

GENERAL SERVICES ADMINISTRATION  
PUBLIC BUILDINGS SERVICE  
LEASE AMENDMENT

LEASE AMENDMENT NO. 02

TO LEASE NO. **GS-07B-17059**

ADDRESS OF PREMISES

**1060 Gaudalupe St.  
Kerrville, TX 78028**

THIS AGREEMENT, made and entered into this date by and between **Tree Investments, LLC.**

whose address is

**2390 Memorial Blvd.  
Kerrville, TX 78028-5615**

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, effective November 27, 2012, as follows:

Paragraph 4.01 of the SFO is deleted and replaced as follows:

**4.01 SCHEDULE FOR COMPLETION OF SPACE (SEP 2012)**

Design and construction activities for the Space shall commence upon Lease award. The Lessor shall schedule the following activities to achieve timely completion of the work required by this Lease:

A. Government-Provided Design Intent Drawings (DIDs): The Government shall prepare and provide to the Lessor the Government's approved DIDs based upon the base Building documents provided by the Lessor as required in the paragraph titled "DOCUMENTS INCORPORATED IN THE LEASE" paragraph of this lease. These DIDs will detail the TIs to be made by the Lessor within the Space. DIDs shall be due to the Lessor within 90 Working Days from award.

Continued on Page 2

IN WITNESS WHEREOF, the parties subscribed their names as of the below

FOR THE LESSOR

FOR THE GOVERNMENT

Signature: \_\_\_\_\_  
Name: Tony Roberts  
Title: President  
Entity Name: Tree Investments LLC  
Date: 1-16-13

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Lease Contracting Officer  
GSA, Public Buildings Service  
Date: 1-28-13

WITNESSED FOR THE LESSOR BY:

Signature: \_\_\_\_\_  
Name: Maria Byrom  
Title: Facility mg.  
Date: 1-16-13

B. DIDs. For the purposes of this Lease, DIDs are defined as fully dimensioned drawings of the leased Space which reflect all Lease requirements provided by the Government sufficient for the preparation of construction documents (CDs), including, but not limited to:

1. Generic furniture layout, wall, door, and built-in millwork locations;
2. Telephone, electrical, and data outlet types and locations;
3. Information necessary for calculation of electrical and HVAC loads;
4. Work related to security requirements; and
5. All finish selections.

C. The Lessor's preparation and submission of construction documents (CDs): The Lessor as part of the TI must complete CDs conforming to the approved DIDs not later than 15 Working Days following the approval of DIDs. The pricing for this work is included under the A/E fees established under Section 1 of the Lease. If during the preparation of CDs the Lessor becomes aware that any material requirement indicated in the approved DIDs cannot be reasonably achieved, the Lessor shall promptly notify GSA, and shall not proceed with completion of CDs until direction is received from the LCO. The LCO shall provide direction within 15 Working Days of such notice, but the Government shall not be responsible for delays to completion of CDs occasioned by such circumstances. For the purpose of this paragraph, a "material requirement" shall mean any requirement necessary for the Government's intended use of the Space as provided for in, or reasonably inferable from, the Lease and the approved DIDs (e.g., number of workstations and required adjacencies).

D. Government review of CDs: The Government shall have 15 Working Days to review CDs before Lessor proceeds to prepare a TI price proposal for the work described in the CDs. At any time during this period of review, the Government shall have the right to require the Lessor to modify the CDs to enforce conformance to Lease requirements and the approved DIDs.

E. The Lessor's preparation and submission of the TI price proposal: The Lessor shall prepare and submit a complete TI price proposal in accordance with this Lease within 10 Working Days following the end of the Government CD review period.

F. Negotiation of TI price proposal and issuance of notice to proceed (NTP): The Government shall issue NTP within 10 Working Days following the submission of the TI price proposal, provided that the TI price proposal conforms to the requirements of the paragraph titled "Tenant Improvements Price Proposal" and the parties negotiate a fair and reasonable price for TIs.

G. Construction of TIs and completion of other required construction work: The Lessor shall complete all work required to prepare the Premises as required in this Lease ready for use not later than 120 Working Days following issuance of NTP.

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

Lease Amendment Form 07/12

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