

June 28, 2003

Via US Mail

Mr. Weldon Rucker, City Manager
City of Berkeley
2180 Milvia Street
Berkeley, California 94704

Re: 1950 Addison Street – Berkeley, CA

Dear Mr. Rucker,

This letter is to confirm that 1950 Addison LLC (“Landlord”) and Seagate Properties, Inc. (“Manager”) will continue to accept rental from the City of Berkeley (“Tenant”) for that portion of the building located at 1950 Addison Street, Ste. 105 (“Premises”), known as tenant’s “The City of Berkeley” facility. The Premises will be further defined to include the restrooms and courtyard entrance for ingress and egress.

As of March 1, 2003, Holdover Rent for the Premises (3,413 square feet, including two parking space in the parking/loading area of the courtyard, at a holdover rate pf \$2.25 psf per month, at 125%) will be \$7,679.25 per month plus any additional Rent due under the terms of the Lease. All other terms and conditions of the current Lease (between the City of Berkeley and Wells Fargo Bank, N.A., as Trustee of the Phillip A. Danielson 1975 Trust), which expired June 30, 2001, shall remain in full force and effect, up to the date Tenant surrenders the Premises to the Landlord in the condition required in the Lease.

Either Landlord or Tenant may terminate the Lease by providing the Landlord or Tenant, respectively, with a thirty day (30) written notice of its intent to terminate the Lease in accordance with the terms of the month-to-month tenancy.

If the terms of this month to month tenancy are acceptable, please sign both originals where indicated, returning one to my attention for our records. If you have any questions, please do not hesitate to contact Gail Anderson at 510-204-9495.

Sincerely,

Erica Kreer
Lease Administrator

cc: Gail Anderson

Agreed and Accepted by:
City of Berkeley

By: _____
Weldon Rucker

Date: _____