

1 BY AUTHORITY

2 ORDINANCE NO. \_\_\_\_\_

COUNCIL BILL NO. \_\_\_\_\_

3 SERIES OF 2011

COMMITTEE OF REFERENCE:

4 BUSINESS, WORKFORCE & SUSTAINABILITY

5 A BILL

6 For an ordinance approving a proposed Second Amendment to Airport Use and  
7 Facilities Lease Agreement between the City and County of Denver and British Airways  
8 Plc, related to leased space at Denver International Airport.

9  
10 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

11 **Section 1.** The proposed Second Amendment to Airport Use and Facilities Lease Agreement  
12 between the City and County of Denver and British Airways Plc, in the words and figures contained  
13 and set forth in that form of the Second Amendment to Airport Use and Facilities Lease Agreement,  
14 filed in the office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, on the  
15 24th day of March, 2011, City Clerk's Filing No. 03-917-B is hereby approved.

16  
17 COMMITTEE APPROVAL DATE: March 18, 2011

18 MAYOR-COUNCIL DATE: March 22, 2011

19 PASSED BY THE COUNCIL \_\_\_\_\_ 2011

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

21 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2011

22 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
23 EX-OFFICIO CLERK OF THE  
24 CITY AND COUNTY OF DENVER  
25

26 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_ 2011 \_\_\_\_\_ 2011

27  
28 PREPARED BY: Helen Eckardt Raabe DATE: March 24, 2011

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

33  
34 David R. Fine, City Attorney

35 BY: \_\_\_\_\_, \_\_\_\_\_ City Attorney

36 DATE: March 24, 2011



**SECOND AMENDMENT TO**  
**AIRPORT USE AND FACILITIES LEASE AGREEMENT**

This Second Amendment to Airport Use and Facilities Lease Agreement is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between the City and County of Denver, a municipal corporation of the State of Colorado ("the City"), and British Airways Plc, a corporation organized and existing under and by virtue of the laws of England and Wales, and authorized to do business in the State of Colorado ("Airline").

WHEREAS, the City and Airline have previously entered into an Airport Use and Facilities Lease Agreement at Denver International Airport ("DIA"), dated December 18, 2003, and a First Amendment dated October 28, 2008 ("Existing Agreement");

WHEREAS, City and Airline desire to modify the Existing Agreement to create an amended agreement ("Amended Agreement");

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements, herein contained, City and Airline do hereby mutually undertake, promise and agree, each for itself and its successors, as follows:

1. The attached Exhibit D-2 hereto, replaces the Existing Agreement Exhibit D-1 effective on the dates specified in the attached revised Exhibit D-2.
4. Except as otherwise modified or amended herein, all terms and conditions of the Existing Agreement shall remain in full force and effect as though set out in full herein.
5. This Second Amendment to Airport Use and Facilities Lease Agreement is expressly subject to and shall not be or become effective or binding on the City until approved by the Denver City Council and fully executed by all signatories of the City.

[SIGNATURE PAGE FOLLOWS]

03-917-B

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the day and year first above written.

ATTEST:

CITY AND COUNTY OF DENVER

By \_\_\_\_\_  
STEPHANIE Y. O'MALLEY  
Clerk and Recorder, Ex-Officio Clerk of  
the City and County of Denver

By \_\_\_\_\_  
Mayor

RECOMMENDED AND APPROVED:

By  \_\_\_\_\_  
Manager of Aviation

APPROVED AS TO FORM:

DAVID R. FINE, Attorney for  
the City and County of Denver

By \_\_\_\_\_  
Assistant City Attorney

REGISTERED AND COUNTERSIGNED:

By \_\_\_\_\_  
Manager of Finance  
Contract Control No. AC 35010 (2)


By \_\_\_\_\_  
Auditor

PARTY OF THE FIRST PART

ATTEST:

