

OFFERING MEMORANDUM

THE KOLEY



1317 Park Ave, Omaha, NE 68105 • 6 units • built 1900 • renovated 2016

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OFFERING SUMMARY

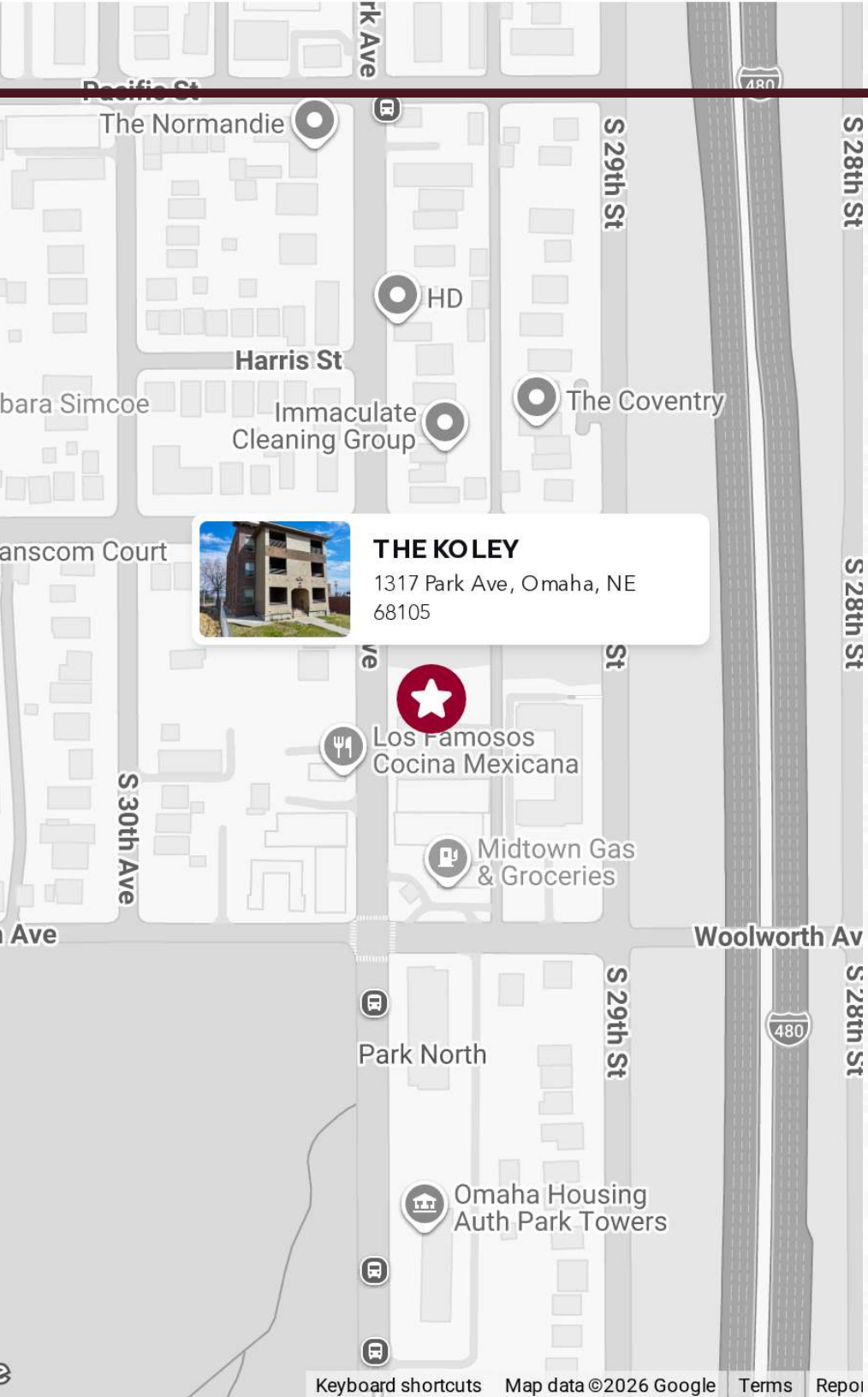
The Koley is a fully renovated, six-unit multifamily asset located at 1317 Park Avenue in Omaha's highly desirable Midtown / Hanscom Park submarket. Originally constructed in 1900 and comprehensively updated in 2016, the property blends historic character with modern systems, offering investors a stabilized, turnkey opportunity with additional upside.

The asset consists exclusively of large-format two-bedroom, one-bath units averaging approximately 1,150 square feet—significantly larger than typical market comparables. Each unit benefits from updated interiors, in-unit laundry (or hookups), and individually metered utilities, enhancing tenant appeal and operational efficiency. Extensive capital improvements include modernized plumbing and electrical systems, updated windows, central HVAC, and upgraded water heaters.

Currently operating at full occupancy, The Koley provides strong in-place income with clear potential to increase rents to market levels, projected at approximately \$1,350 per unit. This presents investors with a straightforward value-add component through lease roll and operational optimization.

Strategically positioned within a rapidly improving corridor, the property benefits from proximity to Midtown Crossing, UNMC, and major employment hubs, supporting long-term rent growth and tenant demand. The combination of location, unit size, and recent renovations positions The Koley as a differentiated asset within the submarket.

Overall, The Koley represents a compelling opportunity to acquire a stabilized, well-maintained multifamily property with immediate cash flow and embedded upside in one of Omaha's most active and evolving neighborhoods.



THE KOLEY
 1317 Park Ave, Omaha, NE
 68105

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Market Overview	04
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OFFERING SUMMARY

OFFERING SUMMARY

ADDRESS	1317 Park Ave, Omaha, NE 68105
BUILDING SF	7,010 SF
LAND SF	6,534 SF
NO OF UNITS	6
YEAR BUILT / RENOVATED	1900 / 2016

FINANCIAL SUMMARY

PRICE	\$750,000
PRICE PSF	\$106.99
PRICE PER UNIT	\$125,000
OCCUPANCY	95%
NOI (CURRENT)	\$51,701
NOI (PRO FORMA)	\$62,441
CAP RATE (CURRENT)	6.97%
CAP RATE (PRO FORMA)	8.39%
GRM (CURRENT)	9.12
GRM (PRO FORMA)	7.67





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Property Overview

Executive Summary

Investment Highlights

Photos

THE KOLEY

1317 Park Ave, Omaha, NE 68105

6 units | built 1900 | renovated 2016

EXECUTIVE SUMMARY

Price
\$750,000

Price/unit
\$125,000

Price/SF
\$108.70

Units
6

Built/Renovated
1900/2016

Property Info

Property type	Multifamily
Unit mix	6 (All 2 Bed / 1 Bath)
Year Built	1900
Renovated	2016
Building size	7,010 SF
Avg. Unit Size	1,050 - 1,150 SF
Lot size	0.15 Acres
Construction	Brick
Stories	3
Basement	2,080 SF

Capital Improvements & Features

- Plumbing systems modernized
- Electrical systems upgraded
- Updated windows
- Central HVAC systems
- Updated water heaters
- In-unit washer & dryer (or hookups)
- Individually metered utilities
- Ample off-street parking





PROPERTY FEATURES

NO OF UNITS	6
BUILDING SF	7,010 SF
LAND SF	6,534 SF
YEAR BUILT	1900
ZONING TYPE	GC
TYPOGRAPHY	Flat
NUMBER OF STORIES	3
WASHER/DRYER	In-Unit

UTILITIES

WATER	Tenant
TRASH	Landlord
GAS	Tenant
ELECTRIC	Tenant

CONSTRUCTION

FRAMING	Masonry Common Brick
EXTERIOR	Masonry Common Brick
PARKING	Off-Street (Asphalt)
ROOF	Flat
HVAC	Central Air

INVESTMENT HIGHLIGHTS

Value-Add Opportunity

Current average rents \$1,137 are \$213 below the \$1,350 market rents giving a clear path to 19% upside via lease-up strategy.

