

U.S. GOVERNMENT
LEASE FOR REAL PROPERTY

DATE OF LEASE:

April 7, 2011

LEASE No. GS-09B-02409

THIS LEASE, made and entered into this date **Birtcher Anderson Investors, LLC**

whose address is: 31910 Del Obispo, Suite 100
San Juan Capistrano, CA 92675-3184

and whose interest in the property hereinafter described is that of OWNER, hereinafter called the LESSOR, and the UNITED STATES OF AMERICA, hereinafter called the GOVERNMENT:

WITNESSETH: The parties hereto for the considerations hereinafter mentioned, covenant and agree as follows:

1. The Lessor hereby leases to the Government the following described premises:
6,763 rentable square feet (r.s.f.), yielding approximately 5,985 ANSI/BOMA Office Area square feet and related space located on the 7th floor at the Park Tower Office Building – 200 W. Santa Ana Boulevard, Santa Ana, California 92701-4134 as depicted on the attached Exhibit A (“Site Plan”) and Exhibit B (“Floor Plan”) together with eleven (11) secured reserved structured parking spaces as depicted on the attached Exhibit A (“Site Plan”), to be used for SUCH PURPOSES AS DETERMINED BY THE GENERAL SERVICES ADMINISTRATION.
2. PARAGRAPH 2 IS INTENTIONALLY OMITTED.
3. PARAGRAPH 3 IS INTENTIONALLY OMITTED.
4. The government may terminate this lease at any time after the fifth (5th) year of this lease by giving at least 180 days’ prior notice in writing to the Lessor. No rental shall accrue after the effective date of termination. Said notice shall be computed commencing with the day after the date of the mailing.
5. PARAGRAPH 5 IS INTENTIONALLY OMITTED.
6. The Lessor shall furnish to the Government as part of the rental consideration, the following:
 - A. The parking 20 secured reserved structured parking spaces as described in Paragraph 1 and parking spaces required by local code.
 - B. All labor, materials, equipment, design, professional fees, permit fees, inspection fees, utilities, construction drawings (including, without limitation, plans and specifications), construction costs and services and all other similar costs and expenses associated with making the space, common areas, and related facilities ready for occupancy in accordance with the requirements of this lease and the Government’s approved Design Intent Drawings. Rent is subject to adjustment in accordance with Paragraph 3.3, “Tenant Improvement Rental Adjustment” of the SFO. All cost associated with services, utilities, maintenance, repair, replacement, inspections, improvements and other requirements as required by the Solicitation For Offers No. 6CA0531 and its attachments.
 - C. Adequate space for telecommunications antennae and transmission devices in accordance with Paragraph entitled, “Telecommunications: Local Exchange Access,” of the Solicitation for Offers.

7. The following are attached and made a part hereof:

All terms, conditions, and obligations of the Lessor and the Government as set forth in the following:

- a) Sheets numbers 1 – 3 containing paragraphs 9- 24, 3 pages;
- b) SFO Amendment No. 1 dated 12/2/09, 2 pages;
- c) SFO Amendment No. 2 dated 10/12/10, 2 pages;
- d) SFO Amendment No. 3 dated 12/15/10, 3 pages;
- e) Solicitation for Offers Number 6CA0531 dated 8/17/09, 53 pages;
- f) Special Requirements – 60 pages;
- g) Seismic Certification -12 pages;
- h) GSA Form 3517B entitled GENERAL CLAUSES (Rev. 11/05), 33 pages;
- i) GSA Form 3518 entitled REPRESENTATIONS AND CERTIFICATIONS (Rev. 1/07), 7 pages;
- j) Exhibit A - "Site Plan" indicating Premises, 1 page;
- k) Exhibit B – "Floor Plan", 1 page;

8. The following changes were made in this lease prior to its execution:

Paragraphs 2 through 5 of this STANDARD FORM 2 were deleted in their entirety. Paragraphs 9 through 24, have been added.

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

LESSOR: BIRTCHE ANDERSON INVESTORS, LLC

BY

Robert M. Anderson
(Signature)

(Signature)

IN PRESENCE OF:

MAGDALENA KWIATON *M. Kwiaton*
(Signature)

31910 DEL OBISPO #100, SAN JUAN CAPISTRANO, CA 92675
(Address)

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

BY

Doncel James
CONTRACTING OFFICER, GSA