



# ***Makena Surf***

## **Rules Pertaining to Remodels**

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# **Makena Surf**

## **INTRODUCTION**

This packet contains current Makena Surf rules pertaining to the upgrade or maintenance of units at Makena Surf. Its intent is to aid homeowners in their remodeling while reducing the impact or inconvenience to other homeowners.

The AOA Board of Directors has developed a set of rules which would be effective, enforceable and fair to all parties concerned. To implement the rules relating to alterations and remodeling we have prepared a set of standard forms to be submitted depending on the nature of the work. In addition we have developed a set a standard letters which, when distributed to the appropriate entities will clarify our policies and procedures.

All owners considering a remodel should schedule a meeting, either in person or by phone, with the General Manager to discuss the scope of the project and review the Construction Rules before commencing with the design. While the level of construction cannot be determined until the final plans are submitted, the owner will benefit in understanding the approval process and requirements.

Level 1 applications are approved by Board, and level 2 are approved by the General Manager and the Construction Chair. Level 3 and 4 are approved by the General Manager. To avoid delays in unit remodels, applications for construction and plans should be received by the General Manager by January 1 of the year construction is anticipated. It will be in your best interest to apply for County permits early, the approval process has been known to take more time than normally anticipated.

## **ALLOWED CONSTRUCTION DATES AND TIMES**

Please note that by vote of the Homeowners, a construction time period was designated from the Monday 8 days after Easter, or April 15, whichever comes later, and to run the construction period all the way through to the Friday before Thanksgiving, and include Saturdays in the open construction period. Furthermore, it was voted that construction would only be allowed between the hours from 8:00am to 5:00pm. If a unit has not completed construction by the end of the construction period, the construction will be delayed until the next construction period; the owner may occupy the unit in the interim. Upon approval, contractors may continue construction beginning the Monday after Thanksgiving, for ten working days (up until December 15th) subject to a \$1,000 fee per working day and a quiet working environment, including doors and windows closed. The fee is to be assessed to the homeowner's maintenance account.

All activities included in a Level 1, 2, or 3 remodel project must be completed by our deadlines, including paint, carpets, etc. Only routine maintenance of existing surfaces in non-remodeling units is allowed outside the construction period.

In February 2007 the Board set 2008 as a construction period for all the property. Starting in 2009, Buildings A, B, C&E will be allowed construction, followed by Buildings F&G in 2010 with annual rotations thereafter.

## **RULES AND GENERAL REQUIREMENTS**

For your information and protection, your Board of Directors has established rules that are to be followed when doing any remodeling or alterations within an apartment or within any limited common element appurtenant to the apartment.

The Board has the power to adopt and enforce all the rules and guidelines as set forth under the AOA By-Laws. Therefore:

- a. Penalties: Any violation of this policy may cause the Board to impose any and all penalties as stated under guide lines of the AOA By-Laws
- b. Deviations from the submitted plans that would cause a change in the application level are not authorized. Any amendments require a full re-submittal to the Board for approval
- c. The AOA will be authorized to cause inspection of work as it is completed, by AOA personnel, and if necessary, by a licensed architect at the owner's expense

The purpose of the policy is to establish a good working relationship between the Homeowner desiring change, the AOA, and other owners who might be impacted adversely. By dealing with all the potential conflicts at the front end, potential legal consequences can be avoided. The By-Laws do state that any legal problems arising as a result of renovations can be charged to the owner.

An Owner desiring to remodel or make any alteration must obtain in advance of starting any work, written approval by the Homeowners, Board of Directors, General Manager or give notice to the General Manager, depending on the nature of the proposed work.

It is a recommendation that an owner planning an extensive remodel have his contractor provide performance *and* payment bonds equal to, or greater than the total cost of the remodel. However, for level one work, a performance and payment bond from an acceptable bonding company for the full value of the construction must be issued to the Makena Surf Homeowner's Association and delivered to the General Manager before construction begins.