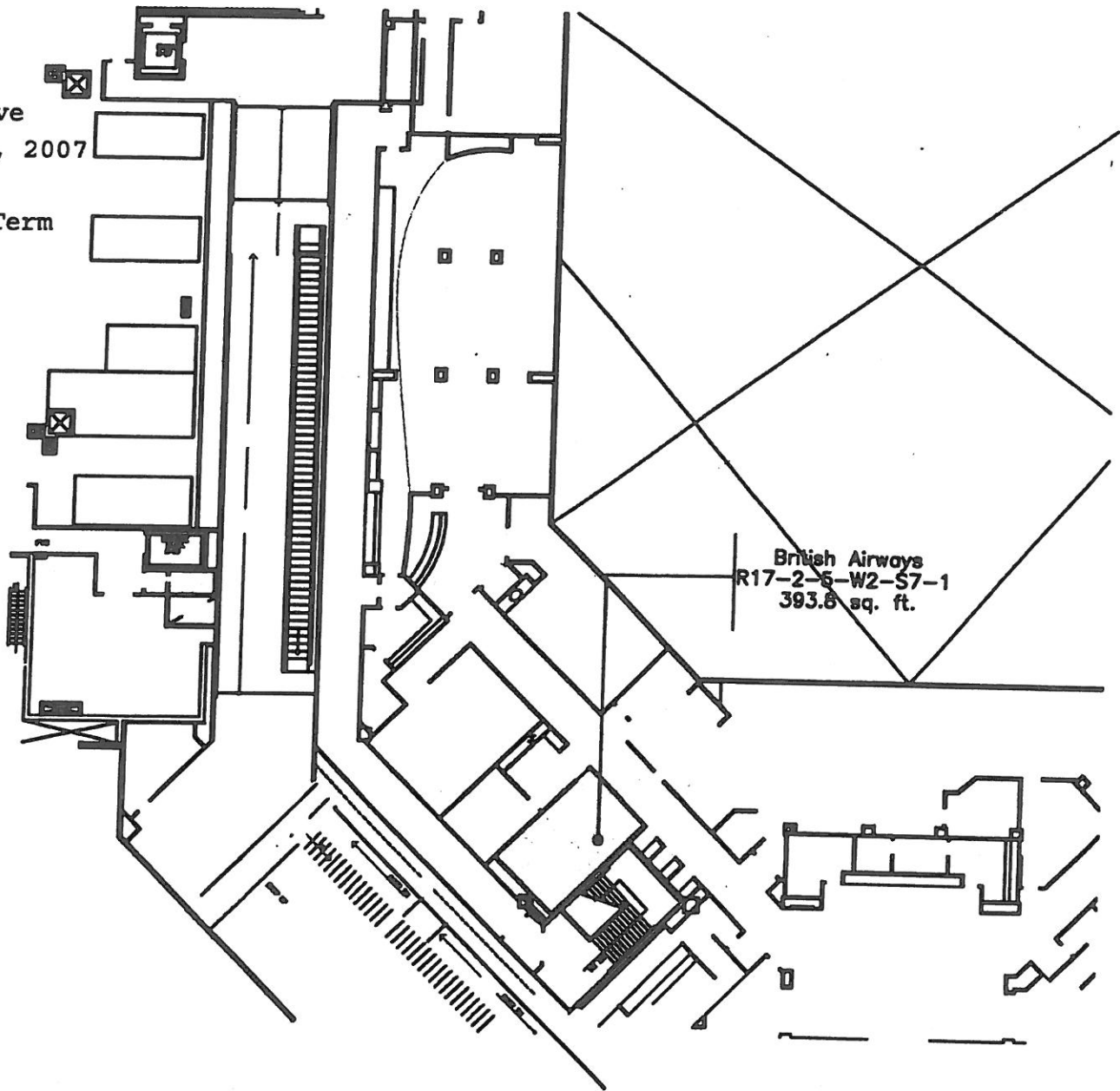
By  \_\_\_\_\_  
Title Manager Properties, Americas

BRITISH AIRWAYS PLC

By  \_\_\_\_\_  
Title SVP Business Management Americas

PARTY OF THE SECOND PART

Effective  
 March 1, 2007  
 through  
 End of Term



SOLID WALL BY CITY
   
 SOLID WALL BY CITY
   
 SOLID WALL BY CITY
   
 TRUSS MEMBER
   
 (Symbol) COLUMN
   
 NIC = Not Included
   
 (in Lease or Eq. Pk. Tab.)

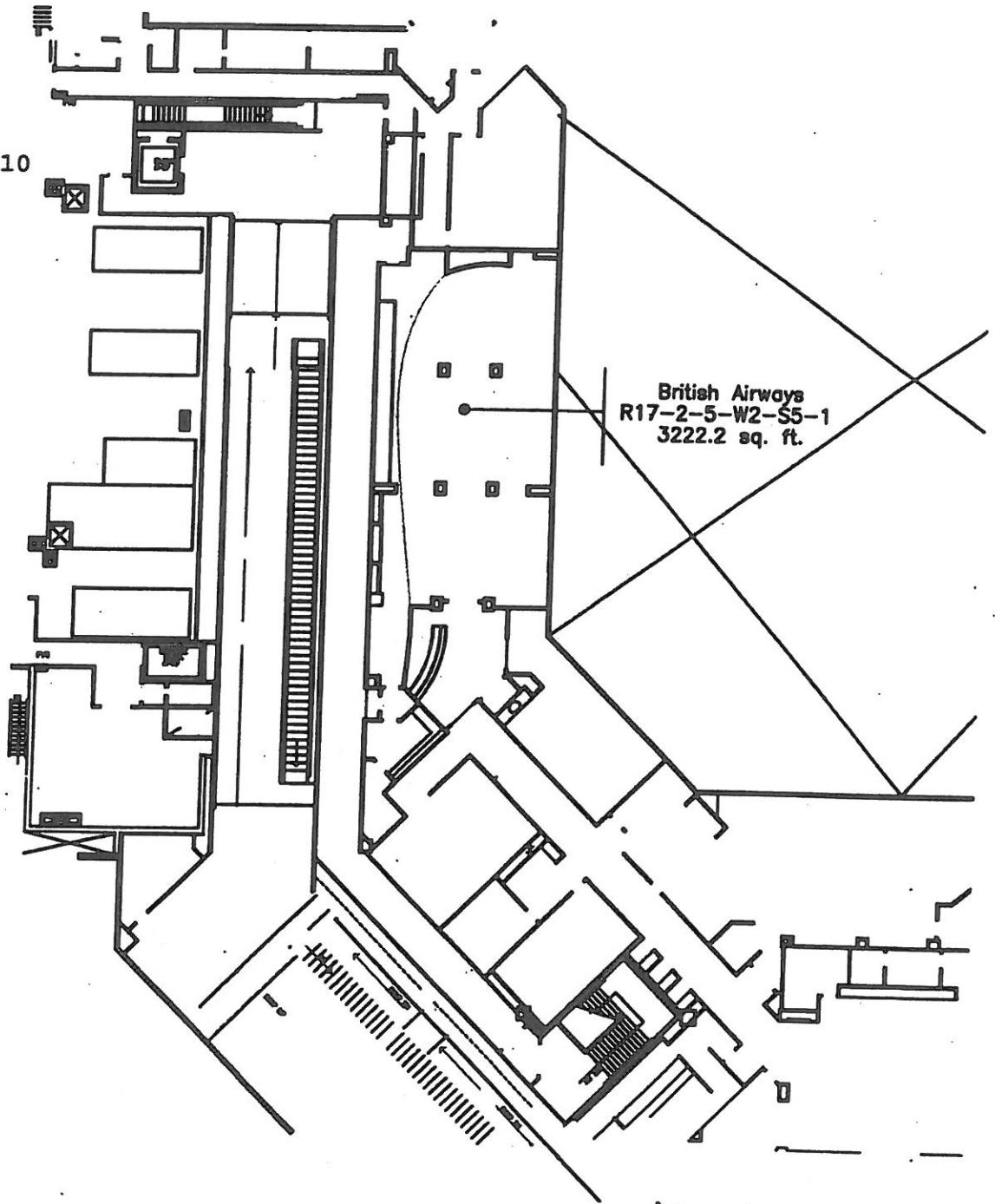
*Final Form*

MANAGER OF DESIGN

NOTE: This exhibit depicts only square footage of leased area based upon planning data and is not intended to address construction details.

 KEY PLAN CONCOURSE A	 CITY AND COUNTY OF DENVER	REVISED	DENVER INTERNATIONAL AIRPORT
			EXHIBIT D - 2 Concourse A Level 4 British Airways
 R17-2-5-15-16		CC#: brit	DATE: 3/9/07

