DEVELOPER'S ANNUAL REPORT

Condominium Project Name: OPAEKAA ESTATES

Project Address: 6490 Opaekaa Road Kapaa, Kauai, Hawaii 96746

Registration Number: 6386 Date: July 21, 2009

HRS §514B-58 requires the Developer to annually file a report to update the material contained in the latest Developer's Public Report and any amendments thereto ("Report") at least thirty days prior to the anniversary date of the Report's effective date. If there is no change to the Report, the Developer shall so state. *Submit a non-refundable filing fee of fifty dollars ($50) with this report to Real Estate Commission, 335 Merchant Street, Room 333, Honolulu, HI 96813. Make check payable to Commerce and Consumer Affairs.*

The filing of the Annual Report does **not** relieve the Developer, its successor, or assign of the obligation to file amendments to the latest Report, pursuant to HRS §514B-56, or to report any material or pertinent changes regarding the information contained in or omitted from the latest Report.

Developer states that: (check one box only)

☐ Initial sales of all units have been completed. Developer is not required to file any subsequent annual report; **or**

☒ There are no changes to the latest Report, **or**

☐ There are updates to the latest Report and any amendments thereto. The updates are listed below. Also, if the update is a pertinent or a material change, the Developer has included or will include the update in an amended Report or in an amendment to the Report, and has submitted or will be submitting to the Commission a draft of an amended Report or an amendment to the Report in accordance with all applicable laws.

Updates to the latest Developer's Public Report: List the updates to the latest Report and any amendments thereto (include the update's title and description, and refer to the page or exhibit in the Report where the update can be found).

☐ If additional space is needed, check this box and continue list on back of this page or attach separate sheets.

The Developer declares, subject to the penalties set forth in HRS §514B-69, that this Project continues to conform to all zoning, building ordinances, codes, and permitting requirements for the county in which the Project is located, pursuant to HRS §§514B-5 and 32(a)(13).

The Developer certifies that all the information contained in this Annual Report and the latest Developer's Public Report, and all documents furnished by the Developer to Project purchasers and prospective purchasers have been reviewed by the Developer and are correct and complete to the best of the Developer's knowledge, information, and belief.

Thomas Summers and Linda Summers
Printed Name of Developer

By: Thomas B Summers Linda Summers
Duly Authorized Signatory*

7/10/09
Date

THOMAS B SUMMERS 7-10-09
Printed Name & Title of Person Signing Above

***Must be by an officer signed for a corporation; by a general partner for a partnership or limited liability partnership; by the manager or an authorized member for a limited liability company; and by the individual for the individual.**

This form is available to individuals with special needs by calling the Senior Condominium Specialist at (808) 586-2643.