Turnkey Asset with Lease-Up Upside

The Koley offers a stabilized, fully occupied investment with immediate upside through marking rents to market as leases roll.

In-Unit Laundry Amenity

Washer/dryer or hookups available in units, enhancing tenant demand, retention, and supporting premium rent positioning.

Large Unit Competitive Advantage

Above 1,050 SF unit areas exceed submarket average, allowing for higher rent ceiling compared to competitors.

Recent Capital Improvements

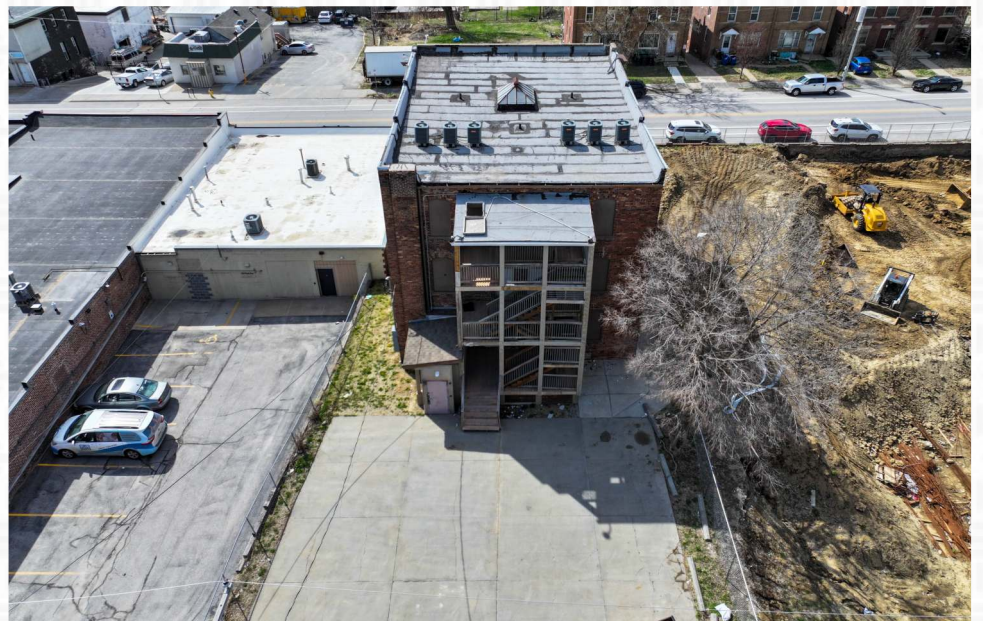
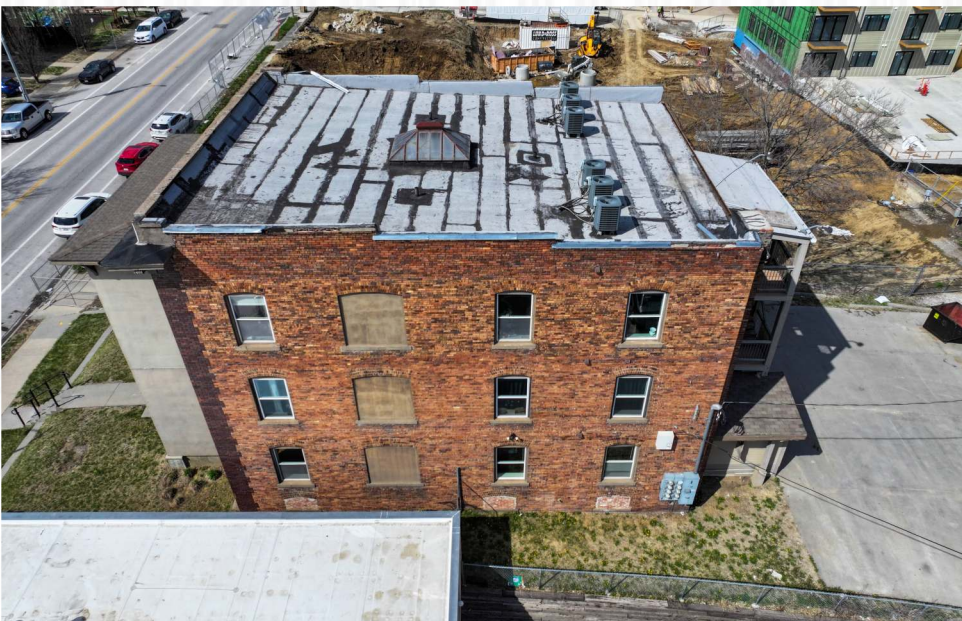
The property has undergone substantial upgrades, including modernized plumbing and electrical systems, updated windows, central HVAC, and water heaters—reducing near-term capital needs.

Midtown Growth Corridor

Located in Omaha's Midtown / Hanscom Park submarket, the property benefits from proximity to UNMC, Midtown Crossing, and ongoing redevelopment, supporting sustained rental demand and appreciation.



