

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF DENTON APPROVING AN ASSIGNMENT OF AIRPORT LEASE FROM EZELL AVIATION, INC TO MARKLYN JET PARTS, LLC COVERING PROPERTY AT 4855 SABRE, 4933 SABRE, 5011 SABRE, AND 5040 Warbird, DENTON, TEXAS AT THE DENTON ENTERPRISE AIRPORT AS DESCRIBED IN THE LEASE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE ASSIGNMENT OF AIRPORT LEASE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 6, 1997, the City of Denton, a Texas home-rule municipal corporation (hereinafter the “City”), entered into that certain Airport Lease Agreement (the “Lease”) with Ezell Aviation, Inc. covering property located at 4855 Sabre, 4933 Sabre, 5011 Sabre, 5040 Warbird, Denton, Texas, as more fully described in the Lease (the “Property”), at Denton Enterprise Airport (“Airport”), which Lease was approved by the City pursuant to Ordinance No. 97-132, as amended; and

WHEREAS, on December 8, 1998, Ezell Aviation, Inc requested a first amendment by Ordinance No. 98-431; and

WHEREAS, on March 6, 2001, Ezell Aviation, Inc requested an amendment by Ordinance No. 2001-116; and

WHEREAS, on July 22, 2003, Ezell Aviation, Inc requested a second amendment by Ordinance No. 2003-230; and

WHEREAS, on December 7, 2004, Ezell Aviation, Inc requested an assignment of interest in the Lease by Ordinance No. 2004-379; and

WHEREAS, on December 13, 2005, Ezell Aviation, Inc requested a termination of certain leasehold interest of Airport property by Ordinance No. 2005-376; and

WHEREAS, on March 27, 2007, Ezell Aviation, Inc requested an addendum of Airport Lease by Ordinance No. 2007-063; and

WHEREAS, Ezell Aviation, Inc (the “Assignor”) has agreed to assign its interest in the Lease, including certain improvements thereon, to Marklyn Jet Parts, LLC (“Assignee”); and

WHEREAS, the Lease requires the written consent of the City for the proposed assignment to be effective, and Assignor has requested the City give such consent; and

WHEREAS, at the June 11, 2025, meeting of the Airport Advisory Board, the Board recommended that the City approve the Assignment of Airport Lease for the Property by a vote of 7 to 0; and

WHEREAS, the City Council deems it in the public interest to enter into an Assignment of Airport Lease giving consent to the assignment contemplated above; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference.

SECTION 2. The Assignment of Airport Lease for the Property in the form attached hereto as Exhibit A is hereby approved and made a part of this ordinance for all purposes.

SECTION 3. The City Manager, or their designee, is hereby authorized to execute the approved Assignment of Airport Lease.

SECTION 4. This ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_, the ordinance was passed and approved by the following vote [\_\_ - \_\_]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Suzi Rumohr, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

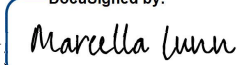
PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
GERARD HUDSPETH, MAYOR

ATTEST:  
LAUREN THODEN, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

BY   
DocuSigned by:  
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**ASSIGNMENT OF AIRPORT LEASE  
DENTON ENTERPRISE AIRPORT**

DATE: \_\_\_\_\_, 2025

ASSIGNOR: Ezell Aviation, Inc

ASSIGNEE: Marklyn Jet Parts, LLC

LANDLORD: City of Denton, a Texas home-rule municipal corporation

LEASE: May 6, 1997, Lease Agreement, Ordinance 97-132  
December 8, 1998, First Amendment, Ordinance 98-431  
March 6, 2001, Amendment, Ordinance 2001-116  
July 22, 2003, Second Amendment, Ordinance 2003-230  
December 7, 2004, Assignment of Leasehold Interest, Ordinance 2004-379  
December 13, 2005, Termination of Leasehold Interest, Ordinance 2005-376  
March 27, 2007, Addendum to Airport Lease, Ordinance 2007-063

PREMISES: 1.997-acre parcel or XX square feet of leased land and three (3) approximately 9,800 square foot buildings and one (1) approximately 14,400 square foot building, located at 4855 Sabre, 4933 Sabre, 5011 Sabre, 5040 Warbird, Denton, TX, Denton Enterprise Airport, all as described in the Lease.

Assignor assigns to Assignee its interest in the Lease.

A. Assignee agrees to:

1. Assume Tenant's obligations under the Lease.
2. Accept the Premises in their present "as is" condition.
3. Complete all obligations of transfer and purchase from Assignor prior to this Assignment of Airport Lease becoming effective.

B. Landlord consents to this Assignment of Airport Lease:

1. Landlord agrees that following assignment, it shall look solely to Assignee for fulfillment of the Lease obligations.

C. Assignor agrees that:

1. Assignor confirms that the Lease with respect to the Premises is to be transferred to (Assignee).
2. On or before the date of this Assignment of Airport Lease, Assignor will pay or will cause the Assignee to pay to Landlord a \$1,000 transfer fee.

Assignor:  
Ezell Aviation, Inc

DocuSigned by:  
  
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Helen Dude Ezell, Owner/President


Assignee:  
Marklyn Jet Parts, LLC

DocuSigned by:  
  
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Sean Lynch, Managing Director

Consent:  
Landlord:  
City of Denton

\_\_\_\_\_  
Sara Hensley, City Manager

Approved as to Legal Form

DocuSigned by:  
  
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Mack Reinwand, City Attorney

ATTEST:

\_\_\_\_\_  
Lauren Thoden, City Secretary