

## FOURTH AMENDATORY AGREEMENT

**THIS FOURTH AMENDATORY AGREEMENT** is made and entered into as of the date indicated on the City's signature page, by and between the CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado, (the "CITY"), Party of the First Part, and **DHL EXPRESS (USA), INC.**, a Delaware corporation organized and existing under and by virtue of the laws of the State of Ohio, and authorized to do business in the State of Colorado, hereinafter referred to as the "LESSEE", Party of the Second Part.

**WHEREAS**, the City owns, operates and maintains a municipal airport known as Denver International Airport (the "Airport") and has the power to grant rights and privileges with respect thereto, as hereinafter provided; and

**WHEREAS**, the Lessee is engaged in the business of transporting property, cargo and mail, or one or more thereof, by aircraft; and

**WHEREAS**, the parties entered into an Airport Use And Cargo Facilities Lease Agreement dated December 30, 1992, a First Amendatory Agreement dated March 23, 1995, a Second Amendatory Agreement dated October 6, 1999, and a Third Amendatory Agreement dated March 30, 2010 (collectively hereinafter, the "Existing Lease") for the use and lease of certain premises and facilities at the Airport; and

**WHEREAS**, the parties now desire to amend the Existing Lease as set forth herein;

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

1. Effective on January 1, 2012, the Existing Lease is hereby amended by deleting Parcel B, as set forth on Exhibit C-3 of the Second Amendatory Agreement, and replacing it with Exhibit C-4 which is attached hereto and incorporated herein.
2. Except as otherwise modified or amended herein, all of the terms, provisions, and conditions of the Existing Lease shall remain in full force and effect as though set out in full herein.
3. This Fourth Amendatory Agreement is subject to and shall not be or become effective or binding upon the City and County of Denver until approved by the Denver City Council and fully executed by all the signatories of the City and County of Denver.

**[SIGNATURE PAGE FOLLOWS]**

Contract Control Number: PLANE-AC2X022-04

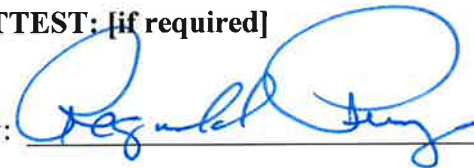
Contractor Name: DHL Express (USA), Inc.

By: 

Name: Robert J. Inglo  
(please print)

Title: Director Real Estate  
(please print)

ATTEST: [if required]

By: 

Name: REGINALDO PERRY  
(please print)

Title: SP. Transaction Mgr.  
(please print)



**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 \_\_\_\_\_



**LEGAL DESCRIPTION FOR DHL RAMP LEASE AREA**

Date: October 25, 2012  
Revised: November 27, 2012

A parcel of land situated in Southeast Quarter of Section 32, Township 2 South, Range 65 West of the 6<sup>th</sup> Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

Bearings used in this legal description are based on the east line of said Section 32, which bears North 00°09'43" East, a distance of 2646.26 feet, monuments as shown.

Commencing at the Southeast corner of said Section 32;

Thence North 00°09'43" East along the east line of said Section 32, a distance of 729.36 feet;

Thence North 89°28'24" West, a distance of 1083.28 feet to the Point of Beginning;

Thence continuing North 89°28'24" West, a distance of 147.42 feet;

Thence North 00°31'36" East, a distance of 226.00 feet;


Thence South 89°28'24" East, a distance of 147.42 feet;

Thence South 00°31'36" West, a distance of 226.00 feet to the Point of Beginning.

Said Lease Parcel contains 33,317 square feet or 0.765 acres.

See Exhibit "B"



