

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

AN ORDINANCE OF THE CITY OF DENTON, TEXAS APPROVING A CONSENT TO ASSIGNMENT OF AN AIRPORT LEASE BETWEEN MARK HICKS TRANSPORT, LLC, AND POLYGON ENTERPRISES, INC; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 20, 2015, the City of Denton, Texas (hereinafter the "City") entered into that certain Airport Lease (the "Lease") with Mark Hicks Transport ("Hicks") at the Denton Enterprise Airport, ("Airport"); and

WHEREAS, Hicks has agreed to assign his interest in the Lease to Polygon Enterprises, Inc. ("Polygon") as evidenced by that certain Lease Assignment of Pad Site at 4901 Lockheed Lane, Denton Enterprise Airport (the "Assignment"), dated November 8, 2017, attached hereto as Exhibit 1; and

WHEREAS, the Lease requires written consent of the City for the Assignment to be effective and Hicks has requested the City for such consent; and

WHEREAS, the City Council deems it in the public interest to give 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 City Manager or his designee is hereby authorized to execute the Assignment, confirming the City's consent to same, in the form attached hereto as Exhibit 1 and made a part of this Ordinance for all purposes.

SECTION 3. This Ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
CHRIS WATTS, MAYOR

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

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

APPROVED AS TO LEGAL FORM:  
AARON LEAL, CITY ATTORNEY

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

A handwritten signature in black ink, appearing to read 'Z. M. 2/10/17', is written over a horizontal line.

LEASE ASSIGNMENT OF PAD SITE AT 4901 LOCKHEED LANE  
DENTON ENTERPRISE AIRPORT

DATE: November 8, 2017

ASSIGNOR: Mark Hicks Transport, LLC.

ASSIGNEE: Polygon Enterprises, Inc.

LEASE: Date: October 20, 2015  
First Amendment, November 1, 2016  
Landlord: City of Denton, Texas  
Tenant: Mark Hicks Transport, LLC  
Premises: 4901 Lockheed Lane  
Approved by City of Denton Ordinance 2015-324, 2016-337

Assignor assigns to Assignee Tenant's interest in the lease.

A. Assignee Agrees To:

1. Assume Tenant's Obligations under the Lease.
2. Accept the premises in its present "as is" condition.
3. Complete all obligations of purchase from Assignor prior to this Assignment becoming effective.

B. Landlord consents to this assignment:

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

C. Assignor agrees that:

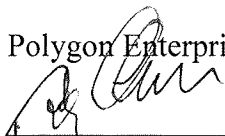
1. Assignor confirms that the land lease and hangar ownership with respect to the Property at 4901 Lockheed Lane is to be transferred to Polygon Enterprises, Inc.
2. Assignor will pay or will cause the Assignee to pay to Landlord a \$500.00 transfer fee.

PREVIOUS ASSIGNMENTS:

None

Assignee:

Polygon Enterprises, Inc.



Roland Author, Managing Member

Consent:

City of Denton, Landlord

Todd Hileman, City Manager

Assignor:

By: [Signature]  
Mark Hicks, Owner  
Mark Hicks Transport, LLC.

Approved As To Legal Form:  
Aaron Leal, City Attorney

[Signature]

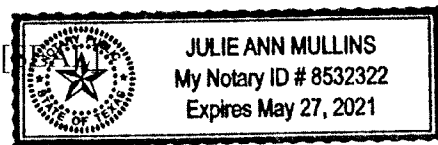
ATTEST:  
Jennifer Walters, City Secretary

\_\_\_\_\_

STATE OF TEXAS

COUNTY OF DENTON

This instrument was acknowledged before me on the 14 day of November, 2017 by  
Mark Hicks Transport, LLC, Assignee.



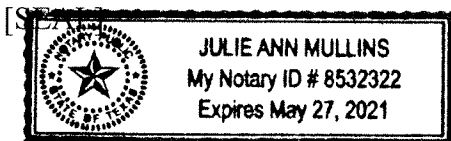
[Signature]  
Notary Public, State of Texas

My Commission Expires 5-27-2021  
(or Notary Stamp)

STATE OF TEXAS

COUNTY OF DENTON

This instrument was acknowledged before me on the 14 day of November, 2017, by  
Polygon Enterprises, Inc. Roland Author, Assignor



[Signature]  
Notary Public, State of Texas

My Commission Expires 5-27-2021  
(or Notary Stamp)

STATE OF TEXAS

COUNTY OF DENTON

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2017, by  
Todd Hileman on behalf the City of Denton, Texas a municipal corporation.

[SEAL]

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires \_\_\_\_\_  
(or Notary Stamp)