

THIRD AMENDMENT TO RIVERSIDE MUNICIPAL AIRPORT LEASE AGREEMENT -
FIXED BASE OPERATOR

RIVERSIDE AIR SERVICE, INC.

THIS THIRD AMENDMENT TO RIVERSIDE MUNICIPAL AIRPORT LEASE AGREEMENT - FIXED BASE OPERATOR ("Third Amendment") is made and entered into this _____ day of _____, 2017 ("Effective Date"), by and between the CITY OF RIVERSIDE ("City"), a California charter city and municipal corporation and RIVERSIDE AIR SERVICE, INC., a California corporation ("Lessee").

RECITALS

WHEREAS, on November 5, 2012, City and Lessee entered into the Riverside Municipal Airport Lease Agreement – Fixed Base Operator ("Lease");

WHEREAS, on December 18, 2014, City and Lessee entered into a First Amendment to Riverside Municipal Airport Lease Agreement – Fixed Base Operator to include provisions to provide for Lessee's right to encumber the Lease in order to assist Lessee to obtain bank financing

WHEREAS, on January 13, 2016, City and Lessee entered into a Second Amendment to Riverside Municipal Airport Lease Agreement-Fixed Base Operator, wherein Lessee exercised its option to renew the Lease for two successive twelve (12) year periods as permitted by Paragraph 4 ("Term") of the Lease.

WHEREAS, Lessor and Lessee desire to amend portions of the Lease to increase the square footage by 7500 additional square feet, amend the rent and incorporate an additional Exhibit A-1 to describe and depict the additional square footage.

NOW THEREFORE, in consideration of the foregoing recitals which are incorporated herein by reference, Lessor and Lessee agree as follows:

1. Paragraph 1, entitled "PREMISES LEASED" of the Lease is amended in its entirety to read as follows:

"1. PREMISES LEASED. City hereby leases to Lessee the real property, including any improvements thereon owned by City or to be owned by City in their "as is" condition, located at the Riverside Municipal Airport, Riverside, California, (the "Airport") consisting of one (1) parcel designated as FBO Lease Parcel on the plat consisting of three pages, attached and incorporated herein as Exhibit A and Exhibit A-1. The City on its own behalf and for all other users of the Airport reserves the right to use the taxiways located between buildings on said Premises and marked by a yellow center line, which taxiways are joint use and common taxiways.

The Premises consist of approximately 348,699 square feet and is improved with two (2) hangars designated as Buildings H and I, hangars designated as Buildings J, J-1, J-2, J-3, and J-4. Building J consists of approximately 10,160 square feet, Building J-1

consists of approximately 7,920 square feet, Build J-2 consists of approximately 12,000 square feet, Building J-3 consists of approximately 4,800 square feet, and Building J-4 consists of approximately 4,493 square feet.”

2. Paragraph 5, entitled “Rent” of the Lease is hereby amended to include the following paragraph:

“ 5. RENT

5. RENT. Commencing with the rental payment due April 1, 2017, Lessee shall pay City a rental of FOUR THOUSAND EIGHT HUNDRED SIXTEEN and 19/100 Dollars (\$4816.19), per month as adjusted each year commencing with the rental payment due on August 1, 2017, to reflect the percentage increase, if any, in the Consumer Price Index for All Urban Consumers (CPI-U) for the Los Angeles-Anaheim-Riverside Standard Metropolitan Statistical Area (“Index”) published by the Bureau of Labor Statistics of the United States Department of Labor for most recent 12-month published index, based upon the corresponding increase, if any, in the Index as it stands on May of that year over the Index as it stood on May of the prior year.”

3. EXHIBIT A-1

Exhibit A-1 is hereby incorporated into the Lease and is attached to this Third Amendment.

4. All terms and conditions of the Lease not inconsistent with this Third Amendment shall remain in full force and effect and are incorporated herein by this reference as set forth in full.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Third Amendment on the date first above written.

CITY OF RIVERSIDE, a California
charter city and municipal corporation
a California corporation

By: _____
City Manager

Attest: _____
City Clerk

RIVERSIDE AIR SERVICE, a
California corporation

By: _____

CHAD L. DAVIES

[Printed Name]

President

[Title]

By: _____

Heidi Miceli Davies

[Printed Name]

CFO

[Title]

Approved as to Form:

By: Susan Wilson
Deputy City Attorney

EXHIBIT A-1

FBO HANGAR LEASE – Additional 7,500 square feet

Attached behind this page.

LEASE DESCRIPTION
FBO Hanger Lease

Those portions of Lot 2 of Block 35, Lot 4 of Block 36 and that portion of Ordway Street (vacated) all of Tract No. 5 of the Riverview Addition to the City of Riverside, as shown by map on file in Book 7, Page 7 of Maps, records of Riverside County, California, described as follows:

COMMENCING at the northwesterly corner of Lot 7 of Gafford Gardens, as shown by map on file in Book 12, Page 97 of Maps, records of said Riverside County;

THENCE North $0^{\circ}18'47''$ East, at right angles to the northerly boundary of said Gafford Gardens, a distance of 15.00 feet to a line parallel with and distant 15.00 feet northerly, as measured at right angles, from said northerly boundary;

THENCE South $89^{\circ}41'13''$ East, along said parallel line, a distance of 975.39 feet;

THENCE North $39^{\circ}46'37''$ West, a distance of 457.46 feet to the **POINT OF BEGINNING** of the parcel of land being described;

THENCE North $60^{\circ}40'00''$ West, a distance of 125.00 feet;

THENCE North $29^{\circ}20'00''$ East, a distance of 60.00 feet;

THENCE South $60^{\circ}40'00''$ East, a distance of 125.00 feet;

THENCE South $29^{\circ}20'00''$ West, a distance of 60.00 feet to the **POINT OF BEGINNING**.

Area – 7,500 square feet.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

Curtis C. Stephens 1/24/17 Prep. (Signature)
Curtis C. Stephens, L.S. 7519 Date





RIVERVIEW ADDITION TRACT No. 5

M.B. 7/7

BLOCK 36
LOT 4

BLOCK 35
LOT 2

P.O.B.

ORDWAY ST.

(VACATED)

N39°46'31"W
457.46'

S 89°41'13"E 975.39'

P.O.C.

N'LY BOUNDARY

LOT 7
GAFFORD
GARDENS

M.B. 12/97

N 00°18'47"E
15.00'

• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

SCALE: 1"=40'

DRAWN BY: CURT

DATE: 1/24/17

SUBJECT: FBO LEASE