

5c will not apply to this Decline/Relinquish Form, if having been submitted during the June 30, 2024 owner/member meeting. 5c will apply, following this form's submittal to the HPPOA office, by the board president (or other board member) on July 1, 2024. After which the HPP owner will be notified by phone or email that their form has been processed.

**VOLUNTARY DECLINE/RELINQUISHMENT
OF HAWAIIAN PARADISE PARK OWNERS**

RECEIVED
JUN 30 2024

OWNER(S)

Danee A. McFarr,
Trustee of The Danee
A. McFarr Living Trust

**DECLINE/RELINQUISHMENT OF VOLUNTARY
MEMBERSHIP**

TMK NUMBER(S)

(3) 1-5-061-057

(For additional information, please attach additional paper)

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I. STATEMENT:

The Owner(s) of the above captioned Hawaiian Paradise Park properties, are requesting that the Hawaiian Paradise Park Association (HPPOA) certify this DECLINE/RELINQUISHMENT OF VOLUNTARY MEMBERSHIP FORM.

II. OWNERS INFORMATION:

1. Mailing Address: 15-1109 AMAU RD

Keaan HI 96749
City State Zip Code

2. Phone: 808-221-0803

3. Email: danee mcfarr@gmail.com

4. Do you have any outstanding debts to HPPOA? YES NO

Please specify: _____

(For additional information, please attach additional paper)

PLEASE NOTE there are TWO SIDES TO THIS DOCUMENT

III. JURISDICTION, RIGHTS AND RESTRICTIONS

The Hawaii Supreme and Third District Courts, having original jurisdiction over the case of Paradise Hui Hanalike (now HPPOA) Vs. Hawaiian Paradise Park Corporation (David Watumull) and utilizing the remedies of law and equity, ruled in favor of Paradise Hui Hanalike (now HPPOA) allowing that organization to "compel" owners to pay them Mandatory Road Fee Money. Which, if not paid, would result in a lien being placed on the HPP owners property. Those same courts, again utilizing the remedies of law and equity, ruled that HPP owners who are obligated to pay Mandatory Road Fees to Paradise Hui Hanalike (now HPPOA) had rights attached to that obligation. And that regardless of HPP Owners being members of the Paradise Hui Hanalike (now HPPOA) or not, all HPP Owners had the right to vote (emphasis added).

5. Voluntary Decline/Relinquishment

- a) An HPP Owner may decline/relinquish voluntary membership in accordance with the Hawaii Supreme and Third District Courts order. The decline/relinquishment of voluntary membership is also stated in the HPPOA Bylaws currently from 2010, Article VI, Section 1a, which was illegally amended, at that time, to establish "consequences" for owners who chose not to be HPPOA members. As in, relinquishing their rights to vote. As such the amended 2010 Bylaw, Article VI, Section 1a, as worded is illegal. And I (we) do not agree to relinquish our right(s) to vote (emphasis added). As per Article VI, Section 1a, I (we) do agree to continue to pay annual Road Maintenance Fees, as mandated by the Hawaii Supreme and Third District Courts.
- b) An HPP Owner who seeks to decline/relinquish voluntary HPPOA membership will notify the HPPOA office in writing. As per, HPPOA Bylaws, Article, VI, Section 1a.
- c) The HPPOA office will immediately document the HPP owners Decline/Relinquishment Form and will maintain a current, updated list of non-members., in accordance with State document retention law(s).
- d) The decline/relinquishment of voluntary membership will become effective upon the HPPOA Office's receipt of the HPP owner(s) Decline/Relinquishment Form and owners will be given an immediate documented verification of such.

6. Reestablishment of Membership

- a) HPP owners who are current on the Road Maintenance Fees and have declined/relinquished their HPPOA membership may, at any time reapply for membership so long as they maintain their HPP property ownership.

I swear, to the best of my abilities, that the above information I have provided is true and correct.

Signature(s): Danee McFar Date: 6/30/24
