

RESOLUTION NO. 14-36

A RESOLUTION AUTHORIZING A GROUND LEASE TRANSFER AT THE COMMERCE MUNICIPAL AIRPORT; AND GRANTING AUTHORITY TO THE MAYOR TO EXECUTE SAID RESOLUTION AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE MAYOR'S SIGNATURE TO THIS RESOLUTION AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL INSTRUMENTS REQUISITE IN IMPLEMENTING THIS RESOLUTION AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE CITY MANAGER'S SIGNATURE TO THIS RESOLUTION.

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 21st day of October 2014, at 6:00 p.m., a majority of council members being present and constituting a quorum, the following resolution was adopted:

WHEREAS, the City of Commerce currently has a hangar ground lease agreement with John Sparks at the Commerce Municipal Airport; and

WHEREAS, Mr. Sparks is wishing to transfer his ground lease to Mr. Jim Johnson; and

WHEREAS, after careful consideration, the City Council Members hereby deem it to be in the best interest of the City of Commerce that such transfer be granted.

NOW, THEREFORE BE IT FURTHER RESOLVED THAT the Mayor of the City of Commerce, Texas be authorized and he is hereby authorized to execute this Resolution; and that the City Manager be authorized to execute any and all instruments requisite in implementing this resolution.

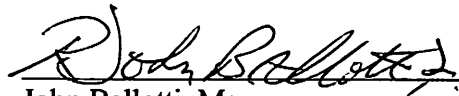
BE IT FURTHER RESOLVED that the City Secretary be authorized and she is hereby authorized to attest to the signature of the Mayor to this Resolution, and to attest to the signature of the City Manager to any instruments requisite to implementing this Resolution.

PASSED BY THE GOVERNING BODY of the City Council of the City of Commerce, Texas, on the 21st day of October 2014.

ATTEST:

CITY OF COMMERCE, TEXAS


Marty Cunningham, City Secretary


John Ballotti, Mayor

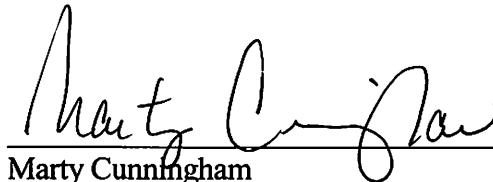
(seal)

APPROVED AS TO FORM:

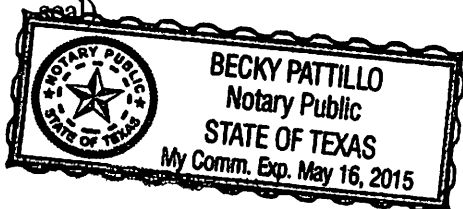

Jay Garrett, City Attorney

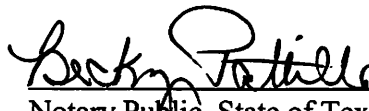
I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a Resolution, and that the same has not been repealed and is in full force and effect.

(seal)


Marty Cunningham
City Secretary

 Sworn to and subscribed before me, on this the 21st day of Oct 2014 to certify which witness my hand and seal of office.




Notary Public, State of Texas

Modification of Lease

Date: _____, 2014

Lease

Date: December 5, 2001

Landlord: City of Commerce

Tenant: Jim Johnson

Description of Ground Space Leased (Premises):

Approximate square feet: being an area of 4,800 feet which is 408.87 feet off center line of the runway and as noted on (Exhibit "A") for a total of 4,800 square feet. Center of building 33° 17' 32.4995" N 95° 53' 52.4822 West

Lease Commencement Date: December 1, 2001

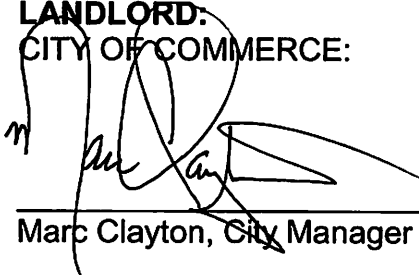
Lease Termination Date: December 1, 2031

Landlord and Tenant agree to the following modifications:

1. The Lease Termination Date will be extended to _____, 2044.
2. The annual rent will be calculated as follows: rent for years 2014-2029 will be at a rate of .07 cents per square foot of premises per year (\$336.00), and the rent for years 2030-2044 will be at a rate not to exceed .10 cents per square foot of premises per year.

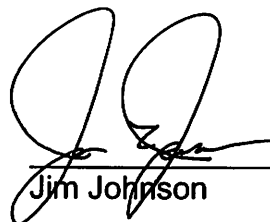
The Lease is ratified as modified.