Effective  
 August 1, 2008  
 through  
 November 30, 2010



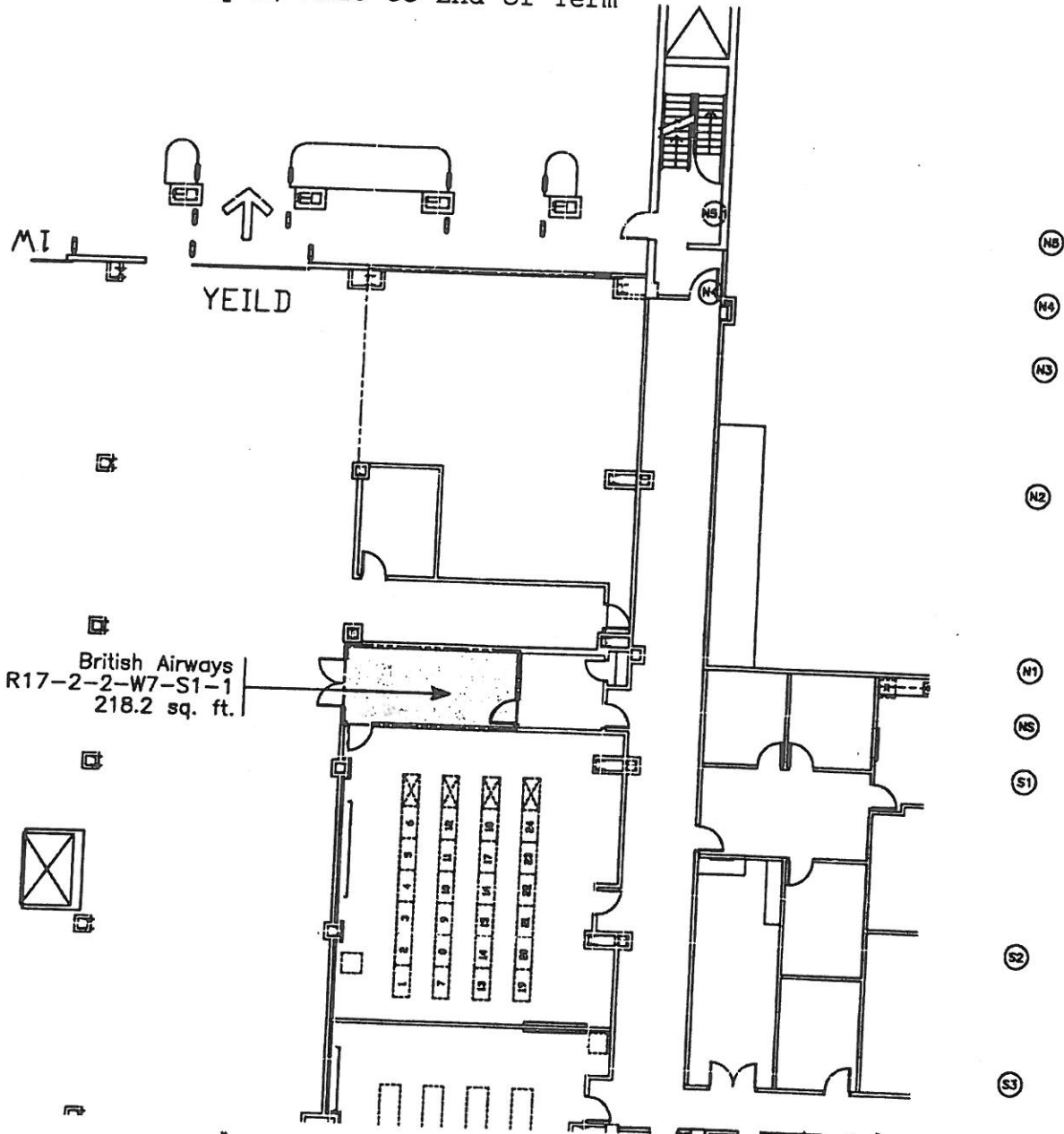
CONSTRUCTION LINE  
 FINISHED LINE  
 EXISTING LINE  
 (X) COLUMNS  
 NC = Not Included  
 (in terms of the P. Code)

*Richard Horn*  
 MANAGER OF DESIGN

NOTE: This exhibit depicts only square footage of leased area based upon planning date and is not intended to address construction details.

 KEY PLAN CONCOURSE A R17-2-5-15-14		REVISED	DENVER INTERNATIONAL AIRPORT
		EXHIBIT D-2 Concourse A Level 4 British Airways	
		CC#: brt	DATE: 5/28/08

Effective January 1, 2010 to End of Term



CONCRETE WALL (BY CITY)  
 STUCCO/SYSTEM WALL (BY CITY)  
 GLASS WALL (BY CITY)  
 TYPICAL LEASE LINE  
 (H) (X) COLUMNS  
 NIC = Not Included  
 (In Lease or Sq. Ft. Calc.)

SCALE 1" = 20.00'



*Ronald Horn*

MANAGER OF DESIGN

NOTE: This exhibit depicts only square footage of leased area based upon planning data and is not intended to address construction details.

