

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

**THIS SECOND AMENDMENT TO THE AIRPORT USE AND LEASE AGREEMENT** is made and entered into as of the date stated on the City’s signature page below, by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado, on behalf of its Department of Aviation (“**the City**”); and **CONCESIONARIA VUELA COMPANIA DE AVIACION SAPI de CV (d/b/a Volaris)** a foreign corporation organized and existing under and by virtue of the laws of the country of Mexico, and authorized to do business in the State of Colorado (“**Airline**”).

**WITNESSETH**

**WHEREAS**, the City owns and operates Denver International Airport (the “**Airport**”); and

**WHEREAS**, the parties hereto entered into a certain Airline Use and Lease Agreement, which was effective January 1, 2012, and a First Amendment to the Airport Use and Lease Agreement, effective January 1, 2017 (together, the “**Existing Agreement**”), under which the Airline and the City agree to the terms of the Airline’s use and lease of certain premises and facilities at the Airport; and

**WHEREAS**, Airline will shift from proprietary leased ticket counters to a Common Use Ticket Counter utilizing City Ticket Counters to accommodate the Jeppesen Terminal Redevelopment project.

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

1. “**Exhibit D**” found in the Existing Agreement shall be deleted in its entirety and replaced with the new “**Exhibit D**” attached hereto.
2. The following is added to the Agreement as Section 10.25:

**10.25. PAYMENT OF MINIMUM WAGE**

Airline shall comply with, and agrees to be bound by, all requirements, conditions, and City determinations regarding the City’s Minimum Wage Ordinance, Sections 20-82 through 20-84 D.R.M.C., including, but not limited to, the requirement that every covered worker shall be paid no less than the City Minimum Wage in accordance with the foregoing D.R.M.C. Sections. By executing this Agreement, Airline expressly acknowledges that Airline is aware of the requirements of the City’s Minimum Wage Ordinance and that any failure by Airline, or any other individual or entity acting subject to this Agreement, to strictly comply with the foregoing D.R.M.C. Sections shall result in the penalties and other remedies authorized therein.

3. Except as modified by this Amendment, all of the terms and conditions of the Existing Contract shall remain in full force and effect.

4. This Amendment to Contract shall not be effective or binding on the City until approved and fully executed by all signatories of the City and County of Denver.

[SIGNATURE PAGES FOLLOW]

**Contract Control Number:**

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:

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_



**Contract Control Number:** PLANE-201207763-02

**Contractor Name:** CONCESIONARIA VUELA COMPANIA DE AVIACION SAPI de CV (d/b/a Volaris)

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

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

*M. Moran*  
**Mauricio Moran**  
DIRECTOR DE OPERACIONES 

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

**ATTEST: [if required]**

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

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

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



Effective November 1, 2012 to End of Term

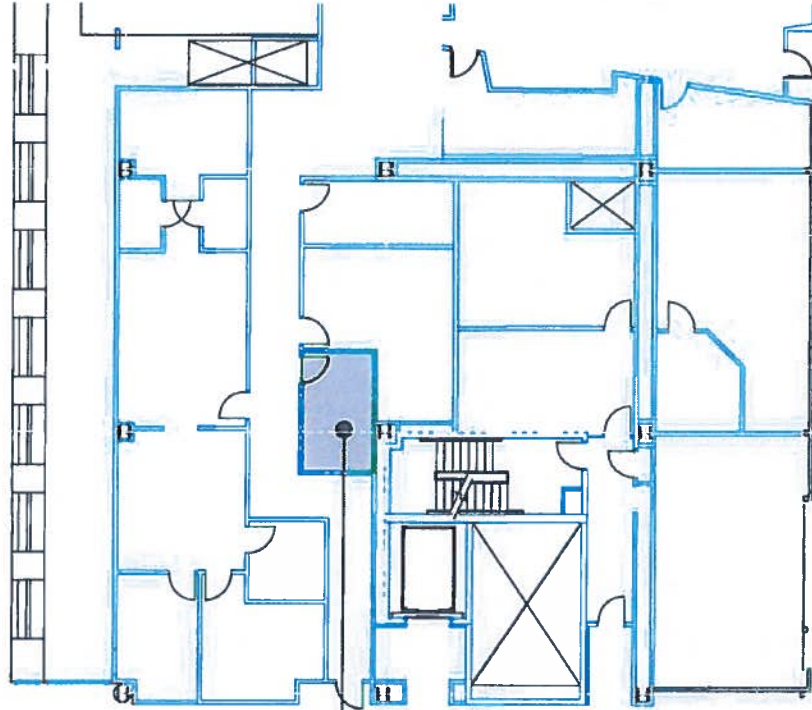
V7

V6

V5

V4

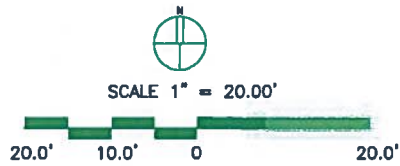
V3



Volaris  
R16-1-6-W6-N23-3  
118.9 sq. ft.



CONC. WALL (BY CITY)  
STUD/INSUL-WALL (BY CITY)  
GLASS WALL (BY CITY)  
TENANT LEASE LINE  
COLLAGES  
NIC = Not Included  
(In Lease or Sq. Ft. Calc.)