PROPERTY PHOTOS



PROPERTY PHOTOS



— PROPERTY PHOTO





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Financial Overview

Rent Roll

Floor Plan

Income and Expenses Analysis

Income and Expense Chart

Operating Projections

Assumptions

THE KOLEY

1317 Park Ave, Omaha, NE 68105

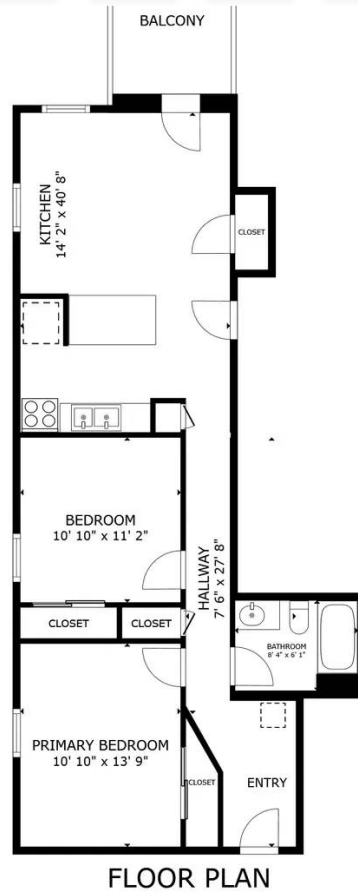
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RENT ROLL

Multifamily

unit #	unit type	SF	current	per SF	annually	lease to	proforma	per SF	annually
1	2BR/1BA	1,150	\$1,150	\$1.00	\$13,800	04/30/2026	\$1,350	\$1.17	\$16,200
2	2BR/1BA	1,150	\$1,100	\$0.96	\$13,200	03/15/2026	\$1,350	\$1.17	\$16,200
3	2BR/1BA	1,150	\$1,150	\$1.00	\$13,800	06/30/2026	\$1,350	\$1.17	\$16,200
4	2BR/1BA	1,150	\$1,150	\$1.00	\$13,800	08/31/2026	\$1,350	\$1.17	\$16,200
5	2BR/1BA	1,150	\$1,100	\$0.96	\$13,200		\$1,350	\$1.17	\$16,200
6	2BR/1BA	1,150	\$1,150	\$1.00	\$13,800		\$1,350	\$1.17	\$16,200
AVERAGES	2BR/1BA	1,150	\$1,133	\$0.99	\$13,600		\$1,350	\$1.17	\$16,200
6 units		6,900	\$6,800	\$0.99	\$81,600		\$8,100	\$1.17	\$97,200

FLOOR PLAN

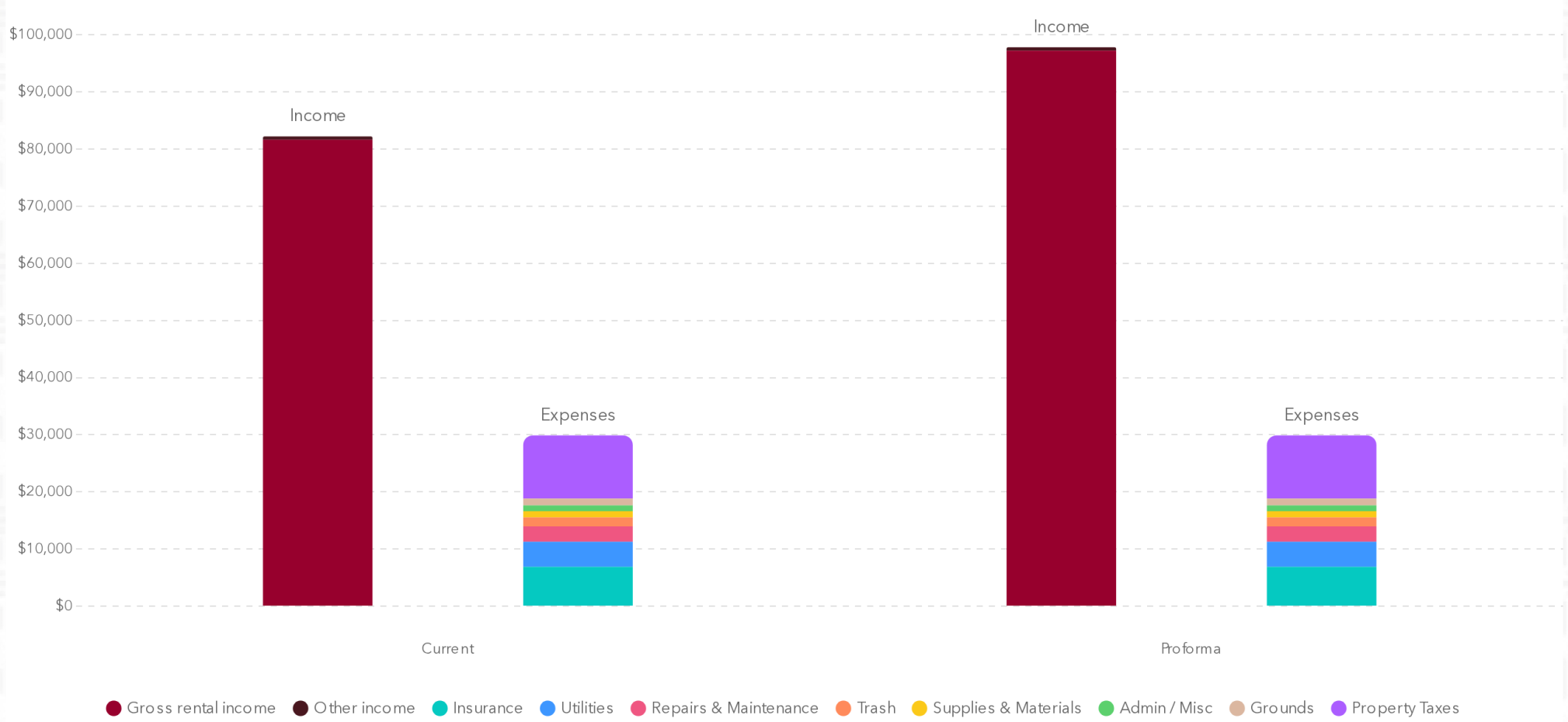


INCOME AND EXPENSES ANALYSIS

Multifamily

Income	Current	Per unit	PSF	% GOI	Proforma	Per unit	PSF	% GOI
Multifamily Rental Revenue	\$81,600	\$13,600	\$11.83		\$97,200	\$16,200	\$14.09	
Vacancy - 0.00% (C) 5.00% (P)	\$0	\$0	\$0.00		\$4,860	\$810	\$0.70	
Effective Multifamily Rental Revenue	\$81,600	\$13,600	\$11.83	99.27%	\$92,340	\$15,390	\$13.38	99.35%
Other Income								
Cam Fee	\$600	\$100	\$0.09		\$600	\$100	\$0.09	
Total other income	\$600	\$100	\$0.09	0.73%	\$600	\$100	\$0.09	0.65%
Gross Operating Income	\$82,200	\$13,700	\$11.91		\$92,940	\$15,490	\$13.47	
Expenses								
Insurance	\$6,876	\$1,146	\$1.00	8.36%	\$6,876	\$1,146	\$1.00	7.4%
Utilities	\$4,410	\$735	\$0.64	5.36%	\$4,410	\$735	\$0.64	4.74%
Repairs & Maintenance	\$2,680	\$447	\$0.39	3.26%	\$2,680	\$447	\$0.39	2.88%
Trash	\$1,573	\$262	\$0.23	1.91%	\$1,573	\$262	\$0.23	1.69%
Supplies & Materials	\$1,091	\$182	\$0.16	1.33%	\$1,091	\$182	\$0.16	1.17%
Admin / Misc	\$1,000	\$167	\$0.14	1.22%	\$1,000	\$167	\$0.14	1.08%
Grounds	\$1,200	\$200	\$0.17	1.46%	\$1,200	\$200	\$0.17	1.29%
Property Taxes	\$11,069	\$1,845	\$1.60	13.47%	\$11,069	\$1,845	\$1.60	11.91%
Total expenses	\$29,899	\$4,983	\$4.33	36.37%	\$29,899	\$4,983	\$4.33	32.17%
NET OPERATING INCOME	\$52,301	\$8,717	\$7.58	63.63%	\$63,041	\$10,507	\$9.14	67.83%