 KEY PLAN CONCOURSE A		REVISED	DENVER INTERNATIONAL AIRPORT
			EXHIBIT D - 2 Concourse A Apron Level British Airways
		CC#: brit	DATE: 09/22/09

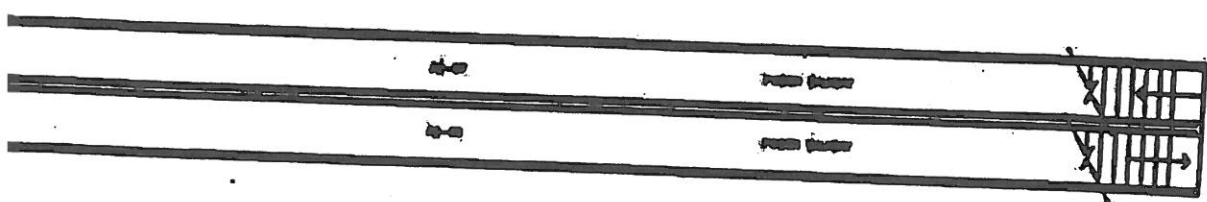
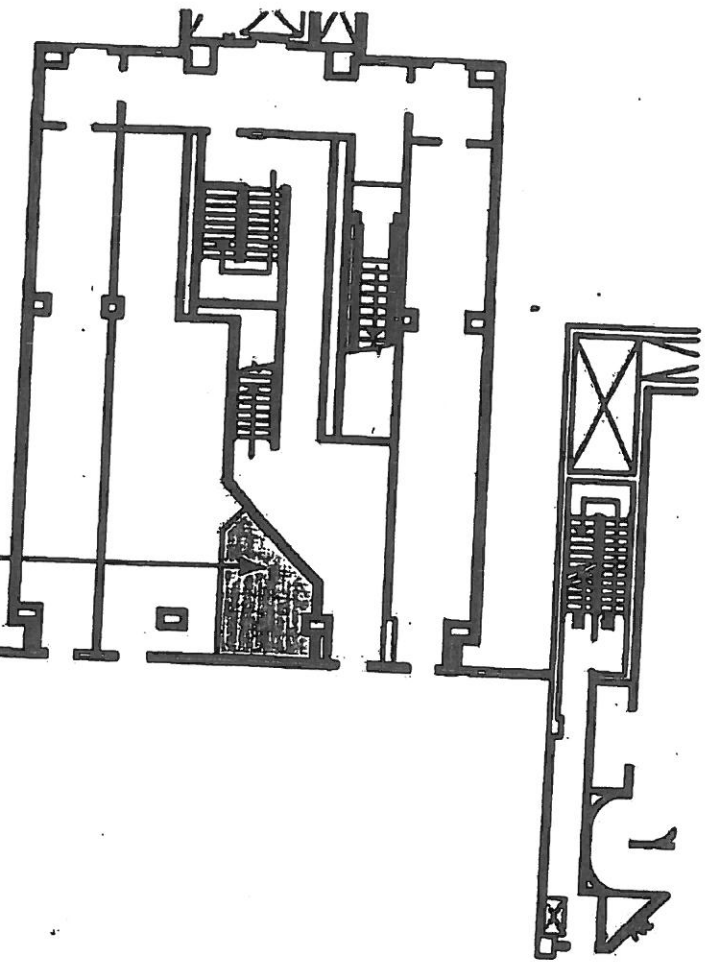
R17-2-2-15-149





Effective August 1, 2003 through  
December 31, 2009

British Airways  
R17-2-3-W7-N4-5  
133.3 sq. ft.



NOT FOR CONSTRUCTION  
FOR INFORMATION ONLY  
DO NOT SCALE  
© 2002  
NOT TO BE REPRODUCED  
OR TRANSMITTED IN ANY FORM OR BY ANY MEANS  
WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT

SCALE 1" = 20.00'



*Richard H. ...*  
MANAGER OF DESIGN

This exhibit depicts only square footage of leased area based upon planning data and is not intended to address construction details.

