

GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE
LEASE AMENDMENT

LEASE AMENDMENT NO. 5

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 to provide a lump-sum payment for the tenant improvement change orders as described in Exhibit A of Lease Amendment No. 5.

NOW THEREFORE, these parties for the considerations hereinafter mentioned covenant and agree that the said Lease is amended, effective upon execution by the Government, as follows:

Paragraph 7.04 is hereby added:

"7.04 TENANT IMPROVEMENT CHANGE ORDERS

In separate correspondence, the Government authorized the tenant improvement changes described in Exhibit A to Lease Amendment No. 5. The total cost for these Tenant Improvement changes is not to exceed \$49,525.35.

Upon completion, inspection, and acceptance of the tenant improvement change orders, the Lessor shall submit for Lump Sum payment, an original and one copy of the invoice. The Original Invoice, in the amount not to exceed \$49,525.35 shall be submitted via the GSA Finance website at: <https://finance3.gsa.gov/webVendors/>.

A copy of the Invoice shall be simultaneously submitted to the Leasing Specialist at:

GSA, Real Estate Division
Attention: Jamie Phillipposian
450 Golden Gate
3rd Floor East
San Francisco, CA 94102


A proper invoice must include the following:

- Invoice date
- Name of the Lessor as shown on the Lease
- Lease contract number, building address, and a description, price and quantity of the items delivered
- Annotation of GSA PS Number (will be sent after Government executes this Lease Amendment)"

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: 5/23/13

FOR THE GOVERNMENT:

Signature: 

Name: Megan Stefan

Title: Lease Contracting Officer

GSA, Public Buildings Service

Date: May 29, 2013

WITNESSED FOR THE LESSOR BY:

Signature: 

Name: Melissa Cullinan

Title: Senior Property Manager

Date: 5/23/13