

WESTFIELD HORTON PLAZA

City of San Diego
County of San Diego
State of California

TENANCY AGREEMENT AMENDMENT NO. 1

THIS AGREEMENT is made and entered into as of this 19th day of MARCH 2009, by and between HORTON PLAZA LP, a Delaware limited partnership (hereinafter called "Landlord") and the CITY OF SAN DIEGO POLICE DEPARTMENT (hereinafter called "Tenant").

WITNESSETH:

WHEREAS, by written Tenancy Agreement dated May 1, 2008 (which Tenancy Agreement and all amendments, assignments and modifications thereof are hereinafter called the "Lease"), Landlord or its predecessor-in-interest did lease unto Tenant or its predecessor-in-interest approximately 748 square feet of space known as Tenant Space No. P22 (hereinafter called the "Premises") in WESTFIELD HORTON PLAZA, located in the City of San Diego, County of San Diego, State of California; and

WHEREAS, the Lease provides for an expiration date of April 30, 2009, and Landlord and Tenant desire to extend the Term pursuant to the following terms and conditions; and

WHEREAS, the parties hereto mutually desire to amend and supplement said Lease as hereinafter provided;

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties do hereby agree as follows:

A. Amendment. The parties hereto agree that the Lease shall be amended as follows:

1. TERM (Section 1): The Term of this Lease is hereby amended to terminate and expire on April 30, 2010 at the same Minimum Annual Rental and Additional Rental subject to the terms and conditions as set forth in the Lease.

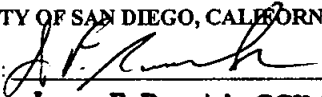
B. Effective Date. This Agreement shall become binding upon the parties when executed by both parties. The terms and provisions hereof shall apply and become effective as an amendment to the Lease as the date hereof and shall continue in effect until otherwise amended by the parties in writing or until expiration or sooner termination of the Lease.

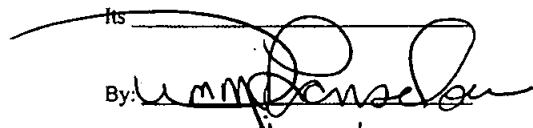
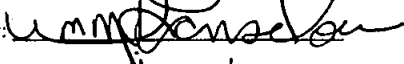
C. Entire Agreement. This Agreement sets forth the entire agreement between the parties with respect to the matters set forth herein. There have been no additional oral or written representations or agreements. Capitalized terms used but not otherwise defined herein shall have the same meaning as set forth in the Lease. Except as amended herein, the Lease between the parties shall remain in full force and effect. In case of any inconsistency between the provisions of the Lease and this Agreement, the later provision shall govern and control.

[SIGNATURE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Landlord and Tenant have duly executed this Agreement as of the day and year first above written.

CITY OF SAN DIEGO, CALIFORNIA,

By: 
Print Name: **James F. Barwick, CCIM**
Director, Real Estate Assets

Its 
By: 
Print Name: William Hansdorne
Its Chief of Police

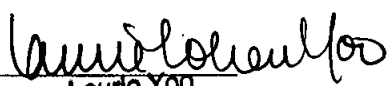
TENANT

HORTON PLAZA LP,
a Delaware limited partnership

By: Horton Plaza GP, LLC,
a Delaware limited liability company,
its general partner

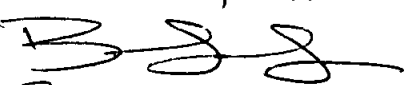
By: Westfield America Limited Partnership,
a Delaware limited partnership,
its sole member

By: Westfield U.S. Holdings, LLC,
a Delaware limited liability company,
its general partner

By: 
Laurie Yoo
Assistant Secretary
LANDLORD

APPROVED AS TO FORM AND LEGALITY:

JAN I. GOLDSMITH, CITY ATTORNEY

By: 
BRUCK LADWIG
DEPUTY CITY ATTORNEY



11601 Wilshire Blvd.
11th Floor
Los Angeles, CA 90025
T 310.478.4456
F 310.478.1267

VIA FEDERAL EXPRESS-2nd Day

April 16, 2009

Enza Morero
THE CITY OF SAN DIEGO
Real Estate Assets
1200 Third Avenue, Suite 1700
MS 51A
San Diego, CA 92101

**RE: WESTFIELD HORTON PLAZA
CITY OF SAN DIEGO POLICE DEPARTMENT / SPACE NO. P22**

Dear Ms. Morero:

Enclosed for your records is one (1) fully executed copy of Tenancy Agreement Amendment No. 1 to the Tenancy Agreement for the above referenced Tenant space.

Thank you for your cooperation and assistance. Please call me at (310) 689-2679 with any questions you may have.

Best regards,

WESTFIELD, LLC

Terry Burns
Lease Negotiator

TB/reb
Enclosure

cc: Abstracting (w/ enc.)

RECEIVED
CITY OF SAN DIEGO
09 APR 20 PM 1:18
REAL ESTATE ASSETS DEPT.

