

GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE
LEASE AMENDMENT

LEASE AMENDMENT NO. 4

TO LEASE NO. **GS-09B-02998**

ADDRESS OF PREMISES:

1450 Coleman Avenue, Santa Clara, CA 95050-4349

THIS AGREEMENT, made and entered into this date by and between

TOD Brokaw, LLC

whose address is

10121 Miller Avenue, Suite #200, Cupertino, CA 95014-3469

hereinafter called the Lessor, and the UNITED STATES OF AMERICA, hereinafter called the Government:

WHEREAS, the parties hereto desire to amend the above Lease.

NOW THEREFORE, these parties for the considerations hereinafter mentioned covenant and agree that the said Lease is amended to establish beneficial occupancy and to establish a termination right date, effective upon execution by the Government, as follows:

In this regard, Paragraphs 1 and 2 of Lease Amendment #4 are hereby made part of the Lease GS-09B-02998:

"1. TO HAVE AND TO HOLD said premises with their appurtenances for the term beginning on February 12, 2013 through February 11, 2028 subject to termination rights as may be hereinafter set forth."

"2. The Government may terminate this lease in whole or in part at anytime on or after February 11, 2023 by giving at least 120 days prior written notice to the Lessor. The effective date of the termination shall be the day following the expiration of the required notice period or the termination date set forth in the notice, whichever is later. No rental shall accrue after the effective date of termination."

All other terms and conditions of the lease shall remain in force and effect.

IN WITNESS WHEREOF, the parties subscribed their names as of the below date.

FOR THE LESSOR:

Signature: 

Name: Edward Storm

Title: Managing Member

Entity Name: TOD Brokaw, LLC

Date: 2/12/13

FOR THE GOVERNMENT:

Signature: 

Name: Megan Stefani

Title: Lease Contracting Officer
GSA, Public Buildings Service

Date: 2/13/13

WITNESSED FOR THE LESSOR BY:

Signature: 

Name: Melissa Cullinan

Title: Project Manager

Date: 2/12/13