

**CHANGE OF LESSOR'S
NAME FOR
U.S. GOVERNMENT LEASE**

Supplemental Agreement No. 2
To Lease No. GS-09B-02436

Effective Date:

1/15/13

The UNITED STATES OF AMERICA ("Government") and Lessor (defined below) enter into this Agreement (the "Agreement") as of the Effective Date (defined below).

A. Definitions. All initial capitalized words in this Agreement shall have the same meaning as specified below.

- (1) "Former Name of Lessor": W2007 HWD Realty LLC, c/o Embarcadero Capital Partners
Include Lessor's full former name. If Lessor is a corporation, include the full name of corporation and state of incorporation. If Lessor is a partnership, indicate whether it is a general or limited partnership.
- (2) "New Name of Lessor": ECI Three Howard LLC, c/o Embarcadero Capital Partners
Include full new name of lessor. If Lessor is corporation, include full name of corporation and state of incorporation. If Lessor is a partnership, indicate whether general or limited partnership. Specify name of signatory authorized to bind the corporation or partnership.
- (3) The lessor under the Lease (as defined below), whether known by Former Name of Lessor or New Name of Lessor, is referred to herein as "Lessor."
- (4) Signatory authorized to bind Lessor: Eric Yopes, Manager and Authorized Signatory
[print name] [Title]
- (5) "Effective Date": September 28, 2011. Insert date name change became effective under applicable state law.
- (6) "Property": 301 Howard Street [Street Address]
San Francisco, CA 94105 [City, State and Zip Code]
- (7) "Leased Premises": 7,536 RSF on the 10th known as Suite 1050
[Include location of leased premises, e.g., "[f]loor number or suite number."]

B. THE PARTIES AGREE TO THE FOLLOWING FACTS:

- (1) The Government, represented by various Contracting Officers of the United States General Services Administration, has entered into Lease No. GS-09B-02436 with Lessor under the Former Name of Lessor. The term, the "Lease", as used in this Agreement, means the above described lease, including all modifications, made before the Effective Date of this Agreement. In addition, included in the term "Lease" are all modifications made under the terms and conditions of the Lease between the Government and the Lessor, on or after the Effective Date of this Agreement.
- (2) As of the Effective Date, the Lessor has by an amendment to its Certificate of Formation
[insert applicable document for Lessor's type of organization, such as certificate of incorporation for a corporation], dated _____, Lessor has changed its name to New Name of Lessor.
- (3) This amendment accomplishes a change of name only and all rights and obligations of the Government and of the Lessor under the Lease are unaffected by this change.
- (4) Documentary evidence of this change of name has been filed with the Government.

C. IN CONSIDERATION OF THESE FACTS, THE PARTIES AGREE THAT BY THIS AGREEMENT:

- (1) The Lease covered by this Agreement is amended by substituting New Name of Lessor for the Old Name of Lessor wherever it appears in the Lease.
- (2) Each of the persons executing this Agreement on behalf of Lessor does hereby covenant and warrant that such entity is a duly authorized and existing entity, is qualified to do business in the state identified in Paragraph A(2) above, with full right and authority to enter in this Agreement, and that each and every person signing on behalf of Lessor is authorized to do so. Upon request, Lessor shall provide Government with evidence satisfactory to Government confirming the foregoing covenants and warrants.

IN WITNESS WHEREOF, each party has executed this Agreement as of the day and year first above written.

[SIGNATURES CONTINUED ON BACK PAGE]

LESSOR: [Attach additional pages if necessary for multiple signatures or multiple entities]

[Print name of Transferor]

By

Print Name

Title

See attached

CERTIFICATE

I, _____, certify that I am the Secretary of _____;

that _____ who signed this Agreement for this corporation, was then _____ of this corporation; and that this Agreement was duly signed for and on behalf of this corporation by authority of its governing body and within the scope of its corporate powers.

Witness my hand and the seal of this corporation this _____ day of _____, 19__.

By

[CORPORATE SEAL]

Government : UNITED STATES OF AMERICA

By:

Name:

Eric Solomon

Title:

Contracting Officer