

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2013

COUNCIL BILL NO. CB13-0030  
COMMITTEE OF REFERENCE:  
BUSINESS, WORKFORCE, & SUSTAINABILITY

**A BILL**

**For an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and the United States of America, General Services Administration related to office space at Denver International Airport.**

**BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

**Section 1.** The proposed First Amendment to Agreement between the City and County of Denver and the United States of America, General Services Administration for US Customs (Office Space) in the words and figures contained and set forth in that form of Agreement available in the office and on the web page of City Council, and to be filed in the office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, under City Clerk's Filing No. 2011-0141-A, is hereby approved.

COMMITTEE APPROVAL DATE: January 31, 2013

MAYOR-COUNCIL DATE: February 5, 2013

PASSED BY THE COUNCIL: \_\_\_\_\_, 2013

\_\_\_\_\_ - PRESIDENT

APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2013

ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
EX-OFFICIO CLERK OF THE  
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2013; \_\_\_\_\_, 2013

PREPARED BY: John M Redmond, Assistant City Attorney *JMR* DATE: February 7, 2013

Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Douglas J. Friednash, City Attorney for the City and County of Denver

BY: \_\_\_\_\_, Assistant City Attorney DATE: February 7, 2013

## FIRST AMENDMENT

**THIS FIRST AMENDMENT to the Agreement (ARA2A000)** is made and entered into as of the date stated on the signature page ("Effective Date"), by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado ("City"), Party of the First Part and the **UNITED STATES OF AMERICA** ("United States"), Party of the Second Part.

### WITNESSETH

**WHEREAS**, the United States entered into Lease Agreement (GS-08P-13620) with World Port at DIA Owners LLC dated September 28, 2001, and amended by a "Supplemental Lease Agreement" dated September 16, 2002 ("US Customs Lease") wherein the United States agreed to lease space at World Port 12, 24735 East 75<sup>th</sup> Avenue, Suite 100, at Denver International Airport, Denver, Colorado ("World Port Space"); and the United States entered into an agreement with the City; and

**WHEREAS**, World Port at DIA Owners LLC was subsequently purchased by WP-DEN Warehouses, Inc. on July 31, 2007; and

**WHEREAS**, the City entered into an agreement with WP-DEN Warehouses, Inc. ("WP Warehouses") dated February 5, 2008 (CE 72316) by which the City purchased the existing WP- Warehouses World Port office park; and

**WHEREAS**, the City entered into an agreement with the United States to make changes to the US Customs Lease March 18, 2011 (AR2A000, "Agreement"); and

**WHEREAS**, the parties in this First Amendment (the City and the United States) desire to amend the term of the US Customs Lease to provide for an extension of the existing term;

**NOW, THEREFORE**, for and in consideration of the premises and other good and valuable consideration, the parties hereto agree as follows:

1. The US Customs Lease is hereby amended by deleting Paragraph 2 and replacing it with the following:

"2. TO HAVE AND TO HOLD the said premises with their appurtenances for the term beginning on November 26, 2002, and continuing through August 25, 2013, subject to the termination rights as may be hereinafter set forth."

2. All of the terms, provisions and conditions of the US Customs Lease shall remain in full force and effect.
3. This First Amendment shall not be effective or binding on the parties until fully executed by their duly authorized representatives, which are indicated below.

[END OF PAGE]

**Contract Control Number:** PLANE-AR2A000-01

**Contractor Name:** United States of America

**By:** 

**Name:** Kristin Howes  
(please print)

**Title:** Lease Contracting Officer  
(please print)

**ATTEST: [if required]**

**By:** \_\_\_\_\_

**Name:** \_\_\_\_\_  
(please print)

**Title:** \_\_\_\_\_  
(please print)



**Contract Control Number:** PLANE-AR2A000-01

**Contractor Name:** United States of America

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of

SEAL

**CITY AND COUNTY OF DENVER**

ATTEST:

By \_\_\_\_\_

\_\_\_\_\_

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

DOUGLAS J. FRIEDNASH, Attorney  
for the City and County of Denver

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

