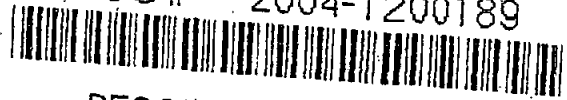


RECORDED REQUEST OF
First American Title
SUBDIVISION MAPPING DEPT.

19828

DOC # 2004-1200189



RECORDING REQUESTED BY:

DEC 21, 2004 3:28 PM

AND WHEN RECORDED RETURN TO:

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 26.00
PAGES: 7

International Gateway Associates, LLC
Attn: JER International Gateway LLC
c/o JER Partners (Attn: JC Richards)
1650 Tysons Boulevard, Suite 1600
McLean, Virginia 22102



2004-1200189

149294815

(Space above for Recorder's Use Only)

FIRST AMENDMENT TO PUBLIC USE LEASE

(Parcel B/C)

I, CHARLES G. ANDELMOUR, Clerk of
the City of San Diego, California,
hereby certify that this is a true
copy of papers on file and of
record in the office of the Clerk
of said City.

CHARLES G. ANDELMOUR, City Clerk

By [Signature], Deputy

Dated 12-22-04

FIRST AMENDMENT TO PUBLIC USE LEASE

(Parcel B/C)

THIS AMENDMENT TO PUBLIC USE LEASE (the "**Amendment**") is made as of November 22, 2004, by and between INTERNATIONAL GATEWAY I, LLC, a Delaware limited liability company ("IG-1"), and the CITY OF SAN DIEGO, a charter city ("**City**").

Recitals

A. Lease. International Gateway Associates, LLC, a Delaware limited liability company ("IGA"), as Lessor, and the City, as lessee, have entered into that certain Public Use Lease (Parcel B/C) dated as of March 20, 2001 and filed in the Office of the City Clerk for the City of San Diego, California, on March 20, 2001 as Document 00-18933 (the "**Lease**"). IG-1 has succeeded to the rights of the Lessor under the Lease.

B. Boundaries Modification. IG-1, as the owner of certain real property covered by the Lease (sometimes referred to in the Lease as "Parcel B/C"), and IGA, as the owner of certain adjacent property, have caused the execution, delivery and recordation of the following documents in order to adjust the boundaries of their respective properties:

- (i) The 2004 East Side Map (as defined in the attached "Map Attachment");
- (ii) The 2004 West Side Map (as defined in the attached "Map Attachment");
- (iii) a Quitclaim deed executed by IGA in favor of IG-1 recorded on _____, 2004 in the Official Records of the San Diego County Recorder as Document No. 2004-_____; and
- (iv) a Quitclaim deed executed by IG-1 in favor of IGA recorded on _____, 2004 in the Official Records of the San Diego County Recorder as Document No. 2004-_____.

C. Purpose. IG-1 and the City now desire to amend the map and legal description of Parcel B/C under the Lease so as conform the boundaries thereof to the boundaries as modified per the instruments described in Recital B above.

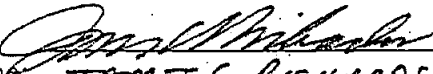
Agreement

NOW THEREFORE, in consideration of the mutual covenants herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, IG-1 and City agree as follows:

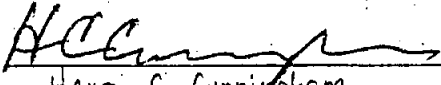
- 1. Changes in Map and Legal Description. For all purposes henceforth, Exhibit A to the Lease is hereby deleted, and Exhibit B to the Lease is hereby amended and replaced in its entirety by Exhibit B attached hereto.
- 2. Continuing Effect. As amended hereby, the Lease shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed and delivered on the date and year first set forth above.

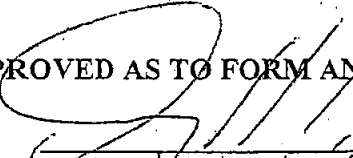
INTERNATIONAL GATEWAY I, LLC,
a Delaware limited liability company

By: 
Name: JAMES C. RICHARDS
Title: VICE PRESIDENT

CITY OF SAN DIEGO,
a charter city

By: 
Name: Henry C. Cunningham
Title: Director, LED

APPROVED AS TO FORM AND LEGALITY:

By: 
Name: Douglas K. Humphrey
Title: Deputy City Attorney

STATE OF CALIFORNIA

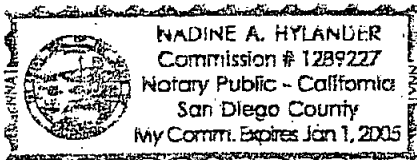
CITY AND COUNTY OF SAN DIEGO

)
) ss.
)

On November 30, 2004, before me, Nadine A. Hylander, Notary Public,
(Name And Title Of Officer)

personally appeared James C. Richards,

- ☐ personally known to me
-or-
☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Nadine A. Hylander
Signature Of Notary

STATE OF CALIFORNIA

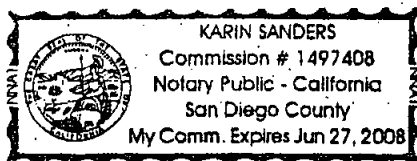
CITY AND COUNTY OF San Diego

)
) ss.
)

On December 1, 2004, before me, Karin Sanders, Notary Public
(Name And Title Of Officer)

personally appeared Venny C. Cunningham

- ☐ personally known to me
-or-
☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Karin Sanders
Signature Of Notary

NO EXHIBIT A TO THIS AMENDMENT

EXHIBIT B

LEGAL DESCRIPTION OF PARCEL B/C

THE LAND REFERRED TO HEREIN IS SITUATED IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

- (A) LOTS 6, 8, 11 THROUGH 14 AND 16 OF INTERNATIONAL GATEWAY OF THE AMERICAS PHASE IB, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 14259 RECORDED ON AUGUST 15, 2001 AS FILE NO. 2001-0581338 IN THE OFFICIAL RECORDS OF THE SAN DIEGO COUNTY RECORDER'S OFFICE.
- (B) PARCEL 1 AS SHOWN ON THE 2004 EAST SIDE MAP (AS DEFINED IN THE ATTACHED "MAP ATTACHMENT")
- (C) PARCEL 4 AS SHOWN ON THE 2004 WEST SIDE MAP (AS DEFINED IN THE ATTACHED "MAP ATTACHMENT")

MAP ATTACHMENT

The following terms shall have the following meanings in the document to which this Map Attachment is attached (to the extent used therein):

2004 East Side Map: Map No. 19628 recorded on December 16, 2004 in the Official Records of the San Diego County Recorder's Office as File No. 2004-1184765.

2004 West Side Map: Map No. 19629 recorded on December 16, 2004 in the Official Records of the San Diego County Recorder's Office as File No. 2004-1184833.