

ORDINANCE #65244
Board Bill No. 104

An Ordinance recommended by the Airport Commission and the Board of Estimate and Apportionment authorizing and directing the Director of Airports and the Comptroller of the City of St. Louis (the "City") to enter into and execute on behalf of the City a "First Amendment" to the Lambert-St. Louis International Airport (the "Airport") Lease Agreement (AL-117) between the City and The Boeing Company, a Delaware corporation (the "Lessee"), dated April 14, 1998 and authorized by Ordinance No. 64281, approved March 9, 1998 (the "Lease Agreement"); the First Amendment, which was approved by the Airport Commission and is attached hereto as **ATTACHMENT "1"** and made a part hereof, extends the term of the Lease Agreement as more fully described in Section One of this Ordinance; conditioning the execution and delivery of the First Amendment by the City on the approval by the Federal Aviation Administration of the "7460" Airspace Determination and the revised Airport Layout Plan; and containing a severability clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The Director of Airports and the Comptroller of the City of St. Louis (the "City") are hereby authorized and directed to enter into and execute on behalf of the City a "First Amendment" to the Lambert-St. Louis International Airport (the "Airport") Lease Agreement (AL-117) between the City and The Boeing Company, a Delaware corporation (the "Lessee"), dated April 14, 1998 and authorized by Ordinance No. 64281 approved March 9, 1998 (the "Lease Agreement") in order to extend the term of the Lease Agreement; the First Amendment, which was approved by the Airport Commission, is to read in words and figures as set out in **ATTACHMENT "1"** and is attached hereto and made a part hereof.

SECTION TWO. The execution and delivery of the First Amendment by the City is hereby conditioned on the Federal Aviation Administration's approval of the "7460" Airspace Determination and the revised Airport Layout Plan

SECTION THREE. The sections, conditions, or provisions of this Ordinance or portions thereof shall be severable. If any section, condition, or provision of this Ordinance or portion thereof contained herein is held invalid by a court of competent jurisdiction, such holding shall not invalidate the remaining sections, conditions, or provisions of this Ordinance.

SECTION FOUR. This being an Ordinance for the preservation of public peace, health, or safety, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City Charter and shall become effective immediately upon its approval by the Mayor of the City.

AIRPORT NUMBER: AL - 117

FIRST AMENDMENT
TO
LAMBERT-ST. LOUIS INTERNATIONAL AIRPORT
LEASE AGREEMENT
THE BOEING COMPANY

THIS FIRST AMENDMENT entered into this ____ day of _____, 2001 (the "First Amendment"), by and between The City of St. Louis, a municipal corporation of the State of Missouri, as the lessor (the "City"), and The Boeing Company, a Delaware Corporation (the "Lessee").

WITNESSETH THAT:

WHEREAS, the City and the Lessee are parties to a Lease Agreement dated April 14, 1998 (the "Agreement"), which presently expires on December 31, 2002, and was authorized by Ordinance 64281 approved March 9, 1998; and

WHEREAS, the Lessor and the Lessee desire to amend the term of the Agreement to their mutual benefit so that its term runs concurrently with the term of the Northern Tract Lease Agreement to be executed between the City and McDonnell Douglas Corporation, a corporation organized and existing under the laws of the State of Maryland, for certain adjoining property.

NOW, THEREFORE, for and in consideration of the premises, the promises, and of the mutual covenants and agreements herein contained, and other valuable considerations, the City and the Lessee agree to amend the Agreement as follows:

1. The definition of Lessee in the preamble is deleted and replaced with:

City of St. Louis

City of St. Louis

ATTEST BY:

Register, Date
City of St. Louis

THE BOEING COMPANY:

BY: _____
Date

NAME: _____

TITLE: _____

BOEING LEASE AL-117 1ST AMEND, ATTACHMENT 1, FINAL DRAFT 5-30-01, MAP

Approved: July 18, 2001