

ORDINANCE NO. 2012-038

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ON BEHALF OF THE CITY OF DENTON A FIRST AMENDMENT TO AN AIRPORT LEASE AGREEMENT BETWEEN THE CITY OF DENTON, TEXAS AND JVC REAL ESTATE, L.L.C. FOR THE PROPERTY LOCATED AT 4650 AND 4736 LOCKHEED, DENTON MUNICIPAL AIRPORT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, certain real property upon the Denton Municipal Airport was leased to JVC Real Estate in an Airport Lease Agreement executed on September 21, 2004; and

WHEREAS, the City of Denton and Lessee desire to amend the lease agreement; and


WHEREAS, the City Council deems it in the public interest to approve this lease of additional Airport property as an amendment to the Airport Lease Agreement; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The City Manager or his designee is hereby authorized to execute a First Amendment to an Airport Lease Agreement between the City of Denton and JVC Real Estate, L.L.C. at the Denton Municipal Airport which is attached to and made a part of this ordinance for all purposes and to exercise all rights and duties of the City of Denton under the Airport Lease Agreement.

SECTION 2. This ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the 21st day of February, 2012.


MARK A. BURROUGHS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY:  _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

BY:  _____

**FIRST AMENDMENT TO
AIRPORT LEASE AGREEMENT
COMMERCIAL OPERATOR**

THE STATE OF TEXAS §
 §
COUNTY OF DENTON §

KNOW ALL MEN BY THESE PRESENTS

This First Amendment to that certain Airport Lease Agreement Commercial Operator which was made and executed on September 21, 2004 at Denton, Texas, by and between the City of Denton, Texas, a municipal corporation, hereinafter referred to as "Lessor," and JVC Real Estate, L.L.C. having principal offices at 4650 and 4736 Lockheed, Denton, Texas 76207, hereinafter referred to as "Lessee" which lease is simultaneous with this Amendment being for additional parking spaces.

WITNESSETH:

WHEREAS, the Lessor and the Lessee have agreed to certain Lessor provided improvements to be constructed for exclusive use by Lessee; and,

WHEREAS, the Lessor and Lessee have agreed to an amount to be charged to Lessee for improvements to made by Lessor;

NOW, THEREFORE, in consideration of the promises and the mutual covenants contained in this Agreement, the parties agree as follows:

SECTION 1. Section II, B "IMPROVEMENTS PROVIDED BY LESSOR" is hereby amended to read as follows:

Lessor shall construct and make available for exclusive use of Lessee a concrete paved parking area shown on Attachment "A" hereto, which is made a part hereof, for a period of time simultaneous with the term of the lease as provided in Section III, TERM of this Lease Agreement. No other improvements will be provided by Lessor, except as set forth in Article II, E "Access To Utilities" of this Lease Agreement.

For the purpose of this Lease Agreement, the term "Lessor Improvements" shall mean those things on or adjacent to the Leased Premises belonging to, constructed by, or to be constructed by the Lessor, which enhance or increase the value or quality of the Leased Premises. Unless otherwise noted herein, all Lessor improvements are and will remain the property of Lessor.

SECTION 2. Section IV, B "LESSOR IMPROVEMENTS RENTALS" is hereby amended by adding the following paragraph which shall read as follows:


The Lessee shall lease paved automobile parking as described in Section II, B of this Lease Agreement to Lessee for an amount of two hundred fifty dollars (\$250.00) per month which

STATE OF TEXAS
COUNTY OF DENTON

This instrument was acknowledged before me on the 24 day of January,
2012, by John Vann, President, JVC Real Estate L.L.C..