**On any Level 1, 2, 3 remodel project, an application must be completed for construction and a copy of the following documents must be provided to the AOA office with the application: 1) Proof of certified licensed in the State of Hawaii contractor; 2) Insurance liability policy showing \$2 million liability insurance in the event that damage is caused during construction; and 3) Proof of a bonded contractor and indemnification for a Level 1 remodel only.**

## **ALL LEVELS OF CONSTRUCTION**

- a) It shall be the owner's responsibility to obtain all required permits from any regulatory agency having jurisdiction. Permit copies will be submitted to the General Manager on request.
- b) All contractors, subcontractors, and others working on the site shall be licensed as required by any regulatory agency having jurisdiction. Copies of licenses, and supporting information such as insurance, etc., will be submitted to the General Manager on request.
- c) A 1% refundable cleaning deposit of not less than \$1,000 and not more than \$2,000 shall be deposited with the General Manager prior to starting any work.
- d) Electrical load calculations for any modifications to the electrical system that will result in increased load shall be submitted to the General Manager for approval.
- e) The Board of Directors or General Manager may, at their discretion, have the Makena Surf architect, and his consultants as needed, review and approve all plans, calculations and documents. Further, he will perform any inspections needed to assure that the work being done is in accordance with the submitted plans and applications. He will direct and supervise any testing of systems and installations that may impact the common elements and surrounding homeowners. All costs for these reviews and inspections shall be borne by the homeowner.
- f) The General Manager shall have the right to inspect all work as it progresses to determine that it is in compliance with the documents that have been submitted. The General Manager's inspections shall not be construed as an approval of the construction or the installations.
- g) The homeowner shall complete and submit to the General Manager the following forms that are in the Makena Surf Rules Pertaining to Remodels.
  1. "Agreement For Indemnification and Binding Arbitration"
  2. "Designation of Second Party as Owner's Agent", if the owner is not going to be on site during the construction.
  3. "Contractor Information". This provides quick access to the correct party for the General Manager if needed.
  4. After approval of the project by the Board of Directors and/or it's General Manager and/or Construction Chair the unit owner shall complete and distribute as early as possible (but no later than 4 weeks prior to the construction start) the "Notice To Adjacent Owners" advising them of planned construction activity and submit a copy of the form to the General Manager.

## **CABINETS, WOOD FLOORING AND PLYWOOD**

Prior to delivery and installation of all cabinets, wood flooring and plywood these materials must be fumigated/treated for wood destroying organisms. The treatment must be performed within one week of delivery to Makena Surf by an approved, local and licensed company. Mid-Pacific Pest Control is the recommended agent for treatment. A certificate of treatment must be filed with the General Manager of Makena Surf AOA and the Managing Agent for approval before transporting to Makena Surf property.

## **SOUND PROOFING**

To improve the overall acoustical properties of the buildings, the following standards have been set by the Homeowners and Board of Directors for the second and third floors.

With the exception of “a” below, second and third floor unit owners may not change their floor covering from carpeting to an alternative hard surface product, such as ceramic tile, without first obtaining approval from the Board of Directors. While bedrooms must remain carpeted, owners may make application to change non-bedroom areas from carpet to an alternative hard surface product using one of two methods.

- a. A 12"x12" maximum tile will be allowed inside the unit tight to the exterior wall at Lanai door walls to act as a damming device.
- b. If replacing a lanai sliding door, a damming device must be installed between the threshold and living area. Install ½ inch cork under the threshold.
- c. If replacing tile with tile in its original location, an underlayment of ½ inch cork is required.
- d. When replacing carpet use quietest pad available; Resident Manager shall approve grade of materials to be used. When remodel is isolated to kitchen, dining, and living room areas and using "like materials".
- e. A list of materials used with the manufacturer's specification must be approved by the Resident Manager and Construction chair with plans for approval.
- f. When replacing lanais or tile in the kitchen or bathroom, a sound absorbing material such as Regupol-Sonuswave, or its equivalent in waterproof soundproofing, must be used between the concrete and sub flooring in 3/8" or 10mm thickness.
- g. An owner may change from carpet to hard surface if he/she get the signed agreement of the downstairs owner below them. The agreement must be given to the Resident Manager with plans. The sound proofing must be done as follows:
  - Two (2) layers of cork or Regupol-Sonuswave 3/8" or 10mm or like materials.
  - Must install ¼" for the first layer. The second layer also 1/4", must be staggered so NO seams meet.

### **Oceanside Lanai Construction Standards for 2<sup>nd</sup> and 3<sup>rd</sup> Floor Units**

When constructing repairs or remodeling a lanai, one of the following criteria must be used and submitted to the General Manager and the construction chair of the Board of Directors.