LANDLORD:
CITY OF COMMERCE:



Marc Clayton, City Manager

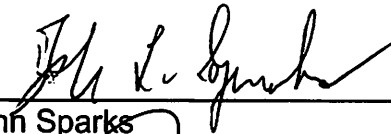
TENANT:



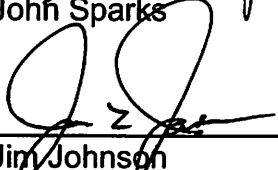
Jim Johnson

the premises in their present "AS IS" condition.

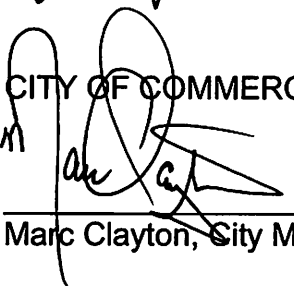
Landlord consents to this assignment.



John Sparks



Jim Johnson

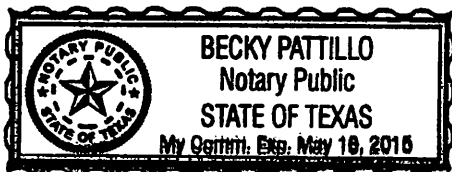
CITY OF COMMERCE:


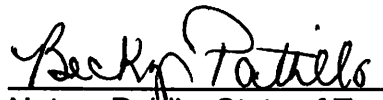
Marc Clayton, City Manager

STATE OF TEXAS)

COUNTY OF HUNT)

This instrument was acknowledged before me on December 11, 2014,
2014, by John Sparks.



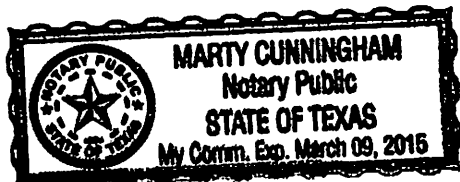


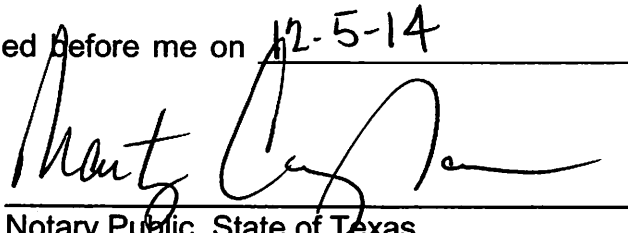
Notary Public, State of Texas
My commission expires:
5-18, 2015

STATE OF TEXAS)

COUNTY OF HUNT)

This instrument was acknowledged before me on 12-5-14,
2014, by Jim Johnson.



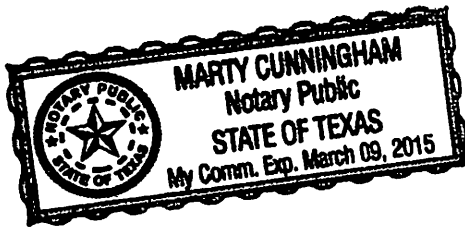


Notary Public, State of Texas
My commission expires:
3-9-15

STATE OF TEXAS)

COUNTY OF HUNT)

This instrument was acknowledged before me on 12-5-14,
2014, by Marc Clayton, City Manager, on behalf of the City of Commerce.



Marty Cunningham

Notary Public, State of Texas

My 3-9-15 commission

expires:

PREPARED IN THE OFFICE OF:
AFTER RECORDING RETURN TO:
FAIRES & GARRETT
1109 Main Street
Commerce, Texas 75428
Tel: (903) 886-3146
Fax: (903) 886-1830

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Lease Assignment

Date: _____, 2014

Assignor: John Sparks

Assignee: Jim Johnson

Lease

Date: December 5, 2001

Landlord: City of Commerce

Landlord's Address:

City of Commerce
1119 Alamo Street
Commerce, Texas 75428

Tenant: John Sparks

Tenant's Address:

John Sparks
2711 West I-30
Greenville, Texas 75402

Description of Ground Space Leased (Premises):

Approximate square feet: being an area of 4,800 feet which is 408.87 feet off center line of the runway and as noted on (Exhibit "A") for a total of 4,800 square feet. Center of building 33° 17' 32.4995" N 95° 53' 52.4822 West

Assignor assigns to Assignee Tenant's interest in the Lease. Assignor agrees that Assignor remains liable on the Lease.

Assignee agrees to assume Tenant's obligations under the Lease and to accept