[SEAL]

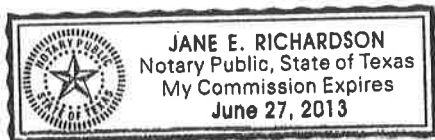


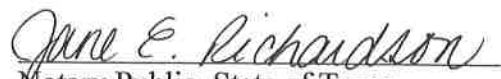

Notary Public, State of Texas
My Commission Expires 5/12/12
(or Notary Stamp)

STATE OF TEXAS
COUNTY OF DENTON

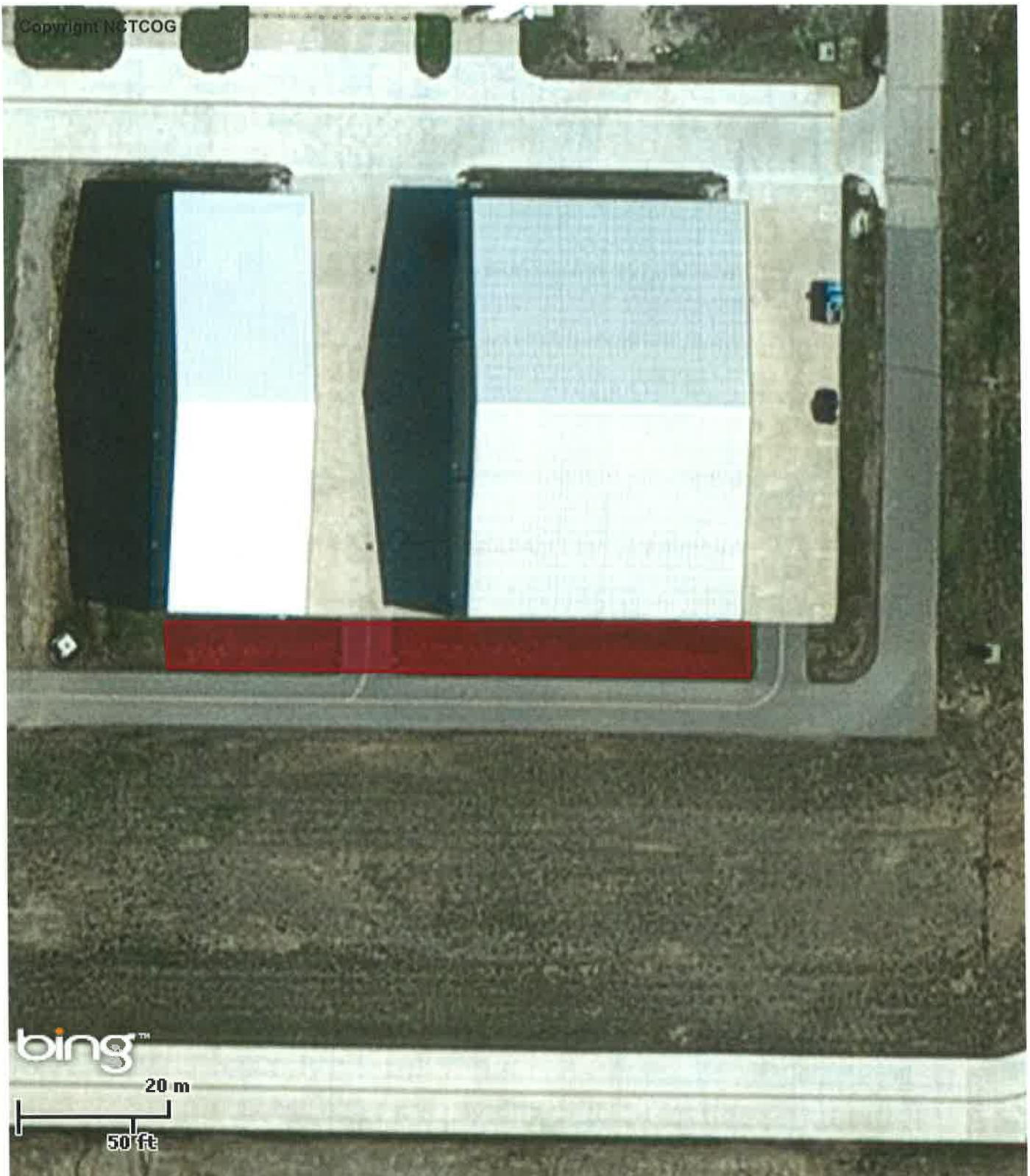
This instrument was acknowledged before me on the 21st day of February,
2012, by ~~George C. Campbell~~, City Manager on behalf the City of Denton, Texas, a municipal
corporation. Jon Fortune, Acting

[SEAL]




Notary Public, State of Texas
My Commission Expires 06/27/13
(or Notary Stamp)

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Attachment "A"
DFWMaps.com

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