INCOME AND EXPENSE CHART



OPERATING PROJECTIONS

	Current	Proforma Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10
Gross Rental Revenue	\$81,600	\$97,200	\$98,529	\$101,485	\$104,530	\$107,666	\$110,896	\$114,223	\$117,649	\$121,179	\$124,814
Total Rental Loss	\$0	\$4,860	\$4,926	\$5,074	\$5,226	\$5,383	\$5,545	\$5,711	\$5,882	\$6,059	\$6,241
Effective Rental Revenue	\$81,600	\$92,340	\$93,603	\$96,411	\$99,303	\$102,282	\$105,351	\$108,511	\$111,767	\$115,120	\$118,573
Cam Fee	\$600	\$611	\$635	\$661	\$687	\$715	\$743	\$773	\$804	\$836	\$870
Total Other Income	\$600	\$611	\$635	\$661	\$687	\$715	\$743	\$773	\$804	\$836	\$870
Gross Operating Income	\$82,200	\$92,951	\$94,238	\$97,072	\$99,991	\$102,997	\$106,094	\$109,284	\$112,571	\$115,956	\$119,443
Insurance	\$6,876	\$6,923	\$7,027	\$7,132	\$7,239	\$7,348	\$7,458	\$7,570	\$7,684	\$7,799	\$7,916
Utilities	\$4,410	\$4,440	\$4,507	\$4,574	\$4,643	\$4,713	\$4,783	\$4,855	\$4,928	\$5,002	\$5,077
Repairs & Maintenance	\$2,680	\$2,698	\$2,739	\$2,780	\$2,822	\$2,864	\$2,907	\$2,951	\$2,995	\$3,040	\$3,085
Trash	\$1,573	\$1,584	\$1,608	\$1,632	\$1,656	\$1,681	\$1,706	\$1,732	\$1,758	\$1,784	\$1,811
Supplies & Materials	\$1,091	\$1,098	\$1,115	\$1,132	\$1,149	\$1,166	\$1,183	\$1,201	\$1,219	\$1,237	\$1,256
Admin / Misc	\$1,000	\$1,007	\$1,022	\$1,037	\$1,053	\$1,069	\$1,085	\$1,101	\$1,117	\$1,134	\$1,151
Grounds	\$1,200	\$1,208	\$1,226	\$1,245	\$1,263	\$1,282	\$1,302	\$1,321	\$1,341	\$1,361	\$1,381
Taxes	\$11,069	\$11,069	\$11,235	\$11,404	\$11,575	\$11,748	\$11,924	\$12,103	\$12,285	\$12,469	\$12,656
Total Operating Expenses	\$29,899	\$30,028	\$30,479	\$30,936	\$31,400	\$31,871	\$32,349	\$32,834	\$33,327	\$33,826	\$34,334
Net Operating Income	\$52,301	\$62,923	\$63,760	\$66,136	\$68,591	\$71,126	\$73,745	\$76,450	\$79,244	\$82,129	\$85,109
Cash Flow before Debt Service	\$52,301	\$62,923	\$63,760	\$66,136	\$68,591	\$71,126	\$73,745	\$76,450	\$79,244	\$82,129	\$85,109
Debt Service	--	\$41,559	\$41,559	\$41,559	\$41,559	\$41,559	\$41,559	\$41,559	\$41,559	\$41,559	\$41,559
Cash Flow after Debt Service	--	\$21,364	\$22,201	\$24,577	\$27,032	\$29,567	\$32,186	\$34,891	\$37,685	\$40,570	\$43,550
Principal Reduction	--	\$9,002	\$9,581	\$10,197	\$10,853	\$11,551	\$12,294	\$13,085	\$13,926	\$14,822	\$15,775

ASSUMPTIONS

Income Assumptions	Occupancy	Rent growth	OI growth
Year 1	95%	0%	4%
Year 2	95%	3%	4%
Year 3	95%	3%	4%
Year 4	95%	3%	4%
Year 5	95%	3%	4%
Year 6	95%	3%	4%
Year 7	95%	3%	4%
Year 8	95%	3%	4%
Year 9	95%	3%	4%
Year 10	95%	3%	4%

Expense assumptions	
Proforma OE offset	no

Comments
Removed extra rent month (overstated income)
Added grounds expense (owner self-performed)

Loan Assumptions	
Loan Term	10 years
LTV	70%
Interest rate	6.25%
Amortization	25 years
I/O	no

Property Tax Assumptions	
Effective tax rate	1.36%
Reassess on sale	no
Property tax growth rate	1.5%

Acquisition & Sale	
Hold term	10 years
Exit cap rate	7.00%
Closing costs - sale	\$0
Total cash to close	\$230,250
Acquisition date	Apr 7, 2026



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Market Overview

Sale Comps Summary

Sale Comps Chart

Rent Comps Summary

Rent Comps Detailed

Rent Comps Sort

City Overview

Demographics

Employers

Top Nearby Universities

Nearby Amenities

THE KOLEY

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COMMERCIAL REAL ESTATE SERVICES

