

GENERAL SERVICES ADMINISTRATION  
PUBLIC BUILDINGS SERVICE  
SUPPLEMENTAL LEASE AGREEMENT

SUPPLEMENTAL  
AGREEMENT  
No. 3

DATE

2/19/2010

TO LEASE NO GS-09B-02191

ADDRESS OF PREMISES: 1360 West Irvington Road, Tucson, AZ 85746

THIS AGREEMENT, made and entered into this date by and between Malpais, LLC, An Arizona Limited Liability Company

whose address is: P.O. Box 86387, Tucson, AZ 85754.

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 adjust the annual rent and record the Notice to Proceed.

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 3 is deleted in its entirety and replaced as follows:

3. The Government shall pay the Lessor annual rent of \$165,797.21 at the rate of \$13,816.43 per month in arrears. Rent for a lesser period shall be prorated. Rent checks shall be payable to:

Malpais, LLC  
P.O. Box 86387  
Tucson, AZ 85754

Paragraph 26 is added:

26. NOTICE TO PROCEED: Notice to Proceed with tenant improvements.

This Supplemental Lease Agreement (SLA) records the Notice to Proceed per SFO Paragraph 3.12E with Tenant Improvements effective upon execution of this SLA by the Government. Lessor agrees to complete Tenant Improvements in accordance with all terms and conditions of the Lease and Government reviewed Construction Documents for a total cost of \$154,184.00. \$166,652.64 (\$37.03/ABOA rounded) is authorized per Paragraph 1.10 of the SFO. The final costs submitted to GSA on February 12, 2010 are below the Tenant Improvement Allowance. \$154,184.00 (\$34.26/ABOA rounded) is amortized in the rent as stated in Lease Paragraph 15 at a rate of 7.75% per month over 120 months. Any change orders will be recorded and approved in a subsequent SLA.

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

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the date first above written.

LESSOR: Malpais, LLC, An Arizona Limited Liability Company

BY [Signature]  
(Signature)

SCOTT GOELTER, MEMBER  
(Print Name and Official title)

IN PRESENCE OF:  
[Signature]  
(Signature)

LARRY McMANUS  
(Print Name and Official title)

UNITED STATES OF AMERICA: GENERAL SERVICES ADMINISTRATION, Public Buildings Service

BY [Signature]  
(Signature)

Contracting Officer  
(Official title)