

CERTIFICATE OF FACT

OF

OCT 14 10 47 AM '88

SILVER CREEK ASSOCIATES,  
an Idaho Limited Partnership

SECRETARY OF STATE

Pursuant to Title 53, Chapter 2, Sections 53-209 and 53-211 of the Idaho Code, this Certificate of Fact regarding Silver Creek Associates, an Idaho Limited Partnership is made and is effective as of August 1, 1988.

RECITALS

WHEREAS, the name of the limited partnership is SILVER CREEK ASSOCIATES;  
and

WHEREAS, the partnership agreement, as filed with the Idaho Secretary of State on June 9, 1988, has been amended by the Third Amendment to Agreement and Certificate of Limited Partnership (attached hereto as Exhibit A) as of August 1, 1988 ("Amendment") in the following particulars:

(1) the following limited partners have withdrawn from the partnership:

Karl H. Johannsmeier  
Katharyn L. Clyde  
William Wraith III  
Leslie W. Wraith  
James M. Pollock 1977 Revocable Trust  
George L. & Mary Anne Paris Trust dtd 4/15/81  
Richard P. Nuzzo  
Alice P. Nuzzo  
Nordahl Trust Dated 4/15/81  
Jeanne T. Murphy  
Fritz Mast  
Alma Mast  
Joseph Peter Hoguet  
Peter Henning  
Helen S. Henning  
Robert Jaunich, II  
Kathleen M. Jaunich  
Richard H. Gould  
Anne Gould  
Norman J. Hatter  
Beulah J. Hatter  
R. Thomas Decker  
E. A. Cutter Trust dtd 11/15/73  
William W. Bilhorn  
Carol C. Bilhorn  
John Crouse Trust  
Ruth L. Crouse

(2) The following new limited partners were admitted:

Warren E. Spieker, Jr.  
2180 Sand Hill Road, Ste. 200  
Menlo Park, CA 94025

John K. French  
2180 Sand Hill Road, Ste. 200  
Menlo Park, CA 94025

NOW, THEREFORE, the ownership structure as a result of the Amendment is:

General Partner - Spieker-French #45, Limited Partnership, 50%

IN WITNESS WHEREOF, this Certificate of Fact is executed as of the date first above written.

SILVER CREEK ASSOCIATES,  
an Idaho Limited Partnership

By: Spieker-French #45, Limited Partnership,  
General Partner

By <sup>GA</sup>   
WARREN E. SPIEKER, JR.

Its: General Partner

By   
JOHN K. FRENCH

Its: General Partner

LIMITED PARTNERS:

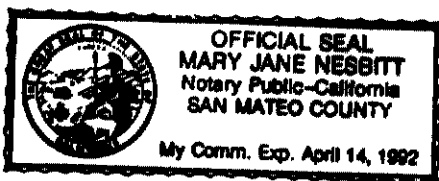
<sup>GA</sup>   
WARREN E. SPIEKER, JR.

  
JOHN K. FRENCH

THE STATE OF California )  
COUNTY OF San Mateo )

BEFORE ME, a Notary Public in and for said county and state, on this 12th day of October, 1988, personally appeared Warren E. Spieker, Jr., as General Partner of Spieker-French #45, Limited Partnership; to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes and in the capacity therein set forth.

SWORN TO AND SUBSCRIBED before me by the said Warren E. Spieker, Jr., as General Partner of Spieker-French #45, Limited Partnership, to certify which witness my hand and official seal of office.



Mary Jane Nesbitt  
Notary Public in and for  
San Mateo County, CA

My commission expires:  
4/14/92

THE STATE OF California )  
COUNTY OF San Mateo )

BEFORE ME, a Notary Public in and for said county and state, on this 12th day of October, 1988, personally appeared John K. French, as General Partner of Spieker-French #45, Limited Partnership, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes and in the capacity therein set forth.

SWORN TO AND SUBSCRIBED before me by the said John K. French, as General Partner of Spieker-French #45, Limited Partnership, to certify which witness my hand and official seal of office.



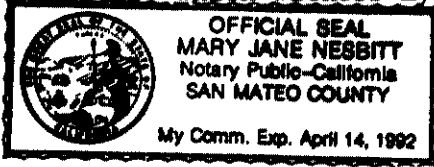
Mary Jane Nesbitt  
Notary Public in and for  
San Mateo County, CA

My commission expires:  
4/14/92

THE STATE OF California)  
COUNTY OF San Mateo)

BEFORE ME, a Notary Public in and for said county and state, on this 12th day of October, 1988, personally appeared WARREN E. SPIEKER, JR., to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes and in the capacity therein set forth.

SWORN TO AND SUBSCRIBED before me by the said WARREN E. SPIEKER, JR., to certify which witness my hand and official seal of office.



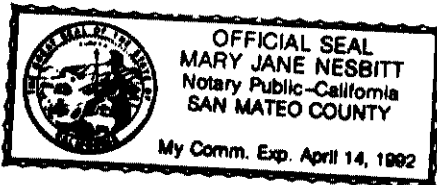
Mary Jane Nesbitt  
Notary Public in and for  
San Mateo County, CA

My commission expires:  
4/14/92

THE STATE OF California)  
COUNTY OF San Mateo)

BEFORE ME, a Notary Public in and for said county and state, on this 12th day of October, 1988, personally appeared JOHN K. FRENCH, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes and in the capacity therein set forth.

SWORN TO AND SUBSCRIBED before me by the said JOHN K. FRENCH, to certify which witness my hand and official seal of office.



Mary Jane Nesbitt  
Notary Public in and for  
San Mateo County, CA

My commission expires:  
4/14/92