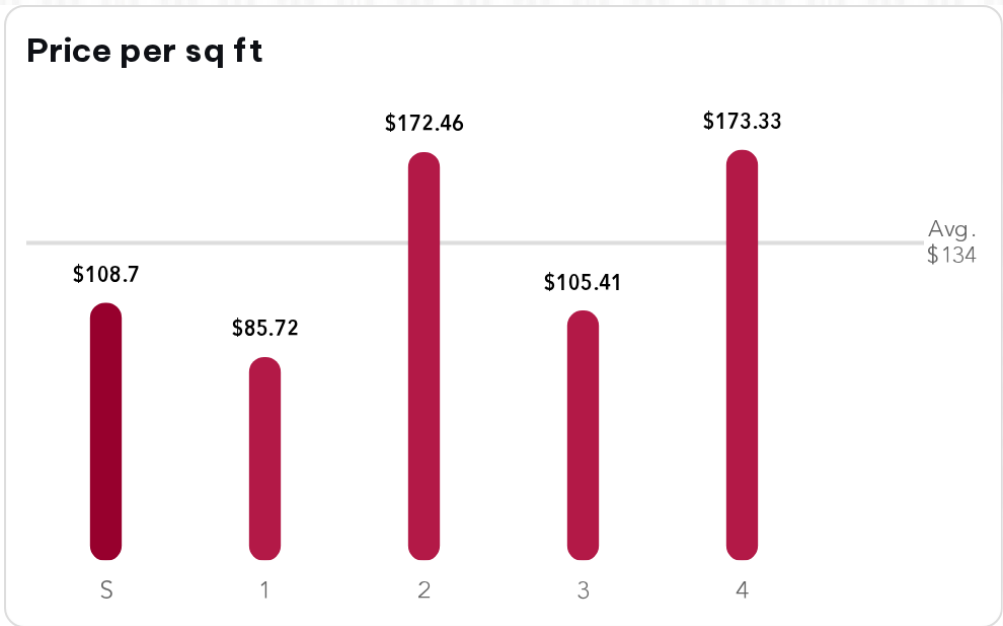
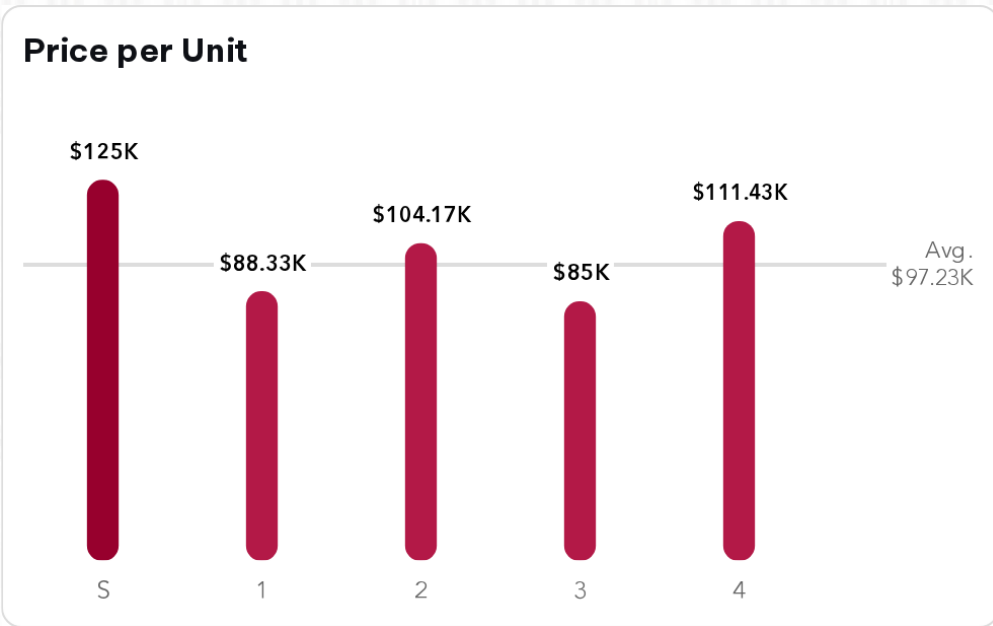
SALE COMPARABLES MAP



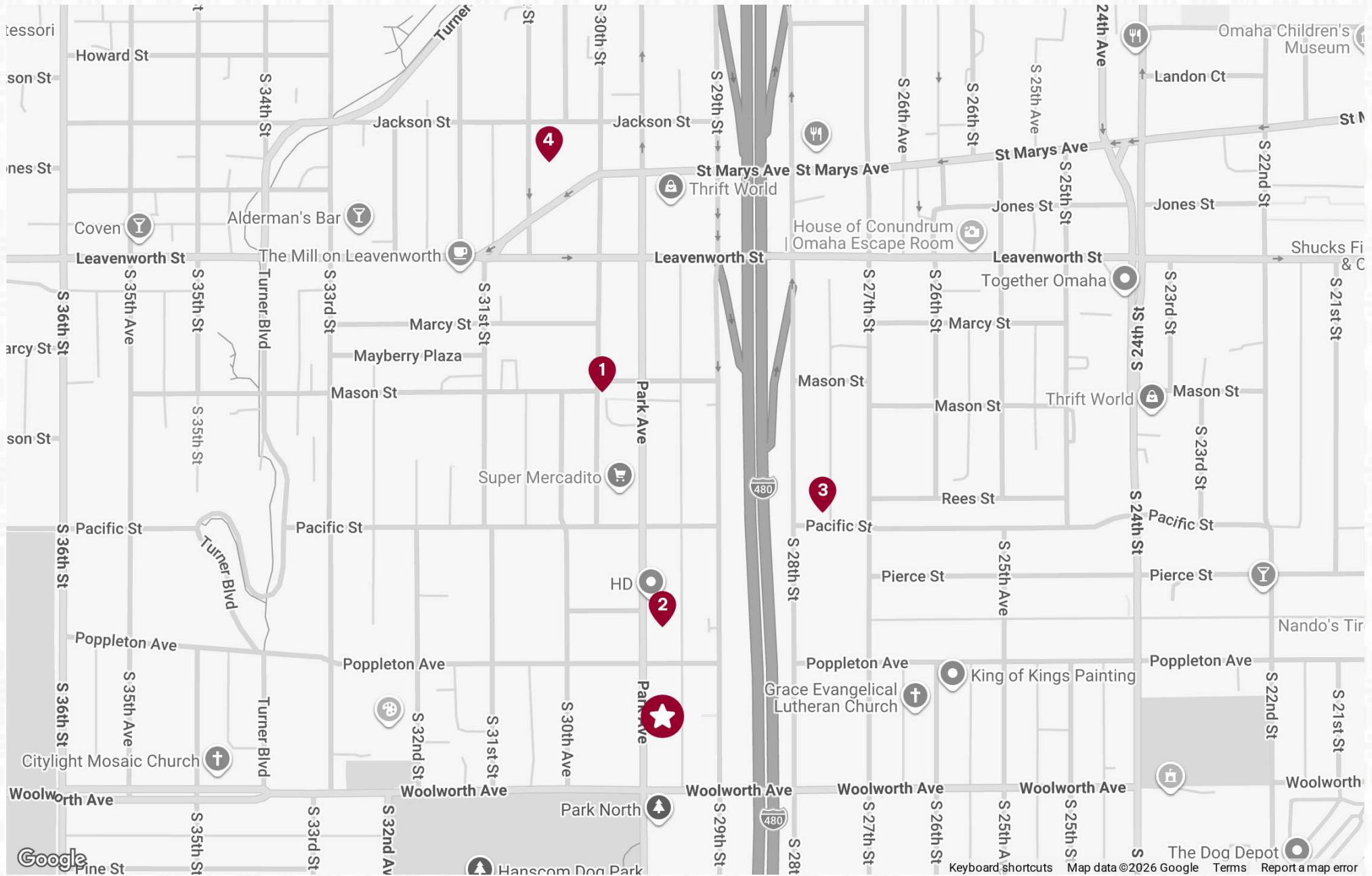
SALE COMPS SUMMARY

property	built /renovated	units	sale price /date	\$/unit	RSF	\$/SF	avg SF
 <p>2968 Poppleton Ave 2968 Poppleton Ave, Omaha, NE 68105</p>	1915	14	\$1.33M 11/02/2025	\$94,643	15,458	\$85.72	1,104
 <p>1612 S 32nd Ave 1612 S 32nd Ave, Omaha, NE 68105, USA</p>	1952	5	\$625,000 06/29/2025	\$125,000	3,624	\$172.46	725
 <p>1110 S 30th Av 1110 S 30th Ave, Omaha, NE 68105, USA</p>	1925	9	\$850,000 11/30/2025	\$94,444	8,064	\$105.41	896
 <p>1017 S 31st S 1017 S 31st St, Omaha, NE 68105, USA</p>	1968	6	\$780,000 11/30/2025	\$130,000	4,500	\$173.33	750
Averages	1940	8.5	\$895,000	\$111,022	7,912	\$134.23	869
Subject	1900 /2016	6	\$750,000	\$125,000	6,900	\$108.70	1,150





SALE COMPS CHART



RENT COMPARABLES MAP



RENT COMPS SUMMARY

property	units	unit type	rent	avg SF	\$/SF
 <p>1007 S 30th 1007 S 30th St, Omaha, NE 68105, USA</p>	1	1BR/1BA	\$1,175	750	\$1.57
 <p>1137 park Ave 1137 Park Ave, Omaha, NE 68105, USA</p>	1	2BR/1BA	\$1,115	850	\$1.31
 <p>2718 Pacific St 2718 Pacific St, Omaha, NE 68105, USA</p>	1	2BR/1BA	\$1,300	1,250	\$1.04
 <p>617 S 31st St 617 S 31st St, Omaha, NE 68105, USA</p>	2	1BR/1BA 2BR/2BA	\$1,352 \$1,645	880 1,050	\$1.54 \$1.57
Averages	1.3	1BR/1BA	\$1,264	815	\$1.55
		2BR/1BA	\$1,208	1,050	\$1.15
		2BR/2BA	\$1,645	1,050	\$1.57
		All types	\$1,317	956	\$1.38
Subject	6	2BR/1BA	\$1,350 +11.80%	1,150 +9.52%	\$1.17 +2.08%
		All types	\$1,350 +2.47%	1,150 +20.29%	\$1.17 -14.81%

RENT COMPS DETAILED



S THE KOLEY
 1317 Park Ave, Omaha, NE 68105
 Occupancy: **100%** | Built/Remodeled: **1900/2016**

units	type	SF	rent	\$/SF
6	2BR/1BA	1,150	\$1,350	\$1.17
6		1,150	\$1,350	\$1.17



1 1007 S 30th
 1007 S 30th St, Omaha, NE 68105, USA
 Built: **1905**

units	type	SF	rent	\$/SF
--	1BR/1BA	750	\$1,175	\$1.57
1		750	\$1,175	\$1.57

Note

In unit washer dryer

RENT COMPS DETAILED



2

1137 park Ave

1137 Park Ave, Omaha, NE 68105, USA

Built
1968

units	type	SF	rent	\$/SF
--	2BR/1BA	850	\$1,115	\$1.31
1		850	\$1,115	\$1.31

Note

no in-unit washer/dryer



3

2718 Pacific St

2718 Pacific St, Omaha, NE 68105, USA

Built
1926

units	type	SF	rent	\$/SF
--	2BR/1BA	1,250	\$1,300	\$1.04
1		1,250	\$1,300	\$1.04

Note

In unit washer dryer

RENT COMPS DETAILED



4

617 S 31st St

617 S 31st St, Omaha, NE 68105, USA

Build
2016

units	type	SF	rent	\$/SF
--	1BR/1BA	880	\$1,352	\$1.54
--	2BR/2BA	1,050	\$1,645	\$1.57
2		965	\$1,499	\$1.55

Note

In unit washer dryer

SORTED BY RENT

1 Bedroom				
Property/Address	Unit Type	SF	Rent	Rent/SF
617 S 31st St	1BR/1BA	880	\$1,352	\$1.54
1007 S 30th	1BR/1BA	750	\$1,175	\$1.57
Averages		815	\$1,264	\$1.55

2 Bedroom				
Property/Address	Unit Type	SF	Rent	Rent/SF
617 S 31st St	2BR/2BA	1,050	\$1,645	\$1.57
THE KOLEY Pro Forma	2BR/1BA	1,150	\$1,350	\$1.17
2718 Pacific St	2BR/1BA	1,250	\$1,300	\$1.04
THE KOLEY	2BR/1BA	1,150	\$1,133	\$0.99
1137 park Ave	2BR/1BA	850	\$1,115	\$1.31
Averages		1,090	\$1,309	\$1.20

SORTED BY RENT/SF

1 Bedroom				
Property/Address	Unit Type	SF	Rent	Rent/SF
1007 S 30th	1BR/1BA	750	\$1,175	\$1.57
617 S 31st St	1BR/1BA	880	\$1,352	\$1.54
Averages		815	\$1,264	\$1.55

2 Bedroom				
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THE KOLEY	2BR/1BA	1,150	\$1,133	\$0.99
Averages		1,090	\$1,309	\$1.20

Area Description

Omaha is a stable and growing Midwestern metro supported by a diversified economy anchored by healthcare, finance, logistics, education, and manufacturing. The city is home to multiple major hospitals and medical employers, providing a consistent source of high-quality jobs and supporting durable housing demand across economic cycles.

The market benefits from strong affordability relative to national averages, steady population growth, and a business-friendly environment. Rising replacement costs and limited new supply of large-format units reinforce the value of existing properties with oversized floor plans. These fundamentals position Omaha as a resilient multifamily market offering stable cash flow characteristics and long-term appreciation potential.

Recreational Delights

Omaha boasts a wealth of recreational opportunities, making it a fantastic place for outdoor enthusiasts. From serene lakes to sprawling parks, there's something for everyone. The city's crown jewel is the Omaha Henry Doorly Zoo and Aquarium, which is recognized as one of the best zoos in the world. For those who prefer outdoor adventures, the Fontenelle Forest offers hiking trails and educational programs amidst its breathtaking natural beauty. Additionally, the city's numerous public parks, such as Elmwood Park and Cohen Park, provide spaces for picnics, sports, and leisurely walks. Water sports can be enjoyed at Lake Zorinsky, where kayaking and fishing are popular pastimes. Furthermore, the Keystone Trail offers miles of scenic pathways for biking and jogging, catering to those who want to explore the city's natural landscape actively.

