

GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE
SUPPLEMENTAL LEASE AGREEMENT

SUPPLEMENTAL
AGREEMENT 2

DATE
March 03, 2010

TO LEASE NO. GS-09B-02392

ADDRESS OF PREMISES

Portion of Lot "L", Block 149, Rio Rico Estates #8
Rio Rico, AZ 85648

THIS AGREEMENT, made and entered into this date by and between NOGALES IMPERIAL, LLC

whose address is **7825 Fay Avenue, Suite 250**
La Jolla, CA 92037

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 increase the number of secured parking spaces, increase the rent and increase the total number of on site parking spaces, effective upon execution, as follows:

Paragraphs 1, 3 and 6.A are hereby revised and replaced with the following:

"1. The Lessor hereby leases to the Government the following described premises:

24,152 rentable square feet (r.s.f.) yielding approximately 23,393 ANSI/BOMA Office Area square feet and related space located on the Portion of Lot "L", Block 149, Rio Rico Estates #8, Rio Rico, AZ 85648, together with fifty two (52) onsite secured parking spaces, to be used for SUCH PURPOSES AS DETERMINED BY THE GENERAL SERVICES ADMINISTRATION.

"3. The Government shall pay the Lessor annual rent of \$1,047,955.28 at the rate of \$87,329.61 per month in arrears for years one (1) through fifteen (15). Rent for a lesser period shall be prorated:

| | Annual Rent (years 1-10) | Monthly Rent (years 1-10) | Annual Rent (years 11-15) | Monthly Rent (years 11-15) |
|--------------------------|-----------------------------|------------------------------|------------------------------|-------------------------------|
| Shell Rental Rate | \$777,694.40 | \$64,807.87 | \$907,873.68 | \$75,656.14 |
| TI Rental Rate | \$130,179.28 | \$10,848.27 | \$0.00 | \$0.00 |
| Base Operating Cost Rate | \$140,081.60 | \$11,673.47 | \$140,081.60 | \$11,673.47 |
| Full Service Rent | \$1,047,955.28 | \$87,329.61 | \$1,047,955.28 | \$87,329.61 |

| | Years 1-10 | Years 11 - 15 |
|---------------------|---------------|---------------|
| Tenant Improvements | \$5.39 / RSF | \$0.00 / RSF |
| Shell Rent | \$32.20 / RSF | \$37.59 / RSF |
| Operating Costs | \$5.80 / RSF | \$5.80 / RSF |
| Annual Rate | \$43.39 / RSF | \$43.39 |

Rent checks shall be made payable to Nogales Imperial, LLC, 7825 Fay Avenue, Suite 250, La Jolla, CA 92037.

"6. The Lessor shall furnish to the Government as part of the rental consideration, the following:

A. The total number of provided on site shall be ^{eighty (80)} ~~ninety five (95)~~ parking spaces.

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 above date.

| | |
|---|---|
| LESSOR: NOGALES IMPERIAL, LLC | |
| BY <u>[Signature]</u> (Signature) | <u>MEMBER</u> (Title) |
| IN THE PRESENCE OF (witnessed by) <u>[Signature]</u> (Signature) | <u>7825 Fay Ave, #250, CA 90111 CA</u> (Address) |
| UNITED STATES OF AMERICA, General Services Administration, Property Acquisition & Realty Services | |
| BY <u>[Signature]</u> Contracting Officer | |