

GENERAL SERVICES ADMINISTRATION PUBLIC BUILDINGS SERVICE LEASE AMENDMENT	LEASE AMENDMENT No. 1 TO LEASE NO. GS-06P-LIA41047
ADDRESS OF PREMISES: 9040 Harrison St. Davenport, IA 52806	PDN Number: PS0036786

THIS AGREEMENT, made and entered into this date by and between **DVN Associates, LLC**

whose address is: 10985 Cody St., Suite 220
Overland Park, KS 66210-1224

Mailing Address: 101 W. 2nd St., Suite 300
Davenport, IA 52801

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 good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, covenant and agree that the said Lease is amended, effective upon Government execution, as follows:

- 1) To provide a Notice to Proceed; and
- 2) To establish the Tenant Improvements (TIs) and Building Specific Amortized Capital (BSAC); and
- 3) To provide provisions for the payment of the TI and BSAC costs.

This Lease Amendment contains 2 pages.

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

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

FOR THE LESSOR:

Signature: [Redacted]
 Name: Jeffrey N. Eirinberg
 Title: Member
 Entity Name: DVN Associates, LLC
 Date: 11-10-16

FOR THE GOVERNMENT:

Signature: [Redacted]
 Name: Steven T. Freund
 Title: Lease Contracting Officer
 GSA, Public Buildings Service, Real Estate Acquisition Division
 Date: 1/19/2017

WITNESSED FOR THE LESSOR BY:

Signature: [Redacted]
 Name: Lynda K. Anderson
 Title: Director - Katco Resources
 Date: 11-10-16

- 1.) The Building Specific Amortized Capital (BSAC) is estimated at \$73,000 and is amortized in the rent.
- 2.) Upon this Lease Amendment being fully executed and delivered by the Government, the Lessor shall consider this a Notice to Proceed on the Tenant Improvements for the above referenced Lease. The Lease requires completion of the construction no later than 5/1/17.
- 3.) Following a Government review of the submitted cost proposal, the Government has determined that the Tenant Improvement bid is fair and reasonable at a total cost not to exceed \$1,434,349.00, inclusive of all management and architectural fees.
- 4.) Upon completion, inspection, and acceptance of the space, the Government shall pay for a portion of the total Tenant Improvement Cost by amortizing \$788,025 over years 1 – 15 at an interest rate of 5.5 0%. The remaining balance of the Tenant Improvements is **\$646,324.00** and shall be paid by a lump-sum payment upon the completion and acceptance by the Government of the Tenant Improvements. The lump-sum payment includes all the Lessor's fees for general and administrative costs, profit and any and all other fees associated with the completion of the Tenant Improvements by the anticipated date of completion. Any TI cost above this amount will be considered a Change Order and must be approved by the Contracting Officer in writing in advance.

A subsequent Lease Amendment shall be issued upon Government acceptance of the space to restate the rent.

Upon acceptance of the TI by the Government, the Lessor may submit an invoice for the lump-sum payment. The Lessor agrees that the invoice shall be printed on the same letterhead as the Lessor named on this Lease, shall include the Lease number, building address, and a price and quantity of items delivered. The invoice shall reference the number **PS0036786** and shall be sent electronically to the GSA Finance Website at <http://www.finance.gsa.gov/defaultexternal.asp>. Instructions for invoice submission are included on the website. Additional assistance is available from the Finance Customer Service line at 817-978-2408.

If the Lessor is unable to process the invoice electronically, then the invoice may be mailed to:

General Services Administration
FTS and PBS Payment Division (7BCP)
P.O. Box 17181
Fort Worth, TX 76102-0181

Lessor also agrees that a copy of the invoice shall be sent simultaneously to the GSA Lease Contracting Officer at the following address:

General Services Administration
Attn: Patrick Walsh
Two Pershing Square
2300 Main St., (6P1RE), Kansas City, MO. 64108

INITIALS:

LESSOR

&

GOVT