

Ordinance

Ratifying the addition of Atlantic Aviation FBO Holdings, LLC (the “Lease Guarantor”), as an original party to the lease between the City and Mercury Air Center – Corpus Christi, Inc., doing business as Atlantic Aviation, and authorizing the City Manager, or designee, to execute Addendum No. 1 to the lease in order to join the Lease Guarantor and to correct, clarify, and add specific provisions to the lease; providing for severance; providing for publication; and providing for an effective date.

WHEREAS, by Ordinance No. 14976, passed and approved by the City Council on July 3, 1979, the City of Corpus Christi approved, subject to certain conditions, an assignment of a hangar and fixed base operator’s lease to Chaparral Aviation, Inc., effective October 14, 1979, for the operation of a commercial hangar and fixed base aviation operation at Corpus Christi International Airport (the “Airport”);

WHEREAS, through a series of subsequent authorized lease assignments, amendments, and name changes, the above-referenced lease is now the Amended and Restated Hangar and Fixed Base Operator’s Lease (“Lease”) held by Mercury Air Center – Corpus Christi, Inc., doing business as Atlantic Aviation, which Lease was approved by Ordinance No. 030016, on November 19, 2013; and

WHEREAS, the parties desire to add the Lease Guarantor as a party to the Lease as if originally made a party to the instrument and to amend the Lease in order the correct, clarify, and add specific provisions for the benefit of the parties.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

Section 1. The City Council ratifies the addition of Atlantic Aviation FBO Holdings, LLC (formerly, Macquarie FBO Holdings, LLC) (the “Lease Guarantor”) as a party to the Amended and Restated Hangar and Fixed Base Operator’s Lease (“Lease”) executed between Mercury Air Center – Corpus Christi, Inc., doing business as Atlantic Aviation, as if the Lease Guarantor had originally been joined as a party to the Lease approved on November 19, 2013, Ordinance No. 030016.

Section 2. The City Manager, or his designee, is authorized to execute Addendum No. 1 to the Lease in order to join the Lease Guarantor and to correct, clarify, and add specific provisions to the Lease, as such corrections, clarifications, and additions are shown in Addendum No. 1, a copy of which is attached to and incorporated by reference in this ordinance as Exhibit “A” and placed on file with the City Secretary’s Office.

Section 3. If for any reason any section, paragraph, subdivision, clause, phrase, or word of this ordinance is held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, or word of this ordinance, for it is the definite intent of this City Council

The foregoing ordinance was read for the first time and passed to its second reading on this the ____ day of _____, 20____, by the following vote:

| | | | |
|----------------|-------|------------------|-------|
| Nelda Martinez | _____ | Chad Magill | _____ |
| Kelley Allen | _____ | Colleen McIntyre | _____ |
| Rudy Garza | _____ | Lillian Riojas | _____ |
| Priscilla Leal | _____ | Mark Scott | _____ |
| David Loeb | _____ | | |

The foregoing ordinance was read for the second time and passed finally on this the ____ day of _____, 20____, by the following vote:

| | | | |
|------------------|-------|----------------|-------|
| Nelda Martinez | _____ | Brian Rosas | _____ |
| Rudy Garza | _____ | Lucy Rubio | _____ |
| Chad Magill | _____ | Mark Scott | _____ |
| Colleen McIntyre | _____ | Carolyn Vaughn | _____ |
| Lillian Riojas | _____ | | |

PASSED AND APPROVED this the ____ day of _____, 20____

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor