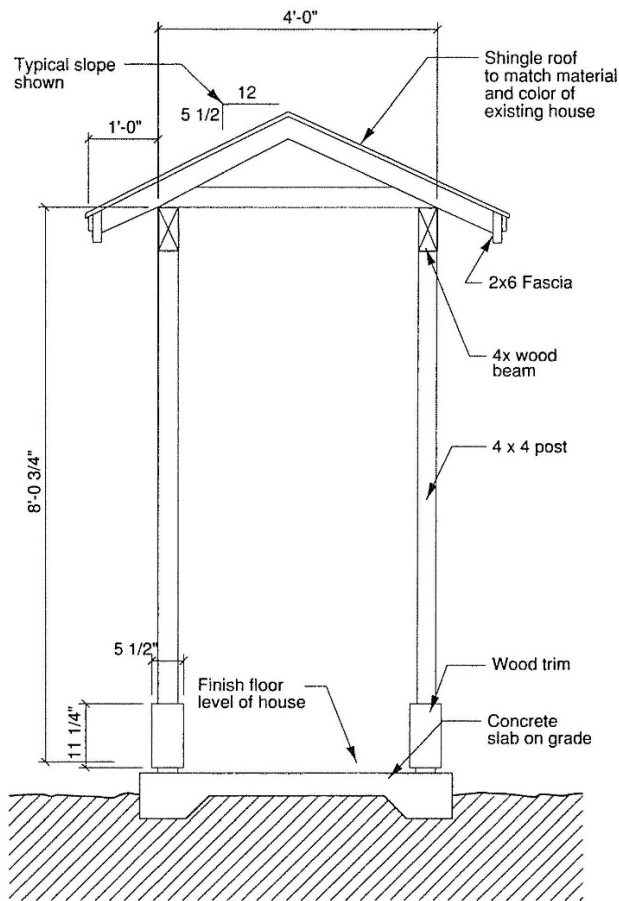
DUPLEX (PAIRED HOMES) LOTS ELIGIBLE FOR AN ADDED
DRIVEWAY FOR A THIRD CAR PARKING STALL

OCTOBER 12, 2005

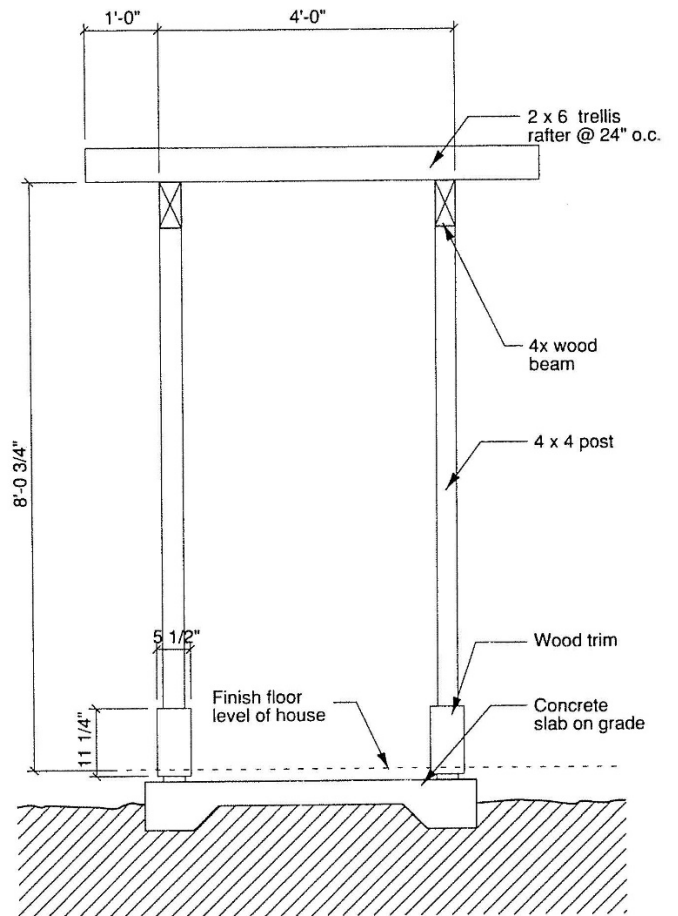
3. FRONT PORCH RAILING DESIGN GUIDELINES.



4. EXTERIOR WALKWAYS FOR SINGLE-FAMILY HOMES. Covered or trellised walkways may be designed to connect a Single-Family Home with its garage.



