

FIRST AMENDMENT

to the

FRESNO CHANDLER EXECUTIVE AIRPORT
HANGAR FACILITY LEASE AGREEMENT

Between

CITY OF FRESNO, CALIFORNIA

And

WILLIAM NEWBURN, AN INDIVIDUAL
DBA PACIFIC COAST AERO MARINE, PACIFIC COAST AVIONICS, AND AERO FRESNO

THIS FIRST AMENDMENT TO THE HANGAR FACILITY LEASE is made and entered the Day of _____, 2019, by and between the CITY OF FRESNO, CALIFORNIA, a municipal corporation (hereinafter referred to as "Lessor"), and William Newburn, an individual, dba Pacific Coast Aero Marine, Pacific Coast Avionics, and Aero Fresno, located at 668 West Kearney Blvd., Fresno California, 93706 (hereinafter referred to as "Lessee").

RECITALS

WHEREAS the Lessor and William Newburn, dba Pacific Coast Aero Marine, entered into a Lease Agreement effective June 1, 2014 (the "Lease"), covering a 38,251 square feet of land, including existing paved aircraft ramp and a 12,600[±] square foot hangar facility located at the Fresno Chandler Executive Airport (Airport), and

WHEREAS, after execution of the Lease William Newburn began doing business under two additional fictitious names, Pacific Coast Avionics and Aero Fresno, and

WHEREAS, William Newburn desires to include and subject all three business names to the terms of the Lease with this Amendment,

WHEREAS, the term of the Lease expires on May 31, 2019, and

WHEREAS, Lessee desires to continue leasing at its present location at the Airport, and extend the Lease for an additional term; and

WHEREAS Lessor has determined it is in the Lessor's best interest to extend this lease agreement with Lessee.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals and of the mutual promises herein contained, the Parties hereby agree as follows:

1. "Lessee" is hereby modified to include William Newburn's three business entities, Pacific Coast Aero Marine, Pacific Coast Avionics, and Aero Fresno. All three entities are subject to the terms of the Lease and any amendments.

2. Section 3, Term, of the Lease is amended as follows:

Term. The term of this Lease shall be for a period of ten years, commencing June 1, 2014, hereinafter sometimes referred to as the "Commencement Date", and ending May 31, 2024 (the "Expiration Date").

1. Early Termination: Either party may terminate this Lease at any time and without cause by serving written notice upon the other party no less than 60 days before such termination is to be effective.

3. Section 4(A), Rent, of the Lease is amended as follows:

A. Rent.

1. From the period of June 1, 2014 to May 31, 2019, rent shall be:

- a. 06/01/2014 – 05/31/2015 - \$2,600.00 per month;

- b. 06/01/2015 - 05/31/2017 - \$2,639.08 per month;
- c. 06/01/2017 - 05/31/2018 - \$2,664.88 per month;
- d. 06/01/2017 - 05/31/2019 - \$2,721.52 per month;

2. From the period of June 1, 2019 to May 31, 2020, Lessee shall pay Lessor rent for the use and occupancy of the Lease Premises, payable monthly in advance in the amount Two Thousand Seven Hundred Twenty One dollars and fifty two cents (\$2,721.52).

4. Except as expressly provided in this First Amendment, all other terms and provisions of the Lease shall continue in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this First Amendment to the Lease as of the day and year first above written.

City of Fresno
A Municipal Corporation

By: _____
Kevin R. Meikle,
Director of Aviation

William Newburn, an Individual
dba Pacific Coast Aero Marine, Pacific Coast
Avionics, and Aero Fresno

By: William Newburn
Name: WILLIAM A NEWBURN JR
Title: OWNER

APPROVED AS TO FORM:
Douglas T. Sloan
City Attorney

By: Amanda B. Freeman 3/22/19
Amanda B. Freeman, Date
Senior Deputy City Attorney

Address for Notice:
William Newburn
Aero Fresno
Pacific Coast Aero Marine
Pacific Coast Avionics
668 West Kearney Blvd.
Fresno, CA 93706
Phone: (559) 497-0957

ATTEST:
Yvonne Spence, MMC CRM
City Clerk

By: _____
Deputy

Address for Notice:

City of Fresno
Airports Department
4995 E. Clinton Way
Fresno, CA 93727