GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE
SUPPLEMENTAL LEASE AGREEMENT

ADDRESS OF PREMISES: 158-15 Liberty Avenue, Jamaica, NY 11433-1034

SUPPLEMENTAL AGREEMENT
TO LEASE NO. GS-02B-22885

SUPPLEMENTAL AGREEMENT
NO. 26
DATE 3/31/10

THIS AGREEMENT, made and entered into this date by and between FDA Queens, L.P. whose address is c/o Hines GS Properties, 885 3rd Avenue, Suite 2700, New York, NY 10017, hereinafter called the Lessor, and the UNITED STATES OF AMERICA, hereinafter called the Government:

WHEREAS, the parties hereto desire to amend the above Lease, as previously amended;

WHEREAS, the Government has overpaid annual rent from October 2002 through the present;

WHEREAS, the parties are in the process of resolving the repayment terms of such overpayment, and;

WHEREAS, the parties wish to correct the annual rent.

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

a) Effective 4/1/2010 the annual rental is reduced from $10,302,417.56 by $74,749.08 to the new annual rental of $10,227,668.48. The new monthly rental is $852,305.71.

b) The new annual rental is composed of $8,620,162 as the base rent and $1,607,506.48 as the operating rent, as calculated in the most recent operating cost escalation effective 12/1/2008 through 11/30/2009.

c) The base year for the purpose of operating cost escalations shall remain December 2005.

d) The base cost of services for the purpose of operating cost escalations shall remain $1,499,749.48.

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

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

LESSOR: ___________________________ 

BY: ___________________________ 

IN PRESENCE OF ___________________________ 

SIGNATURE: ___________________________ 

ADDRESS: ___________________________ 

DATE: 3/31/10

UNITED STATES ADMINISTRATION

BY: ___________________________ 

SIGNATURE: ___________________________ 

CONTRACTING OFFICER 

(Official Title)