Culinary Scene

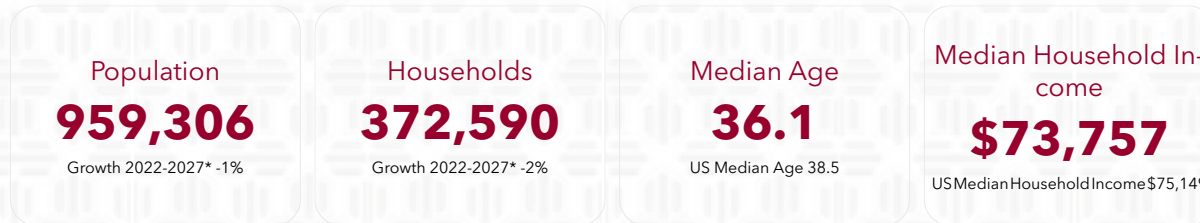
The culinary scene in Omaha is as diverse as its residents, featuring a rich mix of traditional Midwestern fare and global cuisine. Known for its famous steaks and barbecue, the city has solidified its reputation as a foodie destination. The Old Market district is a notable hub, where visitors can find everything from trendy cafes to upscale dining establishments. Popular local specialties include Runza, a regional fast-food chain offering stuffed buns, and the Omaha-style Reuben sandwich. Additionally, Benson is an up-and-coming neighborhood known for its hip eateries and craft breweries, reflecting the city's growing interest in artisanal and locally-sourced ingredients. The city also embraces an array of international flavors, including Mexican, Vietnamese, and Italian cuisine, symbolizing the cultural tapestry of Omaha. Food festivals and farmers' markets further enhance the dining experience, creating a vibrant community atmosphere around food.



DEMOGRAPHICS

Highlights

- Omaha metro area population stands at approximately 488,059.
- The median age in Omaha is 35, younger than the national median of 38.5.
- Omaha's median household income is \$65,359, lower than the U.S. median of \$75,149.



2022 POPULATION BY AGE



Quality of Life

Omaha provides a commendable quality of life, characterized by affordable housing, excellent schools, and abundant recreational activities. The city's vibrant community and cultural offerings foster a strong sense of belonging among residents, making it an attractive place to live and work.

Entertainment

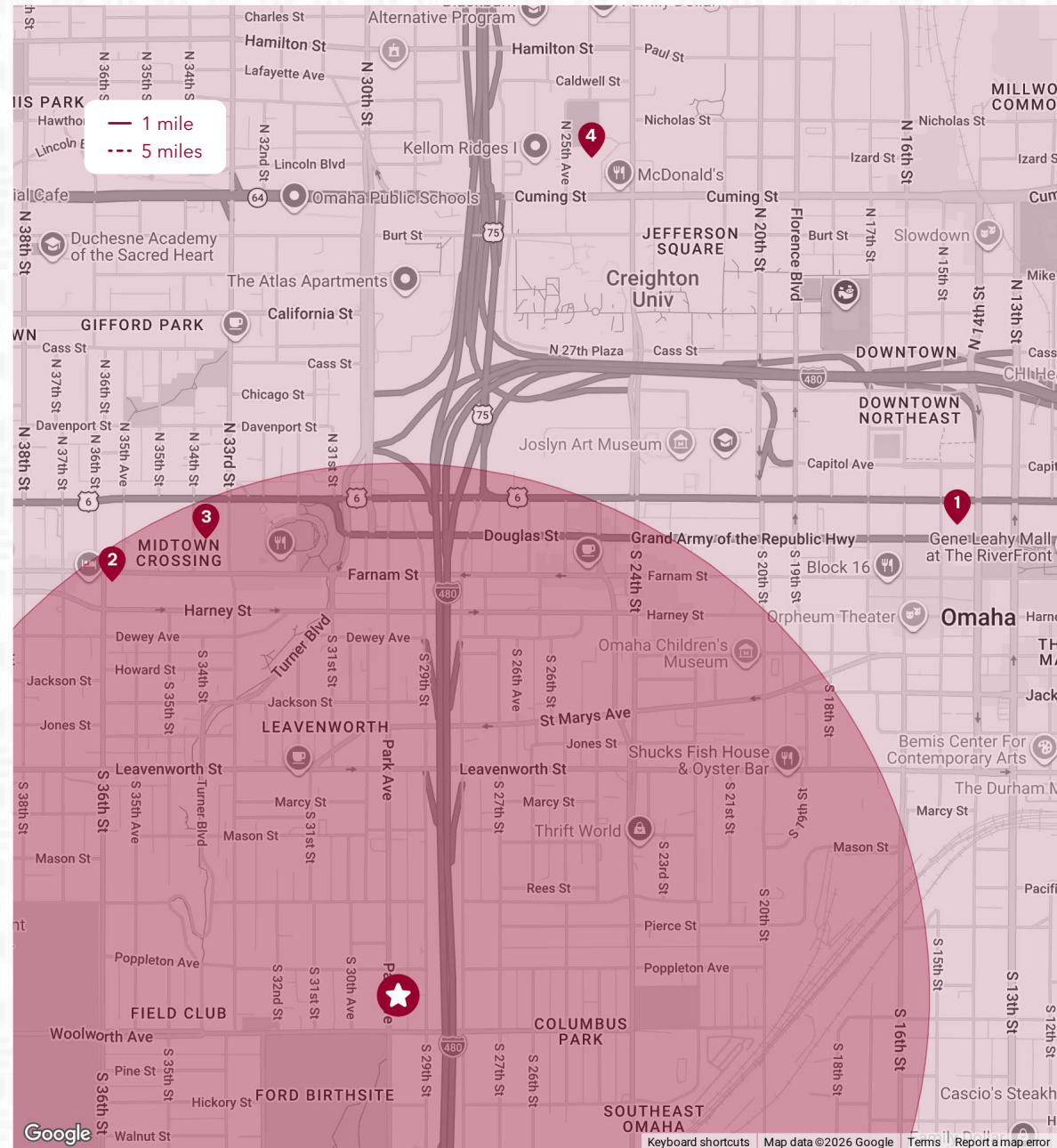
- Orpheum Theater
- Lincoln Financial Field
- Omaha Community Playhouse
- The Holland Performing Arts Center

Universities

- UNMC
- Creighton University
- University of Nebraska-Omaha (UNO)

EMPLOYERS

- 1 Union Pacific Railroad Company
- 2 Berkshire Hathaway Corporate
- 3 Mutual of Omaha
- 4 CHI Health Creighton University Medical Center - University Campus



TOP NEARBY UNIVERSITIES

University of Nebraska Medical Center (UNMC)

A leading public academic health sciences center in Omaha focused exclusively on medical, nursing, and health professions education, known for strong clinical training and research impact.



Creighton University

A private Jesuit university in Omaha offering a well-rounded education with strengths in health sciences, business, and law, emphasizing ethics, service, and smaller class experiences.