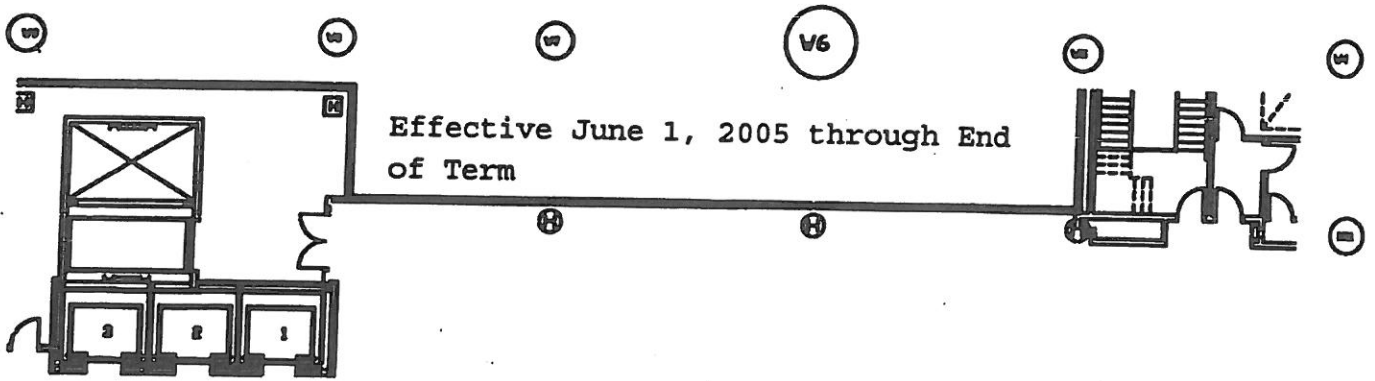
KEY PLAN CONCOURSE A



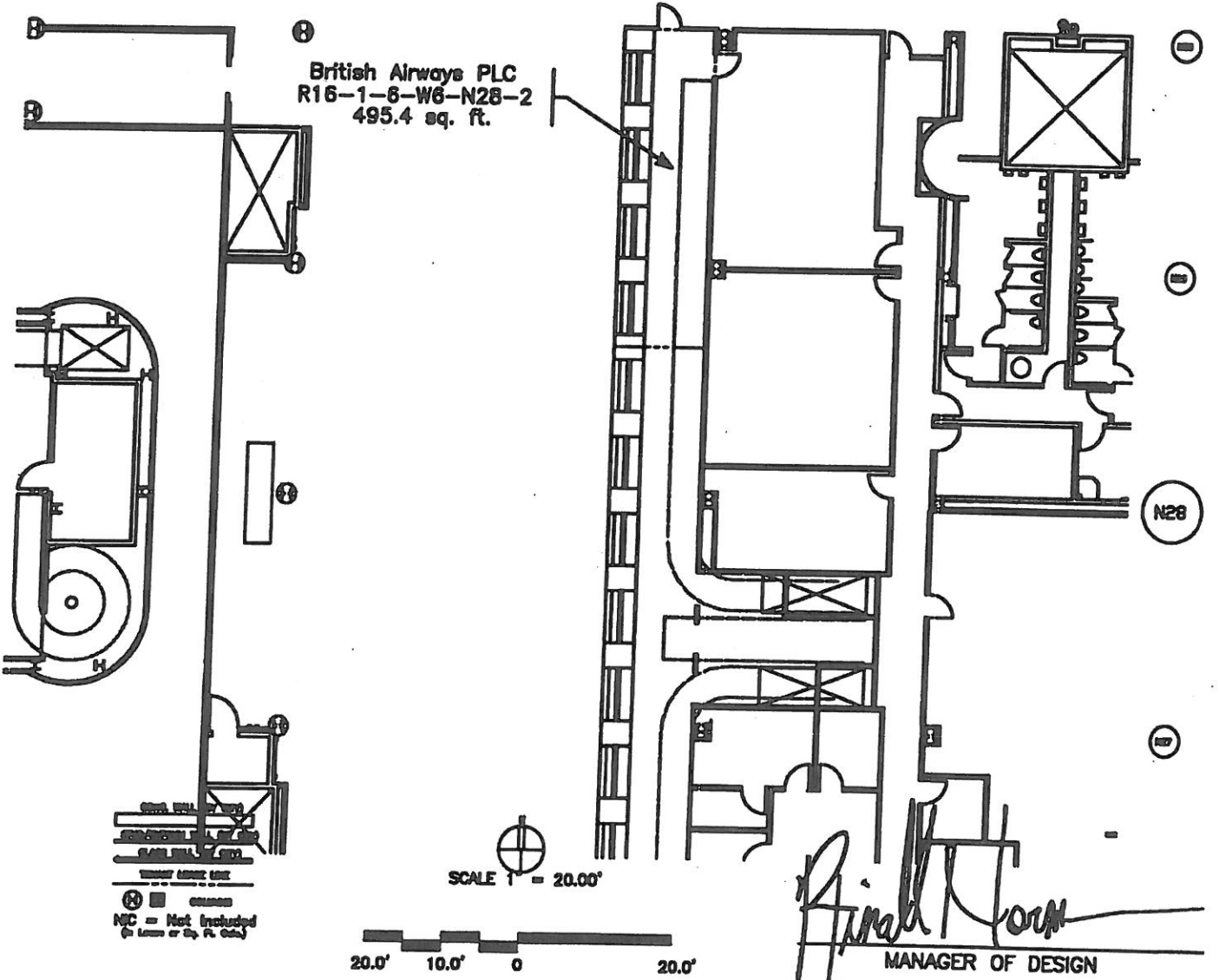
REVISED

DENVER INTERNATIONAL AIRPORT	
EXHIBIT D-2 Concourse A Conc. Level British Airways	
CC#: brit	DATE: 2/4/02

D17-2-3-W7-N4-5



Effective June 1, 2005 through End of Term



British Airways PLC  
R16-1-6-W6-N28-2  
495.4 sq. ft.