Covered Walkway
Scale: 1/2" = 1'-0"



Typical Open Trellis Walkway
Scale: 1/2" = 1'-0"

- F. MAINTENANCE OF SERVICE LANE TREES. Trees in Service Lanes are to be maintained in the original locations and quantity as originally provided by the Developer, and at a height limit of 25 feet. Owners shall provide water for the irrigation of such trees.

APPENDIX VIII

THE TOWN HOMES AT FAIRWAY'S EDGE SPECIFIC GUIDELINES

The Town Homes at Fairway's Edge was part of the last phase of Ocean Pointe. The Town Homes at Fairway's Edge is a mix of two basic types of Townhome Units. The first type has a detached garage in the rear of the Townhome, where the garage, Townhome and fence grouping create a private rear yard (a "Detached Garage Townhome"). The second type has a garage attached to the Townhome, where the fence grouping at the main entrance to the Townhome creates a private front yard (an "Attached Garage Townhome").

The Appendix contains the specific restrictions and conditions applicable to the aesthetic external appearance of the Townhome Buildings and Limited Common Elements in The Town Homes at Fairway's Edge. Other restrictions and conditions are found in, among other things, Declaration of CPR, the LUO and the Building Code. Owner is responsible for reviewing those documents and complying with the applicable restrictions and conditions.

A. MATERIALS AND COLORS. All structural additions, alterations and new construction must use materials that are substantially similar to those utilized in the original construction.

Paint: Spectratone/ICI

Roof: Certainteed/Landmark Series 30

Exterior colors approved by the DRC and, if applicable, governmental authorities. When replacing existing roofing or repainting the exterior of a Townhome Building, the AOA shall keep the original color scheme combination intact. A color copy of this chart is available for viewing at the office of the DRC.

'A' ELEVATIONS				
SCHEME	1	2	3	4
Color Scheme 1	ICI 263 Coco Edge	8726W Mocha Brown	8706W Saddleburg	ICI 322 Century Brown
Color Scheme 2	ICI 694 Dry Goods	ICI 367 Cinnamon Glaze	8235D Brush Box	ICI 515 American Eagle
Color Scheme 3	ICI 423 Worsted Tan	ICI 796 Greylock Inn	ICI 529 Scroll Beige	ICI 472 Fortress Stone
Color Scheme 4	ICI 365 Sheetwood	8774M Tankard	8695D Thatch Roof	ICI 367 Cinnamon Glaze
Color Scheme 5	ICI 204 Tuscany	ICI 1326 Equinox	8666W Potting Shed	8776N Blacksmith
Stone Country Rubble	Tuscany	Polerma	Polerma	Tuscany
Roof	WW, HB	HB, WW, GG	WW, HB	HB, WW

ROOF LEGEND: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

'B' ELEVATIONS				
SCHEME	5	6	7	8
Color Scheme 1	CW066W Picket White	CW066W Picket White	CW066W Picket White	CW066W Picket White
Color Scheme 2	8655D Pinedale	ICI 415 Brown Tone	ICI 322 Century Brown	ICI 909 Slippery Rock
Color Scheme 3 Body	8704D Stratford Brown	ICI 614 Stonington Beige	ICI 917 Grey Nuisance	8234M Daplin
Color Scheme 4 Body	8705D Barn Rafter	ICI 593 Barn Swallow	ICI 910 Heather Grey	ICI 414 Crème Brulee
Color Scheme 5 Accent	ICI 88 Wild Cranberry	ICI 1426 Inland Waters	ICI 1135 Covered Bridge	8656N Greek Olive
Roof	WW, HB, GG	HB, WW, GG	GG, WW, HB	HB, WW

ROOF LEGEND: GG = Granite Gray; HB = Heather Blend; WW = Weathered Wood

B. LANAI AND ENTRY ENCLOSURES. Lanai and entry porches may not be enclosed.

C. LANDSCAPING.

1. Townhomes Adjacent to Golf Course.

- a. For those Townhome Units that are adjacent to the golf course, it is the initial intent of the AOA that the view planes between the Townhome Units and the adjacent golf course be encouraged wherever possible. The Owner shall maintain the landscaping of the Rear Yard so as not to cause the interruption or interference of any view planes between the Townhome Units and the golf course. To this end, any landscaping along the fence immediately adjacent to the golf course shall not exceed twenty-four inches (24") in height. All other landscaping within a Rear Yard of the Townhome Unit shall not exceed the height of the surrounding fence. To the extent an Owner desires to install or change the landscaping which may potentially exceed the height limitations, the Owner shall first submit the Owner's landscaping plans to the AOA for the AOA's approval. Following receipt of the AOA approval, the AOA shall submit such approved landscaping plans to the DRC for final review and approval.
- b. Planting of trees in the rear Private Yards of Townhome Units adjacent to the golf course shall require AOA approval prior to review by the DRC since trees may affect view planes from adjacent properties to the golf course. Trees within the Front Entry fenced area shall be installed in pots and have a maximum canopy width of five feet (5') and a maximum height of ten feet (10').

D. NO EXTERIOR EXTENSIONS OR MODIFICATIONS. No exterior extensions or modifications, including height increases, of any Townhome Building or Limited Common Element is permitted.

The unfinished floor of the second floor balconies located on the TH21 Townhome Buildings is a Common Element of The Town Homes at Fairway's Edge. Such unfinished floor includes an elastomeric coating installed on the floor of the second floor balcony to provide a water tight membrane that is intended to prevent water from seeping into the Townhome Units. In order to protect the integrity of the membrane, an Owner shall not alter, remove, or otherwise attempt to modify the elastomeric coating, nor paint or affix/install any floor covering (i.e. tile, carpeting) or other surfacing materials onto the floor of the second floor balcony.

E. STANDARD OPTIONS. Standard Options are only permitted when approved and constructed as part of the original construction.

APPENDIX IX

RULES AND GUIDELINES GOVERNING THE PLACEMENT OF PHOTOVOLTAIC DEVICES

I. DESIGN GUIDELINES

A. Panel Placement: The panel components of a photovoltaic device should be placed on the roof of the Owner's garage if the device can attain Acceptable Performance at that location. Otherwise, panel components should be installed in the location that is the least visible from the public streets of Ocean Pointe. The front slope of the roof may not be used unless no other location is possible, provided, however, panel components may not be installed on any roof line area directly above the front entry of a Dwelling Unit. For purposes of these guidelines, "Acceptable Performance" shall mean not more than twenty-five per cent less efficient or not more than fifteen per cent more expensive.

ADDITIONAL PLACEMENT RESTRICTIONS	
PAIRED HOMES	No solar panel, penetration or fastening shall be located within 6" of the centerline of common (party) wall shared by two garages or two Dwelling Units. No portion of the photovoltaic device may encroach in any manner on the roof area located above another garage or Dwelling Unit.
TOWNHOMES	Solar panels shall be installed on the portion of the roof directly above the Owner's garage or Townhome Unit. No solar panel, penetration or fastening shall be located within 6" of the centerline of common (party) wall shared by two garages or two Dwelling Units. No portion of the photovoltaic device may encroach in any manner on the roof area located above another garage or Dwelling Unit.

To the maximum extent possible, solar panels are to be installed:

1. flush with the roof surface,
2. parallel to the roof or at the smallest angle of deviation from the slope of the roof that will afford Acceptable Performance
3. below the peak of the roof; and
4. a safe distance from the edge of the roof.

B. Balance of the System Placement. The remainder of the photovoltaic system (other than the solar panels), should be placed within an area owned and controlled by the Dwelling Unit's Owner. If such an area is not available for a Townhome Unit, the balance of the system shall be installed on the rear walls of the Townhome Unit.

1. Disconnect Box. All openly visible disconnect boxes, inverters and sub panels should be painted to match the body of the structure to which it is attached. The paint must meet any requirements of the City, HECO and the electrical code.

SINGLE FAMILY HOME	The main disconnect box shall be installed next to the meter or as required by the City, HECO or the electrical code, painted the same color as the surface to which it is mounted. All other disconnect boxes shall be located behind the enclosed private yard of the Dwelling Unit.
--------------------	--

TOWNHOME WITH DETACHED GARAGE	SPINNAKER PLACE TOWNHOMES: Installed in separate structure to be constructed in the Common Element landscaping area next to the meter room, labeled and identified with permanent plaque indicating applicable Unit number and street address.
	ALL OTHER NEIGHBORHOODS: Installed next to garage roll up door, painted the same color as the surface to which it is mounted, and labeled and identified with permanent plaque indicating applicable Unit number and street address, installed 6" above the disconnect box.
TOWNHOME WITH ATTACHED GARAGE	Installed next to garage roll up door, painted the same color as the surface to which it is mounted, and labeled and identified with permanent plaque indicating applicable Unit number and street address, installed 6" above the disconnect box.

2. Batteries. Batteries for electrical storage shall be installed in well-ventilated areas within the Owner's rear Private Yards or garage. If placed within the rear Private Yards, battery packs shall not exceed the height of the fence or installed at the minimum height according to code.

