

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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|----------------------------------|--|-----------------------|--|
| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | CHANGE OF NAME | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| Archstone Communities Trust | | 10/29/2001 | Real Estate Investment Trust: MARYLAND |
| RECEIVING PARTY DATA | | | |
| Name: | Archstone-Smith Operating Trust | | |
| Street Address: | 9200 East Panorama Circle | | |
| Internal Address: | Suite 400 | | |
| City: | Englewood | | |
| State/Country: | COLORADO | | |
| Postal Code: | 80112 | | |
| Entity Type: | Real Estate Investment Trust: MARYLAND | | |
| PROPERTY NUMBERS Total: 1 | | | |
| Property Type | Number | Word Mark | |
| Registration Number: | 2400817 | SEAL OF SERVICE | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | (312)701-7711 | | |
| | <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> | | |
| Phone: | 312-701-8607 | | |
| Email: | cdore@mayerbrownrowe.com | | |
| Correspondent Name: | Joan L. Long | | |
| Address Line 1: | P.O. Box 2828 | | |
| Address Line 2: | Mayer Brown Rowe & Maw LLP | | |
| Address Line 4: | Chicago, ILLINOIS 60690-2828 | | |
| NAME OF SUBMITTER: | Joan L. Long | | |
| Signature: | /Joan L. Long/ | | |
| Date: | 12/16/2005 | | |

OP \$40.00 2400817

Total Attachments: 1
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ARCHSTONE COMMUNITIES TRUST

ARTICLES OF AMENDMENT AND RESTATEMENT

These Articles of Amendment and Restatement of Archstone Communities Trust are made as of October 29, 2001.

FIRST: Archstone Communities Trust, a Maryland real estate investment trust (the "Trust") formed under Title 8 of the Corporations and Associations Article of the Annotated Code of Maryland ("the Act"), desires to amend and restate its Declaration of Trust as currently in effect and as hereinafter amended and to change its name to Archstone-Smith Operating Trust.

SECOND: The amendment to and restatement of the Declaration of Trust as hereinafter set forth was advised by the Board of Trustees (the "Board") of the Trust and approved by the shareholders of the Trust as required by law.

THIRD: The following sets forth all of the provisions of the Declaration of Trust as currently in effect and as hereinafter amended:

Declaration

The Trustee hereby declares that it holds the duties of Trustee hereunder and holds all assets of the Trust presently existing and hereafter to be received, and all rents, income, profits and gains therefrom, from whatever source derived, in trust for the Unitholders (as defined herein) in accordance with the terms and conditions hereinafter provided, including, without limitation Annex A hereto in its entirety, which are all of the provisions of the Trust's declaration of trust as currently in effect and as hereinafter amended (the "Declaration of Trust").

ARTICLE I
THE TRUST

SECTION 1. Name.

(a) The Trust governed by this Amended and Restated Declaration of Trust (as amended, supplemented or restated from time to time, this "Declaration of Trust") is herein referred to as the "Trust" and shall be known by the name "Archstone-Smith Operating Trust." So far as may be practicable, legal and convenient, the affairs of the Trust shall be conducted and transacted under such name, which name shall not refer to the Trustee individually or personally or to the beneficiaries or Unitholders of the Trust, or to any officers, employees or agents of the Trust. Under circumstances in which the Trustee determines that the use of the name "Archstone-Smith Operating Trust" is not practicable, legal or convenient, it may as appropriate use the Trustee's name with suitable reference to its Trustee status, or some other suitable designation, or it may adopt another name under which the Trust may hold property or operate in any jurisdiction, which name shall not, to the knowledge of the Trustee, refer to beneficiaries or Unitholders of the Trust.

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REGISTERED DOCUMENT

I hereby certify that this is a true and complete copy of the _____ page document on file in the office, book _____

10/30/01 208

BY: Ann Curtis Custodian

This stamp replaces our previous certification system. Effective: 6/99