- a. The homeowner may retain, at his expense, the association architect to design, stamp, inspect, and provide written certification to the board that the installation and testing meet with his professional approval. Plans must be submitted and approved by the construction chair and the General Manager before proceeding.
- b. The homeowner may retain, at his expense, his own architect (licensed by all jurisdictions having authority) to complete and stamp the lanai construction drawings, which will be submitted to the association. The association architect will, at the homeowner's expense, review and direct modifications to the drawings until they meet with his approval. The plans must be submitted and approved by the construction chair and the General Manager before proceeding. The association architect will also, at the homeowner's expense, witness and approve all installations and testing, and provide written certification to the board that all installations and testing meets with his professional approval.

In the interest of insuring compliance with association standards and minimizing design costs please see Attachment A. This attachment describes lanai construction materials and methods that must be met or exceeded in lanai construction designs.

### **HOT WATER HEATERS**

On-demand hot water heaters are not allowed at Makena Surf because of the high demand of electricity and the potential for major repair expense incurred by Makena Surf to rewire the main breakers to support this service.

All replacements of hot water heaters must adhere to the standards within the revised remodeling handbook/construction guidelines and plans to replace them must be reported and approved by the General Manager prior to the installation.

The General Manager is authorized to allow the installation of third floor water heaters in the attic at his discretion subject to all installations meeting the following provisions.

- a. The hot water heater is placed in a location which will not have a negative impact on the structural integrity of the building.
- b. The tank has a lifetime warranty, such as a “Rheem Marathon”.
- c. A copper pan with a 4 inch continuous curb is installed under the heater with a 1-inch drain feeding directly into the existing heater drain.
- d. The installation is in conformance with all codes having jurisdiction.
- e. Appropriately licensed contractors make electrical and plumbing connections.
- f. The equipment is not installed in such a way as to block access to other mechanical systems, i.e. exhaust fans.
- g. The owner shall have no access to the common area.

### **EXTERIOR STORAGE CLOSETS**

The Association approved, by ballot in June 2001, to allow the construction of “exterior storage closets” adjacent to the entries of ground floor units in Buildings B, E, F and G. The completed storage areas were to be designated “Limited Common Element” attached to such adjacent units.

In April 2007 the Association passed a “Ballot Issue” which clarified some of the ambiguities of the first ballot.

Rules pertaining to the construction of the “exterior storage closets” are as follows:

- a. The only units to which this applies are B101, B108, E101, E106, F101, F112, G101, G106 and C107.
- b. Storage closets may reach a maximum of 100 square feet.
- c. Owners of such units are required to sign a “Lease of Common Element Area” and pay a prorated (by square foot) maintenance fee for the Owner’s closet (with no increase in voting percentage of Ownership for the unit involved).
- d. The areas designated for the storage closets are adjacent to the front door of the unit that will build the closet and below the bedroom of the unit above.

- e. In all cases, the Owner must submit a full and complete set of plans to the Board (at one of its regularly scheduled meetings) for approval that include either an architectural or a structural stamp.
- f. All such exterior storage facilities fall under “level one” construction project as defined in the Construction Guidelines.
- g. Access and egress must be via a single outside door; there shall at no time be allowed any access to the storage facility from inside the unit. There will be no penetrations from the storage facility into the unit. The storage entry door may be similar to their unit entry door or louvered doors as previously specified for E101. The determination of any perceived violations of these rules shall fall solely to a majority decision of the Board of Directors; a violating Owner will be required to return the storage facility to its permitted condition or be penalized according to the By-Laws.
- h. The exterior of the facility must exactly match the building exterior.
- i. Power for lighting, if desired and approved by the Board, must be supplied from the power system inside the unit.
- j. The storage facility is to be used solely for storage; items stored inside are to meet the approval standards of the General Manager (i.e., no dangerous items like propane).
- k. All repairs and maintenance are to be at the Owner’s expense.

### **UNIT FRONT DOORS**

Unit owners are allowed to change their front door subject to the following:

- a. A screen that matches those on the older buildings is installed.
- b. The exterior color on all replaced doors is the same as all other doors
- c. Glass not to exceed eight (8) inches x four (4) feet, has no color and has brass caning.
- d. Timing must be done in accordance to the normal construction period.
- e. All expense involved and the maintenance of the door is the owner’s responsibility.
- f. If replacing door keying systems, the new locksets must be compatible with the key cylinders used in our “master key system”. If in doubt contact “Maui Lock Service” at 874-7680, or the General Manager.
- g. Doors being changed in existing frames, with no other work, will be considered a level 4 construction. Any changes past the door itself may require an application at a different level.