The remainder of the system shall meet the following criteria:

1. Reflective surfaces are not permitted for any exposed parts other than the solar panels. Exposed surfaces must be painted to match the surface on which it is mounted. Owners shall ensure that all painted surfaces are properly maintained to prevent the peeling and cracking of paint.
2. All conduits must run along the trim, corner board or gutter of the Dwelling Unit. If such a conduit run is not feasible, then a straight run to the inverter/disconnect box would be reviewed for a variance.
3. All conduits should be painted to match the body of the Dwelling Unit.
4. Micro inverters shall be installed whenever possible. The inverter should be installed on the rear wall of the Dwelling Unit at a height from the ground so that it is not visible from the street or over the fence line. The inverter must meet the codes and regulations of the City and HECO.
5. Developer preinstalled conduit, connections and electrical cabinets shall be utilized whenever possible.
6. If Acceptable Performance of the photovoltaic device requires removal or trimming of trees that the Association otherwise would remove or trim, the work shall be performed by persons hired by the Association, at the cost of the Owner, including costs of obtaining the advice of one or more expert arborists and obtaining any permits required for the work. The Association shall not be required to remove or excessively trim any trees if the removal or trimming would violate any laws or regulations (including any applicable Optional Development Regulation) or detract from the appearance of Ocean Pointe.

II. PROCEDURE

A. Application.

A complete Application for installation of any photovoltaic device must be submitted to the DRC at least thirty (30) days prior to the date of commencement of installation. The DRC shall not review an Application for installation of a photovoltaic device on a Common Element or Limited Common Element without the written consent and approval of the AOA.

B. Submittals.

No Review Fee shall be charged to the Owner for the installation of a photovoltaic device. The AOA or Owner shall submit the following with the completed Application:

1. Design in blue print format, certified by:
 - a. a solar power systems contractor licensed by the State of Hawai'i for such work (the "Contractor"), showing the exact placement of the panels. Certification should include the Contractor's statement that the system complies with the rules and regulations applicable to photovoltaic systems, including any rules for electric service set by Hawaiian Electric Company, Inc. ("HECO"); and
 - b. a structural engineer licensed by the State of Hawai'i, which certification shall include that the device shall be able to withstand strong winds, that it is secured firmly to the roof in accordance with applicable building codes, and that the structure to which the device is attached shall be capable of supporting the weight of the device and all wind and other forces that can be anticipated to bear upon the structure following installation of the device.
2. Schematic drawings should include the proposed location of conduit to and from the panels, disconnect box, meter, central inverters and sub panels, if applicable.
3. If the photovoltaic panel is to be installed upon a Common Element or Limited Common Element, OPRCA Staff will obtain a letter from the AOA noting the AOA Board's approval of the installation (and any conditions thereto), confirming that the AOA has determined that the installation will not impact the roofing contractor's guaranty or the roofing manufacturer's warranty, and confirming that the Owner is in good standing with the AOA.
4. A copy of the solar power systems contractor's license.

C. Resubmittals.

Any photovoltaic device must be installed strictly in accordance with plans and specification approved by the DRC. In accordance with Hawaii Revised Statutes §196-7(b), the DRC does not charge fees for its review of any planned installation of any solar energy device. However, should any photovoltaic device not be installed strictly in accordance with the terms and conditions of the DRC's approval for the installation of such device, the applicant will be assessed fees in the amount of \$_____ by the DRC to review any proposed revised plans and/or specifications for the remediation of any non-compliant installation.

III. VARIANCE

The DRC shall consider a variance from the requirements of this guideline if the Contractor shall determine that any requirement herein shall prevent the device from achieving Acceptable Performance. The Owner shall include the Contractor's certification of the minimal variance necessary to achieve Acceptable Performance with the Application.

IV. REQUIREMENTS PRIOR TO INSTALLATION ON COMMON ELEMENTS OR LIMITED COMMON ELEMENTS

- A. Together with the Application for the installation of a photovoltaic device, the Owner shall provide a written agreement to:
 - 1. Comply with the plans and specifications approved by DRC for the installation of the Photovoltaic Device;
 - 2. Engage a duly licensed contractor to install the Photovoltaic Device; and
 - 3. Provide a certificate of insurance naming DRC and the AOAO as additional insureds on the Owner's homeowner's insurance policy within 14 days of DRC's approval of the Owner's Application.
- B. Prior to the installation of any photovoltaic device, the Owner of any Townhome shall provide to the DRC:
 - 1. Within fourteen (14) days of receipt of the DRC's approval of Owner's Application, a certificate of insurance naming the DRC and the AOAO on the Owner's homeowner insurance policy;
 - 2. Upon issuance, a copy of the building permit; and
 - 3. Evidence:
 - a. that the roofing contractor shall maintain the existing guarantee or warranty, if still in effect; or
 - b. of the Contractor's standard labor and workmanship guarantee or warranty.