SCALE 1" = 20.00'

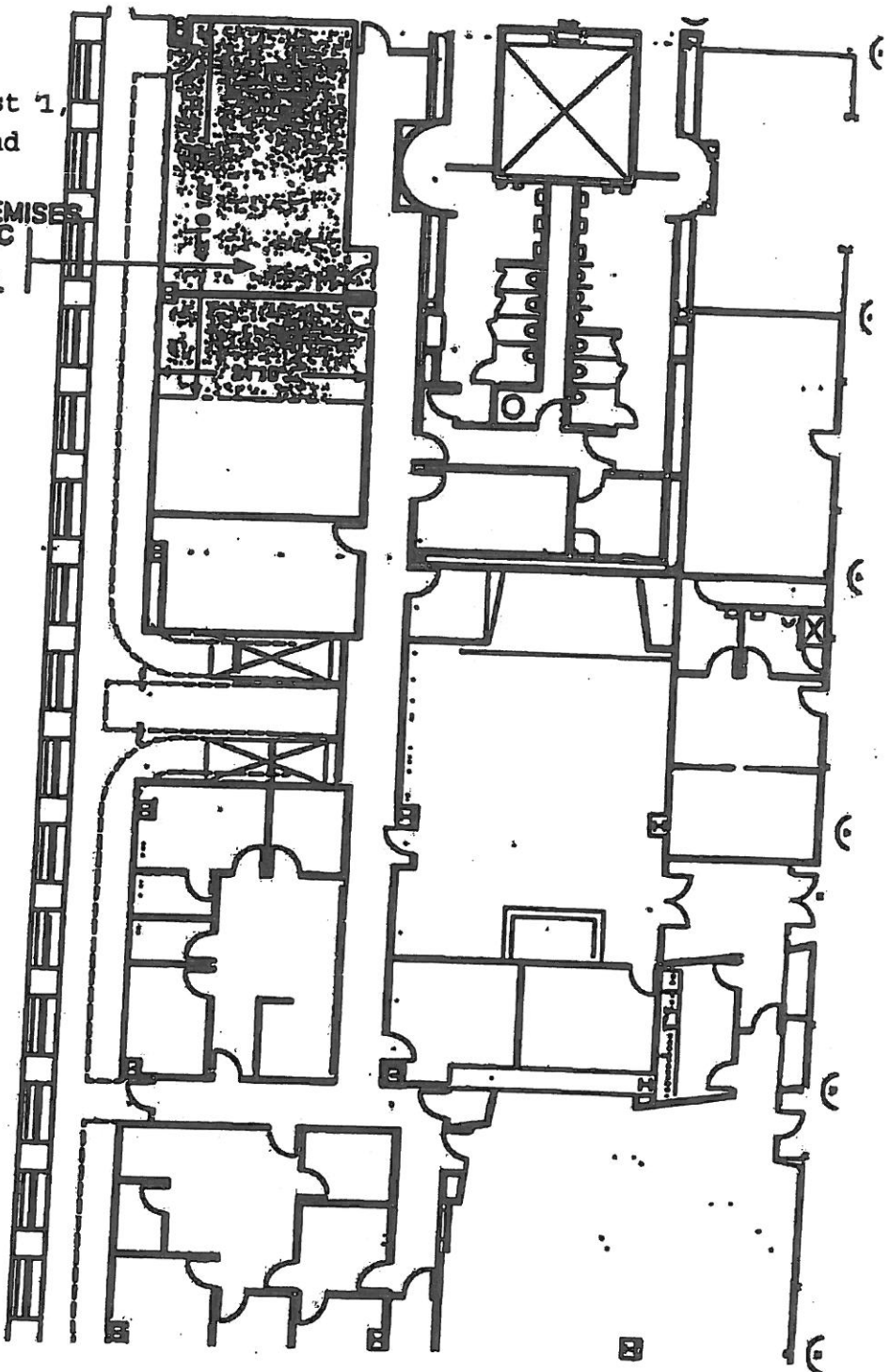


(Symbol) = Column  
 (Symbol) = Not Included  
 (in Lease or Op. Pl. Only)

NOTE: This exhibit depicts only square footage of leased area based upon planning data and is not intended to address construction details.