## **AIR CONDITIONING CONDENSERS**

When changing the air conditioning condensers, the following guidelines must be followed.

- a. The new condenser must have a sound blanket and shall have a sound rating of 74 dB or less
- b. Replaced condensers must be mounted on spring isolators.
- c. Lines must be connected using flexible tubing.

## CONSTRUCTION LEVELS

There are four (4) levels of alterations or remodel. For ease of organization each level is listed below with its appropriate form. Applications and notices must be turned in enough in advance as to assure those affected Owners and their guests are given ample warning. Determination of the level of any construction project shall be by the General Manager, and/or the construction committee.

### **Level 1**

Any remodeling that could affect the structural integrity of the property, change to exterior appearance, safety, soundness or the value of the owners, such as the removal of a structural wall, requires approval of the Board of Directors, but in exceptional cases a positive vote of 67% of the owners and a positive vote of all directly affected owners.

Use the "Level 1 Application Form" to start this process. In addition, once accepted by the owners, you will need to provide the Board of Directors with the following:

- a. A stamped set of architectural plans
- b. A stamped set of plans from a structural engineer, if applicable.
- c. Performance and payment bonds made in favor of Makena Surf Homeowners Association.

### **Level 2**

Remodels that involve modifications to framing, structural elements, mechanical, plumbing, or electrical systems must be approved by the General Manager and the Construction Chair. Use "LEVEL 2 APPLICATION FORM". Plumbing and electrical fixture change outs that do not have higher usage of water or electricity are exempt from this application.

In addition the homeowner will be required to provide the General Manager and Construction Chair with the following:

- a. A stamped set of Architectural plans.
- b. A stamped set of plans from a structural engineer, if applicable.

### **Level 3.**

Some routine maintenance and minor upgrade projects have been pre-approved by the Board of Directors, but require the approval of the General Manager. Examples are:

- b. Lanai repairs including replacement of drainage systems and doors
- c. Existing cabinet replacements.
- d. Existing bedroom window replacements.
- e. Existing floor tile replacement.

Use "Level 3 APPLICATION FORM"

### **Level 4**

Remodeling which is entirely internal to the apartment and aesthetic in nature, such as changing appliances, repainting, redecorating, installing carpet or wallpapering does not require approval. We do however require that you notify the General Manager by way of the "Level 4 Application Form". This helps the office respond to other owner questions, and gate entry requests.

## **APPLICATION FORMS**

### **FORMS REQUIRED FOR LEVEL 1 THROUGH 3 APPLICATIONS**

- Agreement For Indemnification and Binding Arbitration
- Designation of Second Party As Owner's Agent
- Contractor Information
- Notice to Adjacent Owners

### **CONSTRUCTION APPLICATION FORMS**

- Level 1 Application for Remodel or Alteration
- Level 2 Application for Remodel or Alteration
- Level 3 Application for Remodel or Alteration
- Level 4 Application for Remodel or Alteration

### **LETTERS TO BE DISTRIBUTED BY THE OWNER TO THE CONTRACTOR AND HIS STAFF: FOR ALL LEVELS OF CONSTRUCTION**

- Letter to contractors outlining their responsibilities to Makena Surf.
- Letter to workers describing restrictions while working at Makena Surf.

## Agreement for Indemnification and Binding Arbitration

1) Agreement **for Indemnification.** The undersigned affirms that he/she is the owner of the Makena Surf unit that is to be remodeled and that he/she understands and agrees that the remodeling or alteration process may cause damage to adjacent units and/or to project common elements. The undersigned agrees to accept liability for any such damage caused to adjacent units and/or to project common elements as a result of the undersigned's remodeling work; to indemnify and hold harmless the AOA Board and the owners of any adjacent units for any such damage; and to have any such damage repaired to its former state in a timely manner; provided, however, the undersigned's obligation to undertake such repair shall be conditioned upon the undersigned's receipt of written notification, (within a period of two years following the completion (certificate of occupancy) of the undersigned's remodeling work), from the AOA Board, or its duly appointed representative, describing such damage and requesting the undersigned to repair the damage as provided in this paragraph 1.

