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RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A THIRD AMENDMENT TO THE AMENDED AND RESTATED LEASE AGREEMENT FOR PARCEL 2 AT FORT LAUDERDALE EXECUTIVE AIRPORT.

WHEREAS, Zeley Aviation, Inc. ("Lessee") leases certain property from Lessor known as Parcel 2 at Fort Lauderdale Executive Airport, under an Amended and Restated Lease Agreement dated September 7, 2011 ("Lease Agreement"); and

WHEREAS, on April 17, 2012, Lessor and Lessee entered into a First Amendment to the Lease Agreement; and

WHEREAS, on March 19, 2013, Lessor and Lessee entered into a Second Amendment to the Lease Agreement providing for modified construction plans with a reduced minimum square footage requirement and amended legal descriptions; and

WHEREAS, according to the terms of the Lease, Lessee was required to construct the revised improvements by April 1, 2015; and

WHEREAS, due to unidentified underground utilities, which were located after the T-hangar demolition, and additional concerns as to fire separation between new and older structures, Lessee encountered unexpected delays; and

WHEREAS, as of March 2015 Lessee completed seventy-five percent (75%) of the improvements and has continued making progress towards final completion; and

WHEREAS, Lessee is requesting to reinstate the Lease Agreement and to extend the deadline to complete the remaining construction improvements an additional ninety days from the April 1, 2015, to July 31, 2015; and

WHEREAS, the Lessor declares that retroactively amending the Lease Agreement is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Manager is hereby authorized to enter into a Third Amendment to the Amended and Restated Lease Agreement between the City and Zeley Aviation, Inc.

SECTION 2. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the _____ day of _____, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH