

RESORT PROPERTIES OF THE PACIFIC, LLC

ADDITIONAL LISTING TERMS

1. Disclosure of material fact

Seller shall inform the Agent of any fact which could be deemed to be material to a prospective Buyer. During the listing and escrow period, the Seller shall disclose any condition, past or present, that may substantially and adversely affect the value or desirability of the Property.

If the Property is a condominium, the Seller shall also notify Agent of any pending special assessments or increases in Home Owner association fees.

Seller is aware that Hawaii law requires that material facts discovered by Agent are to be disclosed to Seller, Buyer and Buyer's Agent.

Additionally, the Seller is aware that material facts discovered by a third party during inspection may be construed as an amended disclosure and may thereby extend the Buyer's right to rescind the Offer to purchase the Property.

2. State and Federal Withholding Tax.

State Withholding: (HARPTA Withholding required if Seller is a Non-Resident of the State of Hawaii) Under Hawaii law, if Seller is a non-resident person or entity (corporation, partnership, trust, or estate) of the State of Hawaii, Buyer must withhold a specified percentage of the "amount realized" by Seller on the sale of the Property and forward the amount with the appropriate form to the State Department of Taxation. Such withholding may not be required if Seller obtains and provides Buyer with an authorized exemption or waiver from withholding. If the Seller is entitled to exemption or there is proof that no amount has been realized, appropriate paperwork should be completed well in advance of escrow closing.

Federal Withholding: (FIRPTA Withholding Required if Seller is a Foreign Person) Under the Internal Revenue Code, if Seller is a foreign person or entity (non-resident alien, corporation, partnership, trust, or estate), Buyer must generally withhold a specified percentage of the "amount realized" by Seller on the sale of the Property and forward this amount with the appropriate Internal Revenue Service ("IRS") form. Such withholding may not be required if Seller obtains and provides Buyer with an authorized exemption or waiver from withholding. If the Seller is entitled to exemption or there is proof that no amount has been realized, appropriate paperwork should be completed well in advance of escrow closing.

Seller's initials Date

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