2. **Binding Arbitration.** If the AOA Board shall issue to the undersigned written notification of damage and request for repair as provided above in paragraph 1, the undersigned shall deny or accept responsibility for the damage by forwarding a written response to the AOA Board within ten days of the undersigned's receipt of the AOA Board's written notification. If the undersigned shall fail to issue their written response to the AOA Board within the ten-day period, then the undersigned will be construed to have accepted responsibility for the damage and the repair of same. If the undersigned issues a denial of responsibility for the damage, the dispute shall be submitted to binding arbitration before an independent registered architect or licensed structural engineer mutually agreed upon by the AOA Board and the undersigned, or if such mutual agreement is not reached within ten days of the undersigned's written denial of responsibility for the damage, then by a choice of Arbitrator pursuant to the rules of the *American Arbitration Association*. Any architect or engineer so appointed to conduct arbitration must have had no financial or contractual affiliation with the undersigned in the course of the remodeling work in question. The decision of the architect or engineer shall be final and binding upon the AOA Board and the undersigned; shall contain an award of costs and attorney's fees to the prevailing party as determined by the architect or engineer; and not subject any appeal.

Homeowner Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Unit # \_\_\_\_\_ Date \_\_\_\_\_



# *Makena Surf*

## DESIGNATION OF SECOND PARTY AS OWNER'S AGENT

I, \_\_\_\_\_, Owner of Makena Surf Apartment \_\_\_\_\_, individually and with the permission and consent of all co-owners, if any, by this instrument designate and authorize \_\_\_\_\_ (“Agent”) to act on my behalf and the behalf of all co-owners of the Apartment, in connection with the remodeling or alteration of the apartment in accordance with the work proposal I have submitted and as approved by the Association.

I understand and agree that the work must conform to the plans as approved and that I assume full responsibility for any changes requested by the Designee which may be approved by the Association.

I hereby indemnify and agree to hold harmless the Association and its members, the members of its Board of Directors, the General Manager, and Makena Surf employees from all demands, legal actions and costs, including reasonable attorney's fees, and from any liability for injuries suffered by Makena Surf employee or by Contractor or its employees or by any other person and for any damages to buildings or common elements in Makena Surf, which may arise from any acts or failures to act (including acts of negligence) of the Designee in connection with or arising from this Authorization whether occurring on or off the Makena Surf premises.

HOMEOWNER: \_\_\_\_\_ APARTMENT: \_\_\_\_\_

DATE: \_\_\_\_\_



# *Makena Surf*

## CONTRACTOR INFORMATION

Re: Apartment \_\_\_\_\_

The work specified in my application for Remodeling or Alteration will be performed by;

Contractor \_\_\_\_\_  
Email \_\_\_\_\_  
Address \_\_\_\_\_  
Contact \_\_\_\_\_  
Telephone \_\_\_\_\_

Contractor \_\_\_\_\_  
Email \_\_\_\_\_  
Address \_\_\_\_\_  
Contact \_\_\_\_\_  
Telephone \_\_\_\_\_

Contractor \_\_\_\_\_  
Address \_\_\_\_\_  
Contact \_\_\_\_\_  
Telephone \_\_\_\_\_

Contractor \_\_\_\_\_  
Address \_\_\_\_\_  
Contact \_\_\_\_\_  
Telephone \_\_\_\_\_

Contractor \_\_\_\_\_  
Address \_\_\_\_\_  
Contact \_\_\_\_\_

Contractor \_\_\_\_\_  
Address \_\_\_\_\_  
Contact \_\_\_\_\_

Telephone \_\_\_\_\_

Telephone \_\_\_\_\_

Notes

Homeowner: \_\_\_\_\_

Date: \_\_\_\_\_



# Makena Surf

Date: \_\_\_\_\_

## NOTICE TO ADJACENT OWNERS

Remodeling or Alterations to apartment \_\_\_\_\_ has been approved by the Makena Surf Board of Directors in accordance with Makena Surf's **Rules Pertaining to Remodeling.**

Adjacent Owners are those who are in the same stack and the stacks on each side. Those receiving notice include:

- |          |          |                        |
|----------|----------|------------------------|
| 1. _____ | 1. _____ | 1. _____               |
| 2. _____ | 2. _____ | 2. _____               |
| 3. _____ | 3. _____ | 3. Makena Surf<br>AOAO |

Work is scheduled to begin on \_\_\_\_\_ and is expected to be completed by \_\_\_\_\_.

