

**REPORT/ RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF
ARAPAHOE COUNTY PUBLIC AIRPORT AUTHORITY AND
RECORD OF ACTION**

February 11, 2021

FROM: Luke Skaflen, Business Support Specialist – Administration

SUBJECT: SunBorne – Lease Amendments and Memorandums of Lease

RECOMMENDATION: Motion to approve the following documents and authorize Chair and Clerk to sign subject to final and satisfactory review by staff and counsel:

- 1) Fourth Amendment to FBO Lease and Agreement;
- 2) Fifth Amendment to Ground Lease and Agreement;
- 3) 2021 Amended and Restated Memorandum of Lease for FBO Lease; and
- 4) 2021 Amended and Restated Memorandum of Lease for Ground Lease.

BACKGROUND: SunBorne XVI, Ltd. ("SUNX") has requested an amendment to two of its leases in order to accommodate a new Ground Sublease with Floors and Doors 2.0, LLC ("FDL2") for 68,925 square feet for a hangar development and second lot to the west to accommodate an additional large hangar.

SUNX is requesting to combine Lot 10 and Parcel 3 ("Combined Parcels") and relocate them from the Ground Lease and Agreement dated March 1, 2007, as amended ("Ground Lease") to its FBO Lease and Agreement, dated August 10, 2006, as amended ("FBO Lease"). SUNX will then divide the Combined Parcels into FBO Lot 10 East containing 182,645 sq.ft. (4.193 acres) and FBO Lot 10 West containing 180,249 sq.ft. (4.138 acres) to allow development for two large hangars.

- **Exhibit A** - 5th Amendment to the Ground Lease related to removing the Combined Parcels from the Ground Lease and decreasing its leased premises by 362,894 sq.ft.
- **Exhibit B** – 4th Amendment to FBO Lease related to adding the Combined Parcels to FBO Lease and increasing its leased premises by 362,894 sq.ft.
- **Exhibit C**, 2021 Amended and Restated Memorandum of Lease related to the FBO Lease and **Exhibit D**, 2021 Amended and Restated Memorandum of Lease related to the Ground Lease are both intended to update and record the new property boundaries in the records of the Arapahoe County.

FINANCIAL DATA: Negligible change in monthly rent - - approximately \$.02 increase per month.

REVIEW BY OTHERS: Robert Olislagers, Michael Fronapfel, Gwen Balk

PRESENTERS: Luke Skaflen

Action of the Board of Commissioners

	1 st	2 nd	YES	NO	ABSTAIN
Bagnato	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Baker	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Doubek	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Holen	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sharpe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>