	KEY PLAN TERMINAL AREA 		REVISED	DENVER INTERNATIONAL AIRPORT
			5/26/05	
			CC/: brit	DATE: 4/6/06

Effective August 1,  
 2003 through End  
 of Term  
**EXCLUSIVE USE PREMISES**  
 British Airways PLC  
 R16-1-B-W6-N2B-1  
 976.9 sq. ft.  
 04/06/98



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SCALE 1" = 20.00'



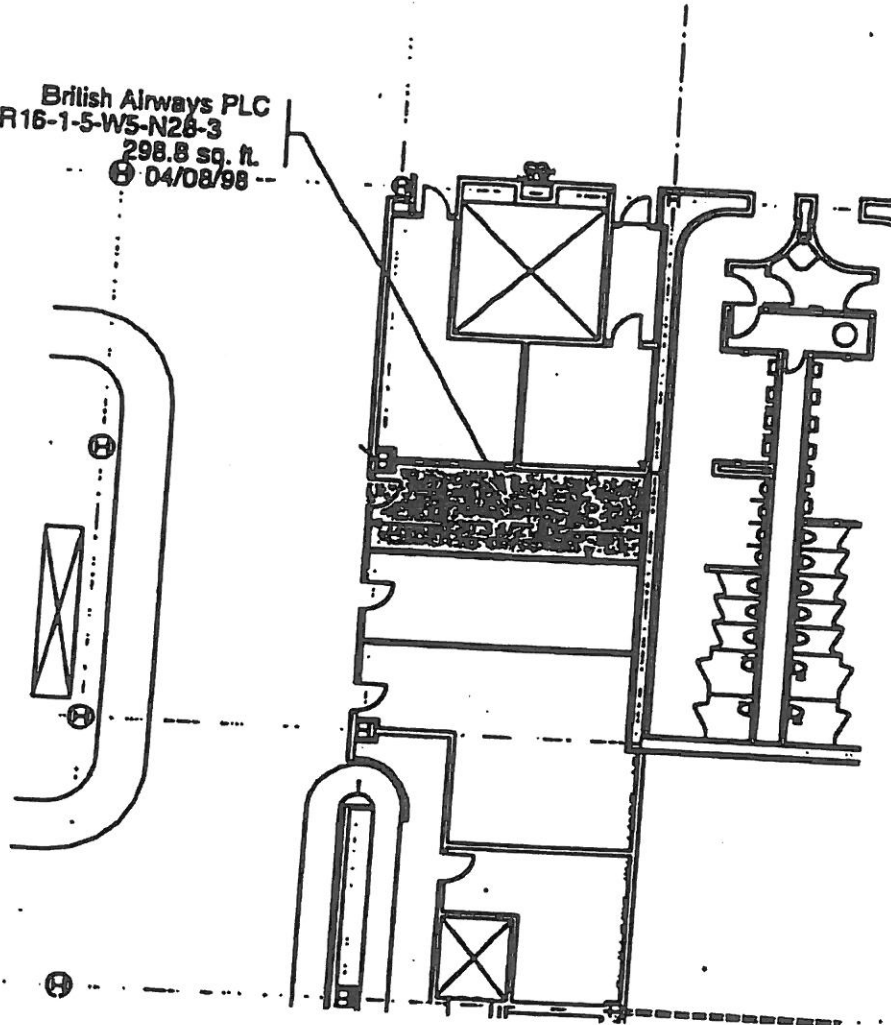
*Kevin Reich*  
 MANAGER OF DESIGN

NOTE: This exhibit depicts only square footage of leased area based upon planning data and is not intended to address construction details.

	<b>KEY PLAN          TERMINAL AREA</b>		REVISED	DENVER INTERNATIONAL AIF
			EXHIBIT D-2 Terminal Level 6 British Airways PLC	DATE: 4/6/98
			CCP: brit	

Effective August 1, 2003  
 through December 31, 2009

British Airways PLC  
 R16-1-5-W5-N26-3  
 298.8 sq. ft.  
 04/08/98



CONC. WALL BY CITY  
 PRECAST CONCRETE WALL BY CITY  
 GLASS WALL BY CITY  
 THROUGH GLASS WALL  
 (C) (S) CURBING  
 NIC = Not Included  
 (By Measure of No. P. Code)

SCALE 1" = 20.00'



*Kara Reed*  
 MANAGER OF DESIGN

NOTE: This exhibit depicts only square footage of leased area based upon planning data and is not intended to address construction details.

		REVISED	DENVER INTERNATIONAL AIRPORT
			EXHIBIT D - 2 Terminal Level 5 British Airways PLC
		CC#: brll	DATE: 07/98

R16-1-5-15-10