The work will be performed in compliance with the Makena Surf's **Rules Pertaining to Remodeling.** Scope of the work includes:

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\_\_\_\_\_  
Owner

\_\_\_\_\_  
Contact Number



# Makena Surf

## LEVEL 1

### APPLICATION FOR REMODELING OR ALTERATION REQUIRING BOARD APPROVAL

Re: Makena Surf unit # \_\_\_\_\_

Attached please find a description, plans and drawings for the remodeling of or alterations to the above referenced apartment for which I'm seeking Board of Directors approval in accordance with Rules Pertaining to Remodeling, which have been adopted by the Makena Surf Board of Directors pursuant to the Hawaii Condominium Law and Makena Surf's Horizontal Property Regime and Bylaws.

I have read and agree to the Rules Pertaining to Remodels, pages \_\_\_ through \_\_\_ dated \_\_\_\_\_. My anticipated start and completion dates are \_\_\_\_\_ through \_\_\_\_\_.

I would appreciate prompt consideration of this Application and notification of action taken. If there is any question about the proposed work, please advise me of what additional information or plans you may require.

I agree to be responsible for and pay any and all costs for the completion of the work, including the cost of any changes involving common elements. I agree and understand that the Association makes no representations or guarantees regarding the condition or state of the apartment or common elements, the condition thereof being assumed by me and my Contractor "as is".

I hereby indemnify and agree to hold harmless the Association and its members, the members of its Board of Directors, the General Manager and Makena Surf's employees from all demands, legal actions, and costs, including attorney's fees, and from any liability for injuries suffered by any Makena Surf employee or Contractor or its employee or by any other person and any damages to building or common elements in Makena Surf, which may arise from any acts or failures to act (including acts of negligence) or in connection with or arising from the alteration of my Apartment whether occurring on or off the Makena Surf premises.

It is my plan to have the work performed by the Contractor(s) listed in the Contractor Information form.

It is understood that should the above contractor(s) fail to satisfactorily complete any work to the common element in a timely manner, Makena Surf reserves the right to complete and bill me accordingly.

Homeowner: \_\_\_\_\_

Date: \_\_\_\_\_

**LEVEL 1 APPLICATION**  
**FOR REMODELING OR ALTERATION REQUIRING BOARD APPROVAL**  
(Continued)

=====

**FOR THE USE OF THE BOARD OF DIRECTORS**

\_\_\_\_\_ Application is approved for the work as submitted.

\_\_\_\_\_ Application is denied.

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Board President

Notes:



# Makena Surf

## LEVEL 2 APPLICATION

### FOR REMODELING OR ALTERATION REQUIRING GENERAL MANAGER AND CONSTRUCTION CHAIR APPROVAL

Re: Makena Surf unit # \_\_\_\_\_

Attached please find a description, plans and drawings for the remodeling of or alterations to the above referenced apartment for which I'm seeking Board of Directors approval in accordance with **Rules Pertaining to Remodeling**, which have been adopted by the Makena Surf Board of Directors pursuant to the Hawaii Condominium Law and Makena Surf's Horizontal Property Regime and Bylaws.

I have read and agree to the Rules Pertaining to Remodels, pages \_\_\_ through \_\_\_ dated \_\_\_\_\_. My anticipated start and completion dates are \_\_\_\_\_ through \_\_\_\_\_.

I would appreciate prompt consideration of this Application and notification of action taken. If there is any question about the proposed work, please advise me of what additional information or plans you may require.

I agree to be responsible for and pay any and all costs for the completion of the work, including the cost of any changes involving common elements. I agree and understand that the Association makes no representations or guarantees regarding the condition or state of the apartment or common elements, the condition thereof being assumed by me and my Contractor "as is".

I hereby indemnify and agree to hold harmless the Association and its members, the members of its Board of Directors, the General Manager and Makena Surf's employees from all demands, legal actions, and costs, including attorney's fees, and from any liability for injuries suffered by any Makena Surf employee or Contractor or its employee or by any other person and any damages to building or common elements in Makena Surf, which may arise from any acts or failures to act (including acts of negligence) or in connection with or arising from the alteration of my Apartment whether occurring on or off the Makena Surf premises.

It is my plan to have the work performed by the Contractor(s) listed in the Contractor Information Form.

It is understood that should the above contractor(s) fail to satisfactorily complete any work to the common element in a timely manner, Makena Surf reserves the right to complete and bill me accordingly.

Homeowner: \_\_\_\_\_

Date: \_\_\_\_\_

**LEVEL 2 APPLICATION  
FOR REMODELING OR ALTERATION REQUIRING GENERAL MANAGER AND  
CONSTRUCTION CHAIR APPROVAL**

(Continued)

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**FOR THE USE OF THE GENERAL MANAGER AND CONSTRUCTION CHAIR**

\_\_\_\_\_ Application is approved for the work as submitted.