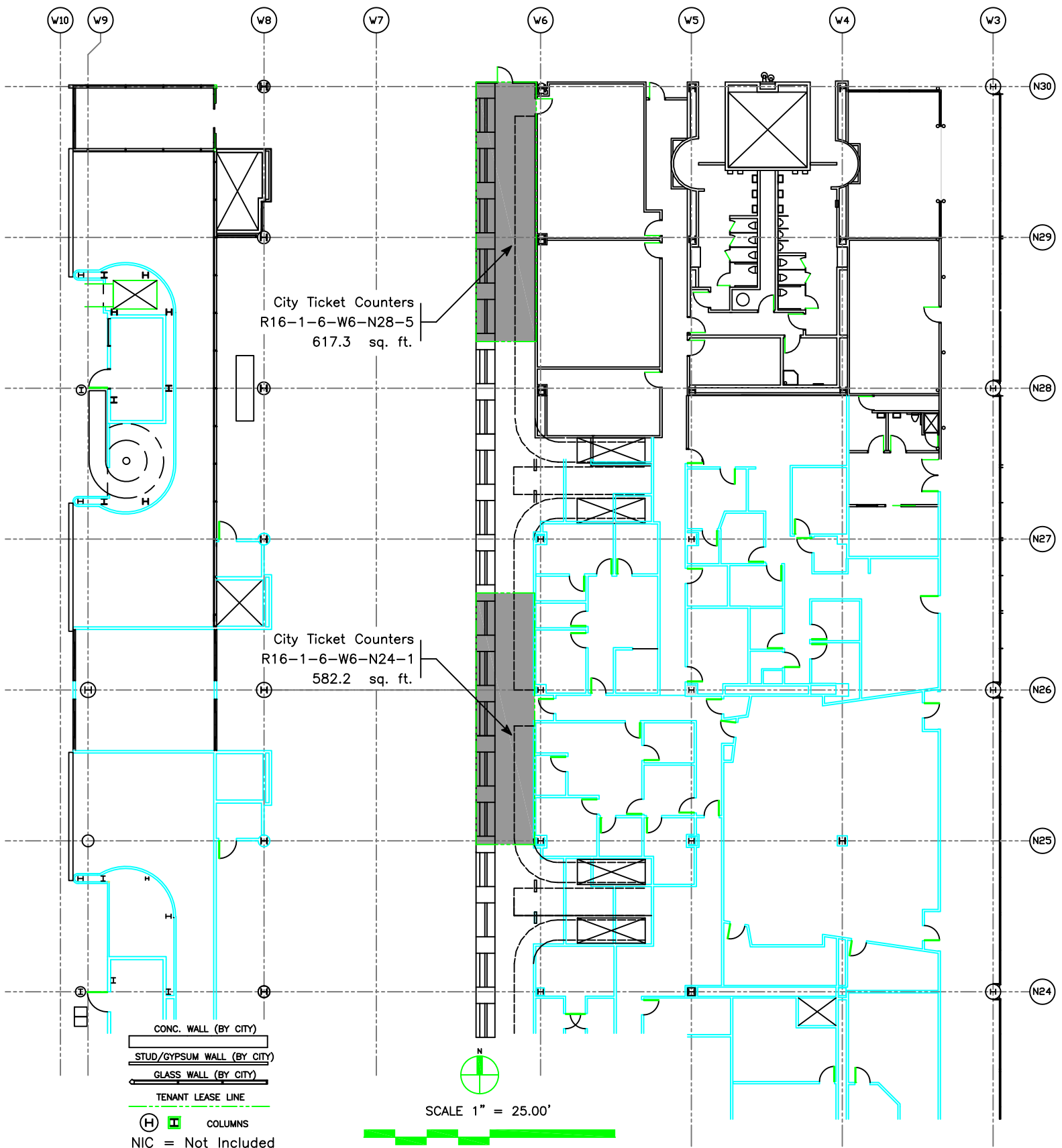


*Ronald Horn*  
MANAGER OF DESIGN

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

<p>KEY PLAN TERMINAL AREA</p>		REVISED	DENVER INTERNATIONAL AIRPORT
			EXHIBIT D Terminal Level 6 Volaris
		CC#: vola	DATE: 09/25/12

R16-1-3-15-128



City Ticket Counters  
R16-1-6-W6-N28-5  
617.3 sq. ft.

City Ticket Counters  
R16-1-6-W6-N24-1  
582.2 sq. ft.

- CONC. WALL (BY CITY)
- STUD/GYPSUM WALL (BY CITY)
- GLASS WALL (BY CITY)
- TENANT LEASE LINE
- (H) (I) COLUMNS

SCALE 1" = 25.00'



NOTE:  
NIC = Not Included  
(In Lease or Sq. Ft. Calc.)

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

DEN Property Management

<p>KEY PLAN TERMINAL AREA</p>		REVISED	DENVER INTERNATIONAL AIRPORT	
			EXHIBIT D Terminal Level 6 City Ticket Counters	
		CC#: ctc	DATE: 06/29/18	

R16-1-6-15-MOD-1-WEST