





GENERAL SERVICES ADMINISTRATION PUBLIC BUILDINGS SERVICE SUPPLEMENTAL LEASE AGREEMENT	SUPPLEMENTAL AGREEMENT NO. 1 TO LEASE NO. GS-02B-23758	DATE 11/4/11
ADDRESS OF PREMISES: 622 Main Street, Buffalo, NY 14202		
THIS AGREEMENT , made and entered into this date by and between Acquest Theatre Place, LLC whose address is 88 Curtwright Drive, Suite 5, Williamsville, NY 14202		
hereinafter called the Lessor, and the UNITED STATES OF AMERICA, hereinafter called the Government:		
<p>WHEREAS, the Lessor is providing 16,620 rentable square feet (rsf) consisting of 15,109 ANSI BOMA Office area square feet on the 1st and 2nd floors of 622 Main Street, Buffalo, NY 14202 for occupancy upon build out of space in accordance with the Lease, including the mitigation of seismic deficiencies; WHEREAS, the Lessor was awarded this Lease based on compliance with the seismic requirement detailed in the Lease agreement paragraph 2.1 Seismic Safety (Feb 2007). WHEREAS, any references to FEMA-310 in lease paragraph 2.1 Seismic Safety shall be deemed to mean ASCE/SEI 31-03.</p>		
NOW THEREFORE , these parties for the considerations hereinafter mentioned covenant and agree that the said Lease is amended as follows:		
Prior to the issuance of the Government's Notice to Proceed (NTP), the Lessor shall submit the proposed Construction Drawings (CDs) for the subject space to a licensed structural engineer for review and certification of seismic compliance, and provide the following to the Government:		
<ol style="list-style-type: none"> 1) Certification by licensed structural engineer that upon substantial completion of the space, the building will meet the Life Safety Performance Level of ASCE/SEI 31-03 without qualifications. 2) The cost of the engineer's certification and any work necessary to meet the Life Safety Performance Level of ASCE/SEI 31-03 shall be at the Lessor's sole cost and expense. 		
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.		
		
(Signature)	(Title)	
IN PRESENCE OF 		
	GENERAL SERVICES ADMINISTRATION Contracting Officer (Official Title)	