\_\_\_\_\_ Application is denied.

By: \_\_\_\_\_  
General Manager

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Construction Chair

Dated: \_\_\_\_\_

Notes:



# Makena Surf

## LEVEL 3 APPLICATION FOR REMODELING OR ALTERATION REQUIRING GENERAL MANAGER APPROVAL

Re: Makena Surf unit # \_\_\_\_\_

In accordance with Level Number Three (3) of Makena Surf's ***Rules Pertaining to Remodeling***, I request your approval of the remodeling to the above apartment as described below. I have read and agree to the Rules Pertaining to Remodels, pages \_\_\_ through \_\_\_ dated \_\_\_\_\_.

START DATE: \_\_\_\_\_ EXPECTED FINISH DATE: \_\_\_\_\_

### DESCRIPTION OF REMODELING:

\_\_\_\_\_

### SUPPLIER OR CONTRACTOR:

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone \_\_\_\_\_

I agree to inform you or have my Supplier or Contractor inform you in advance of any changes in the above remodeling plans. I will direct the Supplier or Contractor to advise the General Manager's office in advance of arrival at Makena Surf to perform the work.

HOMEOWNER: \_\_\_\_\_

DATE: \_\_\_\_\_

=====

\_\_\_\_\_ Application is approved for the remodeling described above.

By: \_\_\_\_\_

Date: \_\_\_\_\_

General Manager



# Makena Surf

## LEVEL 4 NOTICE OF MINOR REMODEL

Re: Makena Surf unit # \_\_\_\_\_

In accordance with Level Number Four (4) of Rules Pertaining to Remodeling, I am giving you notification of my intent to redecorate the above apartment in the following manner. I have read and agree to the Rules Pertaining to Remodels, pages \_\_\_ through \_\_\_ dated \_\_\_\_\_.

### DESCRIPTION OF REMODELING:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Supplier or Contractor:

Name: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone \_\_\_\_\_

I agree to inform you or have my supplier or contractor inform you in advance of any changes in the above remodeling plans. I will direct the supplier or contractor to advise the General Manager's office in advance of the date and approximate time of arrival at Makena Surf to perform the work.

\_\_\_\_\_ Please issue keys to my supplier or contractor on a daily basis.

Homeowner: \_\_\_\_\_ Date: \_\_\_\_\_

=====

### Verification of notice

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Date



# *Makena Surf*

## **LETTER TO CONTRACTORS**

1. All work to be performed by a contractor must have the approval of the General Manager or the Board of Directors depending on the nature of the work. Contractors shall contact the General Manager in advance of starting the project to determine whether the owner has obtained the necessary approval.
2. Contractors should advise the General Manager's office a day in advance of starting their project to eliminate delays at the gate while admittance is being verified.
3. Contractors must supply a list of workers prior to starting work. This may be done by fax or e mail to the General Manager.
4. Any remodeling that involves either plumbing or electrical work must be performed by a licensed contractor. State and county permits, along with any necessary stamped architectural plans or structural engineering plans full size set as well as PDF set. These must be provided to the General Manager's office prior to the commencement of the project.
5. Contractors are responsible for the removal from Makena Surf's premises and the proper disposal of all debris from the work. No debris shall be placed in Makena Surf's trash containers. No paints, liquids or other materials shall be dumped into drains or into the landscaping.
6. Contractor or the owner must supply General Manager's office with the appropriate cleanup deposit prior to commencement of work. Assuming cleanup work is satisfactory, to be determined by the General Manager, the deposit will be returned. If cleanup is not satisfactory, the contractor will have 48 hours to complete the cleanup. If still not complete, the General Manager will arrange for the cleanup and the owner will be billed for any expense above and beyond a 1% refundable cleaning deposit of not less than \$1,000 and not more than \$2,000.

### Work Related Guidelines:

1. Work hours are from 8:00 a.m. to 5:00 p.m. Monday through Saturday. Any work, which will disrupt the peace and enjoyment of owners or their guests, will be done between 9:00 a.m. and 5:00 p.m. All workers must leave promptly at 5:00 p.m.

