

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

**June 16, 2022**

**FROM:** Luke Skaflen, Business Support Specialist - Administration

**SUBJECT:** Subordination, Non-disturbance and Attornment Agreement with Modern Aviation Properties, LLC

**RECOMMENDATION:** Motion to approve the Subordination, Non-disturbance and Attornment Agreement with Modern Aviation Properties, LLC and authorize Chair to sign.

**BACKGROUND:** At the October 14, 2021 board meeting, the Authority consented to the assignment of the Amended and Restated Ground Sublease from Sunborne Terminal Office Venture, LLC to Modern Aviation Properties, LLC ("Modern") for lot FBO 3 and parcel 5.

Modern has requested the Authority enter into a Subordination, Non-Disturbance and Attornment Agreement ("SNDA"). The purpose of an SNDA is in the event that Modern's landlord is terminated, the Authority will step in and honor the remainder of Modern's Sublease.

Attached is the SNDA with Modern. As of writing (6/7), staff and Modern were working on any final changes to the SNDA, any changes will be placed on the dais.

**FINANCIAL DATA:** Not Applicable

**REVIEW BY OTHERS:** R. Hahn, L. Hinton

**PRESENTERS:** Luke Skaflen

Action of the Board of Commissioners

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