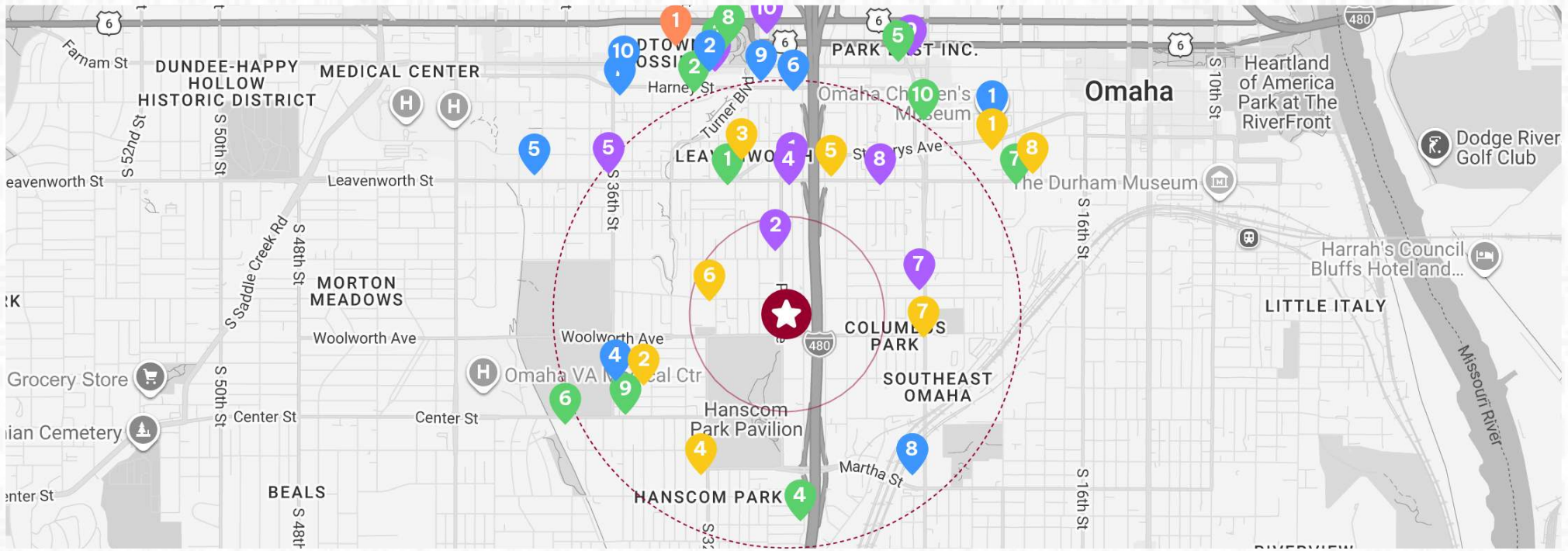
University of Nebraska Omaha (UNO)

A public research university in Omaha with a broad range of programs, recognized for affordability and strengths in business, technology, and public affairs.



NEARBY AMENITIES

— 5min walk --- 10min walk



DAILY NEEDS

- 1 Supermercado Nuestra Fa...
- 2 Super Mercadito LLC
- 3 Midtown Crossing Shopping...
- 4 Kohll's Rx
- 5 Kwik Shop
- 6 Walgreens Pharmacy
- 7 Midtown Gas & Grocery
- 8 East Africa Grocery Store
- 9 African Foods & Deli Market
- 10 COVID-19 Drive-Thru Testing...

- 3 Smokin' Oak Wood-Fired Piz...
- 4 Dinker's Bar and Grill
- 5 Zen Coffee Company
- 6 Greek Islands Restaurant
- 7 Shucks Fish House & Oyster...
- 8 Turner Park
- 9 Abelardo's Mexican Fresh
- 10 Izzy's Pizza

QUICK MEALS

- 1 Chick-fil-A

CULTURE & RECREATION

- 1 Omaha Children's Museum
- 2 Genesis Health Clubs - Mid-...

- 3 Clover24
- 4 Outdoor Gym (Bodyweight...
- 5 UNMC Engage Wellness...
- 6 Grace Training and Fitness
- 7 Brigit Saint Brigit Theatre
- 8 Scenic Aperture
- 9 Top Flight Training
- 10 Art Collector

EDUCATION

- 1 Liberty Elementary School
- 2 Field Club Elementary School
- 3 Jackson Elementary School
- 4 Our Lady of Lourdes Catholic...
- 5 St. Peter's School

WALKABLE DINING & GATHERING

- 1 The Mill on Leavenworth
- 2 Spielbound Board Game Cafe

- 6 Hebrew Ministry Of The Jews...
- 7 The Learning Academy-Edu-...
- 8 Computer club

— CONFIDENTIALITY AGREEMENT

The material contained herein is confidential and is presented strictly as confidential information related to the possible sale by the owner (“Owner”) of certain property located in the city of City, State, commonly known as Coventry Court Apartments at 16000 Cambridge Way, Tustin, California (the “Property”).

In order to evaluate the Property, Recipient has requested certain information regarding the Property. Owner is willing to provide such information, either directly or through its agents, contractors, advisors, or consultants (collectively referred to hereafter as “Provider”), under the condition that “Recipient” (defined below) agrees to keep the information strictly confidential in accordance with this agreement. As used in this agreement, the term “Recipient” shall refer collectively and individually to the undersigned, and any other employees or agents or consultants of the undersigned who review the confidential information in connection with the evaluation of the Property by the undersigned. Recipient acknowledges and agrees that the Agreement is being executed for the benefit of Owner and the undersigned Broker.

Recipient agrees that it will maintain in the strictest confidence all information provided by Provider regarding the Property, including without limitation financial information, leases, environmental investigations, title reports, surveys, and any other information provided by Provider to Recipient that is not generally known to the public (collectively, the “Confidential Information”).

Recipient also agrees not to disclose or divulge the Confidential Information to any person or entity other than the undersigned’s employees who are actively and directly participating in the analysis of the Property, and in such cases only to the extent reasonably required for such analysis. Recipient also agrees to inform all such employees of the confidential nature of the Confidential Information and to provide a copy of this agreement to such employees. Recipient agrees to be fully responsible for any breach of this agreement caused by such employees.

In the event that Recipient is required or requested by subpoena or judicial or other governmental authority to disclose any Confidential Information, Recipient agrees to provide Provider with prompt notice of such requirement or request in order to give Owner time to seek an appropriate protective order or otherwise control the required disclosure. In such event, Recipient shall disclose Confidential Information only to the minimum extent necessary to comply with legally binding requirements and shall exercise its best efforts to ensure that the Confidential Information is held in confidence by the party to whom it is disclosed.

Recipient agrees that Provider shall be entitled to equitable relief, including without limitation injunction and specific performance, in the event of a violation or threatened violation of this agreement, in addition to all other remedies available at law or in equity. This agreement is governed by the laws of the State of California. No failure to exercise any right, privilege, or remedy hereunder shall be deemed to be a waiver thereof. If any provision of this agreement is adjudged to be unenforceable, the balance of the agreement shall be enforced to the maximum extent permissible under applicable law.

This agreement contains the entire agreement of the parties with respect to the subject matter hereof and can only be amended by a writing signed by both parties. If any legal action or other proceeding of any kind is brought for the enforcement of this agreement or because of any alleged breach, default, or any other dispute in connection with any provision of the agreement, the successful or prevailing party shall be entitled to recover all reasonable attorney’s fees and other costs incurred in such action or proceeding, in addition to any relief to which it may be entitled.

THE KOLEY

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