

CITY CONTRACT NO. 1990-029 **CA 1**

AMENDMENT TO LEASE AGREEMENT #1990-029

THIS Amendment to Lease Agreement (City Contract No. 1990-029) is made this 28<sup>th</sup> day of November, 2017, between the City of Prescott, a municipal corporation of the State of Arizona, also referred to as "Lessor" in this document, and JDS Family Limited Partnership, also referred to as "Lessee" in this document:

**WHEREAS**, historically, the Assignor acquired ownership of a hangar under a Lease Agreement between the City and Arizona Flight School Inc., dated April 13, 1990 (City Contract No. 1990-029). The Lease was amended January 24, 1995, and assigned to Arizona Pacific Aviation, Inc. (City Contract No. 1990-029A). The Lease was further amended on July 30, 1996 (City Contract No. 1990-029AS). The Lease was assigned from Arizona Pacific Aviation, Inc., to Rittaire, LLC, on July 22, 1997. (City Contract No. 1990-029A1). The Lease was amended on May 11, 1999. (City Contract No. 1990-029B). City Contract No. 1990-029, along with all subsequent amendments are collectively referred to as the "Lease Agreement" in this document; and,

**WHEREAS**, on November 28, 2017, the City consented to an assignment of the Lease Agreement from Rittaire, LLC, to JDS Family Limited Partnership; and,

**WHEREAS**, the parties now wish to amend Paragraph 3(a) of the original Lease Agreement (City Contract No. 1990-029), which reflects JDS Family Limited Partnership, desire to extend the lease term by and additional (15) years and reflects the City's desire to permit the extension of the term of the lease;

**WHEREAS**, Paragraph 3(a) was amended previously in City Contract No. 1990-029A; and,

**WHEREAS**, the City's Real Property Specialist has opined that the City is currently receiving fair market rent for this facility and the Lease Agreement contains annual inflation adjustments.

**NOW, THEREFORE:**

SECTION 1. Paragraph 3(a) of the Lease Agreement shall be amended to read as follows:

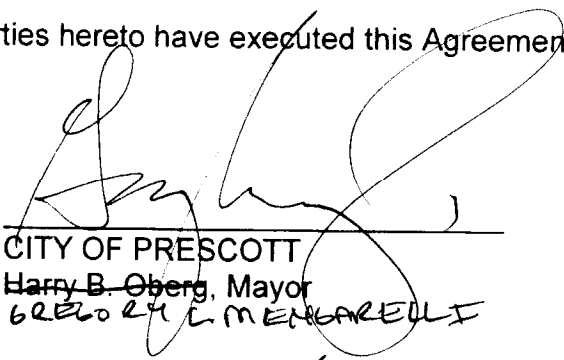
"The term of this Lease Agreement shall expire on April 12, 2055."

SECTION 2. All other terms and conditions of the Lease Agreement (City Contract No. 1990-029, as amended) shall remain in full force and effect.

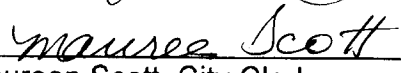
LEASE AMENDMENT NO. 6  
TO CITY CONTRACT 1990-029

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the  
day and year first above written.


LESSOR:

  
\_\_\_\_\_  
CITY OF PRESCOTT  
Harry B. Oberg, Mayor  
GREGORY L. MENARELLI

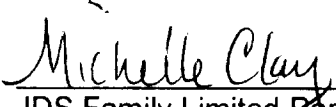
ATTEST:

  
\_\_\_\_\_  
Maureen Scott, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jon M. Paladini, City Attorney

LESSEE:

  
\_\_\_\_\_  
JDS Family Limited Partnership  
Michelle Clay, Manager, Common  
Ground Services, LLC, General Partner

CONTRACT TRACKING SHEET



**CONTRACT NO:** 1990-029 CA1

For Contract Review –

**1<sup>st</sup> Step:** City Clerk will assign a contract number (if Council action is required, get number first and include in Council Agenda Memo)

**2<sup>nd</sup> Step:** Route Contract and applicable documents through Legal Department

\*\*\* Certificate of Liability/Insurance **MUST** be attached. Please include the expiration date.

**PROCESS - NOTE:** The Legal Department **MUST** review all IGAs, Easements, Lease Property Acquisition and Development Agreements as well as all Contracts. Must be reviewed and signed off by both Risk Manager & Legal Department prior to any action taken.

Please fill out this form completely or it will be returned to you prior to review, approval, or scanning in OnBase. If a response is not applicable, please use "N/A" - Do Not Leave Any Blanks.

**Type (check one):**

- Contract
- Change Order/Modification (How many change orders are connected to this contract? \_\_\_\_\_)  
**ORIGINAL CONTRACT NO:** \_\_\_\_\_ **for this change order**
- Amendment (How many amendments are connected to this contract? \_\_\_\_\_)  
**ORIGINAL CONTRACT NO:** 1990-029 **for this amendment**
- IGA  Lease/Property Acquisition
- General Services  Development Agreement
- Professional Services  License Agreement
- Other: please specify:  Construction  Easement

**IDENTIFYING INFORMATION: (Please fill in each field)**

Requesting Dept., Contact Name, Ext. #:  
 Airport, Jessie Baker, 1152

Contractor or Vendor Name, Address, Tel. No.:  
 JDSFamily Limited Partnership

Project Name  
 1990-029 Lease Amendment

**Ord/Res No:** \_\_\_\_\_ if applicable

Brief Summary of the Services to be provided:  
 1990-029 Lease Amendment

**Terms:**  
 Start: 11/28/17 Expire:  
 Contract Amount: \$  
 Does contract require Council approval?  Yes  No  
 Scheduled Council Date: 11/28/17  
 Does document need to be recorded  Yes  No

ADDITIONAL COMMENTS/INSTRUCTIONS? \_\_\_\_\_ Please sign three copies. One to keep at City Clerks office, two return to Airport.

**INSURANCE & BONDS**

None Required

Insurance Certificate:  Attached \_\_\_\_\_ Initial Date: \_\_\_\_\_ Exp. Date \_\_\_\_\_

Bid Bond:  Attached \_\_\_\_\_ Initial Date: \_\_\_\_\_

Performance Bond:  Attached \_\_\_\_\_ Initial Date: \_\_\_\_\_

Payment Bond:  Attached \_\_\_\_\_ Initial Date: \_\_\_\_\_

**FINAL REVIEW AND APPROVAL: Please initial**

Legal: \_\_\_\_\_ Date: \_\_\_\_\_ Contracts/Procured Services

Risk Mgmt: \_\_\_\_\_ Date: \_\_\_\_\_ Contracts and Certificates

City Manager: \_\_\_\_\_ Date: \_\_\_\_\_ when required