V. CONTINUING OBLIGATIONS UPON INSTALLATION ON COMMON ELEMENTS OR LIMITED COMMON ELEMENTS

- A. The Owner and each successive Owner of a Dwelling Unit on which a photovoltaic device is placed shall be responsible for any costs for damages to the device, the Common Elements, the Limited Common Elements, the Dwelling Unit, and any adjacent Dwelling Units, arising or resulting from the installation, maintenance, repair, removal, or replacement of the device. The repair, maintenance, removal, and replacement responsibilities, and the costs thereof, shall be assumed by each successive Owner of the Dwelling Unit.

B. The Owner and any successive Owner of a Dwelling Unit on which a photovoltaic device is placed shall be responsible for removing the device at the Owner's sole expense if reasonably necessary or convenient for the repair, maintenance, or replacement of the Common Elements or Limited Common Elements.

The Owner and each successive Owner shall at all times have and maintain a homeowner's policy of insurance covering the obligations of the Owner under this paragraph and shall name the DRC and the AOA as an additional insured under said homeowner's policy, and provide the DRC with a current certificate of insurance upon the expiration or termination of any prior certificate of insurance.

APPENDIX X

RULES AND GUIDELINES GOVERNING THE INSTALLATION OF ELECTRIC VEHICLE CHARGING SYSTEMS IN TOWNHOME PROJECTS

A. Electrical wiring and circuit configuration for Townhome Buildings were not designed to accommodate the installation of Electric Vehicle (“EV”) charging systems for every Dwelling Unit. As a result, the DRC will require the Owner to hire a licensed electrician to evaluate the electric power requirements for the proposed EV charging system and the existing electrical system configuration of the Townhome Building, and confirm that the installation of the proposed EV charging system will not negatively affect the existing electrical system or the electrical service to any Dwelling Unit in the Townhome Building prior to submittal to the DRC. Any upgrades required to the Townhome Building’s electrical system (including, but not limited to, the installation of new or larger circuit breakers, rewiring, or other work) shall be at the cost and expense of the Owner.

B. An EV charging system must be installed by licensed electrical contractors and a building permit must be obtained.

C. No review fee shall be charged for the installation of an EV charging system. The Owner shall submit the following together with the Owner’s Application:

1. A copy of the original manufacturer’s product brochure;
2. A copy of the license of the electrical contractor installing the EV charging system; and
3. Evidence that the licensed electrical contractor has evaluated the electrical power requirements for the proposed EV charging system and the existing electrical system configuration of the Townhome Building in which the Owner’s Dwelling Unit is located.
4. A conduit plan reflecting the route from the main electrical panel to charging station location.
5. A written agreement to:
 - a. Comply with the plans and specifications approved by DRC for the installation of the EV charging system;
 - b. Engage a duly licensed contractor to install the EV charging station; and
 - c. Provide a certificate of insurance naming DRC and the AOA as additional insured on the Owner’s homeowner’s insurance policy within 14 days of DRC’s approval of the Owner’s Application.

OPRCA Staff shall obtain a letter from the AOA noting the AOA Board’s approval of the installation of the EV charging station (and any conditions thereto) and confirming that the Owner is in good standing with the AOA;

D. Prior to installing the EV charging system, the Owner shall:

1. within fourteen (14) days of receipt of the DRC’s approval, provide a certificate of insurance to the DRC naming the AOA and DRC as additional insureds on the Owner’s homeowner policy; and

2. Upon issuance of the building permit, provide a copy of the building permit to the DRC.
- E. Upon installation of the EV charging system:
1. Within 30 days after installation of the EV charging system, the Owner shall register the EV charging system with the AOA.
 2. The Owner and each successive Owner of the Dwelling Unit shall be responsible for any costs for damages to the system, Common Elements, Limited Common Elements, and any adjacent Dwelling Units, arising or resulting from the use, installation, maintenance, repair, removal, or replacement of the system. The repair, maintenance, removal and replacement responsibilities shall be assumed by each successive Owner until the EV charging system has been removed. The Owner and each successive Owner shall at all times have and maintain a policy of insurance covering the obligations of the Owner under this section, shall name the DRC and the AOA as additional insured under the policy and shall provide the DRC with a current certificate of insurance upon the expiration or termination of any prior certificate of insurance.
 3. The Owner and each successive Owner shall be responsible for removing the EV charging system if reasonably necessary or convenient for the repair, maintenance, or replacement of the Limited Common Element or any adjacent Common Element or Limited Common Element.