2. Trucks and worker's vehicles will be parked in the most Mauka parking stall. There shall not be more than 4 (four) vehicles on property for each unit being remodeled. Any parked contractor vehicle beyond four (4) will be fined \$50 per vehicle per incident, to be assessed to the homeowner's maintenance account; and must be removed immediately.
3. No material may be stored in parking areas or common elements. Parking areas must be kept clean of construction material and debris.
4. All power equipment must be operated indoors. Doors and windows are to be kept closed while operating power equipment.
5. Contractors should check with General Manager for cleanup locations, **do not clean equipment or brushes into drains.**
6. No radios or music may be played outside the apartment. Radio, television and any music played must be kept at a level not to be heard from outside the apartment.
7. No foul language to be heard on any part of the property.
8. The pools, kitchen area, showers, pool furniture, lanai furniture, lawn furniture, office and poolside rest rooms are for owners and their guests use only. Employee's rest rooms are located on the west side of the administration bldg.
9. Drinking of alcohol or the use of drugs is strictly prohibited.
10. Access to the property is limited to the contractor and its employees. No family members or pets are allowed on the premises.
11. The General Manager retains the right to eject anyone in violation of these rules.



# *Makena Surf*

## LETTER TO WORKERS

### **Rules regulating vendors, maintenance personnel and contractors.**

1. Either the General Manager or the Board of Directors must approve all work.
2. All work will be from 8:00 a.m. to 5:00 p.m. Monday through Saturday. Any work that would cause a disturbance to the neighboring units will be confined to 9:00 a.m. to 5:00 p.m.
3. All rubbish, old appliances and in general, all waste is your responsibility to dispose of. Do not use Makena Surf's dumpsters.
4. No loud music or foul language to be heard on any part of the property.
5. Park your vehicles in the Mauka ends of the parking lots. Only 4 (four) vehicles per unit will be allowed.
6. The pools, kitchen area, showers, pool furniture, lanai furniture, lawn furniture, office and poolside restrooms are for owners and their guests use only. Employee's restrooms are located on the west side of the administration bldg.
7. **Do not clean brushes, buckets etc. in ground covers or in storm drains.**
8. Stay off the grass and all landscaping as much as possible.

**(Must be posted on entry door and one obvious location within the unit)**

# MAKENA SURF CONDOMINIUMS LANAI DECK & DOOR WATERPROOFING INSTALATION SPECIFICATIONS

BY: Riecke Sunnland Kono Architects Ltd.

1. Cover Lanai to protect unit below with tarp and other measures necessary to prevent rain intrusion during construction.
2. Remove Lanai sliding door system.
3. Remove tile, concrete, cork sound damping material and existing membrane and flashing.
4. Open subfloor for installation and connection of new pan drains as necessary.
5. Install Peel and Stick Water Proof Membrane on all subfloor joints and seams. Flash up wall and posts per attached details.
6. Coat entire deck with **LATICRETE 9235 Waterproofing Membrane** per Manufactures printed recommendations. Extend Waterproofing Membrane 4 feet past lanai doors into unit.
7. Install 3/8" **REGUPOL** sound deadener on deck, door riser, and Lanai door threshold per details.

8. Install 3000 psi concrete as mortar bed. Slope as necessary to insure proper drainage. Cure to suppliers recommendations. Skim coat any voids or holidays with **Laticrete**.
9. Install new 20 oz. copper or 316 Stainless Steel pan gutter and deck to wall L flashing. Pan to have center drain, a left or right drain and an overflow drain. Overflow drain to have ½” high lip above pan bottom.
10. Flood test pan and drain connections for leaks before proceeding.
11. Install new 20 oz. copper or 316 Stainless Steel pan at Lanai doors per detail.
12. Clean Copper pans and apply **Proline Y- 4078** copper primer on all copper and joints. Apply per Manufactures recommendations.
13. Apply Pacific Polymers **Elasto-Proxy Primer VOC** as primer to concrete and metal per Manufactures recommendations.
14. Apply Pacific Polymers **5001 NG** system to concrete and copper flashing as base coat per Manufactures recommendations.
15. Apply Pacific Polymers **5001 HT** system to concrete and copper flashing per Manufactures recommendations. Apply light sand coat to enable bonding of Laticrete/tile.

16. Flood test and check for leaks.
17. Install FLEETWOOD Doors. Apply Peel and Stick WP head and jamb flashing. Replace trim. Apply sealant at threshold/pan joint.
18. Install tile and grout. Seal grout.
19. Flood test system and check for leaks.