

FIRST AMENDMENT TO LEASE

RECITALS:

WHEREAS, the Regents of the University of New Mexico, as lessor ("Lessor" or "UNM"), has entered into a certain Lease and Supplemental Agreement dated August 14, 1952, which is filed in Book D-218, Page 173 in the Office of the County Clerk of Bernalillo County, New Mexico, (the "Lease") with Rebecca J. Smith and Sherman E. Smith, as the original lessee; and

WHEREAS, the Lease is a ground lease of a platted lot, described as Lot 10, Block B, University of New Mexico Campus, as shown by the official replat filed in the office of the County Clerk of Bernalillo County on November 1, 1947 (the "Lot" or "Premises"), for the purposes of erecting and maintaining a residence located at 423 Girard, NE, Albuquerque, New Mexico; and

WHEREAS, said Lease and Supplemental Agreement has been assigned to Rebecca J. Smith, as assignee and current lessee ("Lessee"), under an Assignment of Lease dated June 13, 1977; and

WHEREAS, Lessee has requested and the Regents of the University of New Mexico is willing to grant an extension of the lease term in order to avoid potential negative impacts on future refinancing and sales transactions involving the Premises; and

WHEREAS, Lessee and UNM agree that it is desirable to have all existing residential ground leases in the vicinity of the Premises expire on a common expiration date identical with that of the Lease, as amended herein; and

WHEREAS, Lessee and UNM desire certain additional modifications and clarifications of the Lease.

THEREFORE, the Regents of the University of New Mexico and Lessee agree to the following:

1. The term of the Lease shall be extended and shall expire on June 30, 2082.
2. Lessee agrees that in the event Lessee should at any time desire to sell or assign this Lease to any unrelated third person or party, Lessee shall advertise or announce or provide notice of said offer to sell in a newspaper, publication, media or communication source directed or available to the University campus community, particularly its faculty and staff; it being the intent of Lessor and Lessee that faculty and staff of the University shall have prompt and widely distributed notice of the prospective sale of the Premises by Lessee.



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Page: 1 of 3
02/16/2000 12:12P
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3. All other terms, conditions and covenants of the Lease shall remain the same and in full force and effect.

IN WITNESS WHEREOF, the parties have caused this amendment to be executed this 23 day of Dec, 1999.

LESSOR: The Regents of the University of New Mexico

By: Julie C. Weaks
Julie C. Weaks

Its: Vice President for Business and Finance

Date: 12/23, 1999

STATE OF NEW MEXICO)
)ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 12.23, 1999, by Julie C. Weaks, Vice President for Business and Finance of the University of New Mexico, for the Regents of the University of New Mexico, a body corporate of the State of New Mexico.

Sandra Jane Brewster
Notary Public

My Commission Expires:

4.24.2003

LESSEE:

By: Rebecca J. Smith
Rebecca J. Smith, by David P. Smith,
her Attorney-in-Fact

Date: December 9, 1999

lay STATE OF ~~NEW MEXICO~~)
COLORADO)ss
LA PLATA)
COUNTY OF ~~BERNALILLO~~)

This instrument was acknowledged before me on the 9th day of December, 1999, by David P. Smith, as Attorney-in-Fact for Rebecca J. Smith.

Linda L. Greer
Notary Public

My Commission Expires:

9/29/03



Judy D. Woodward Bern. Co. AMND R 11.00

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Page: 3 of 3
02/16/2000 12:12P
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