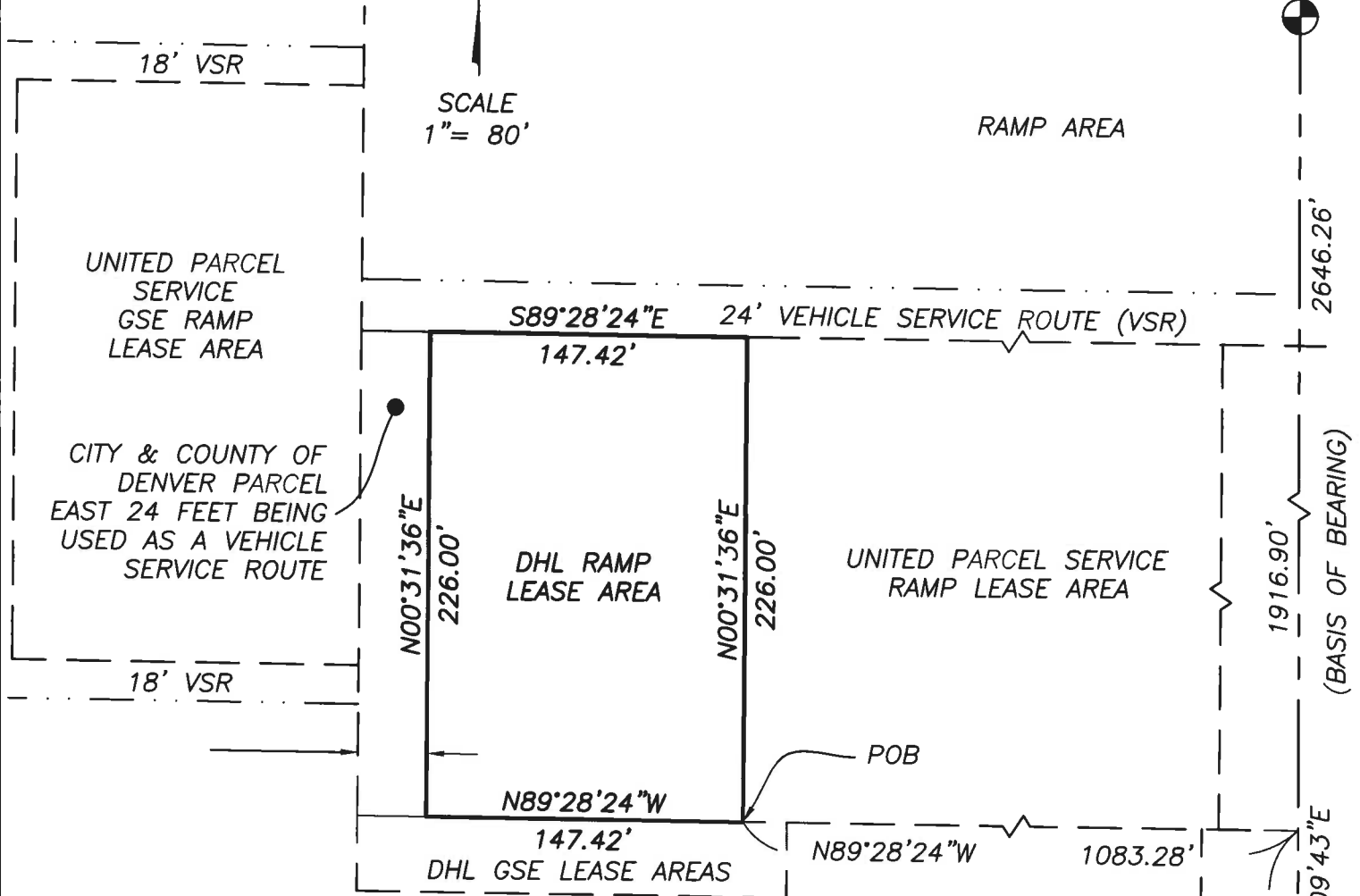
  
Approved by: Michael H. Steffens, P.E. 12/4/12  
Date

**LEGEND**  
 POB=POINT OF BEGINNING  
 SQ FT=SQUARE FEET

E1/4 COR. SEC 32,  
 T2S, R65W  
 FND 3" BRASS CAP,  
 STAMPED "PLS 14592"

SCALE  
 1" = 80'

RAMP AREA



RAMP LEASE AREA 33317 SQ FT  
 OR 0.765 ACRES



SE COR. SEC 32,  
 T2S, R65W  
 FND 3" BRASS CAP  
 IN CONC, NOT  
 MARKED

I HEREBY CERTIFY THAT THIS EXHIBIT WAS  
 PREPARED UNDER MY DIRECT  
 SUPERVISION.

*Dennis E. Hamlin*

DENNIS E. HAMLIN, PLS  
 COLO. REGISTRATION NO. 34577

NOTE: THIS DOES NOT REPRESENT A MONUMENTED LAND  
 SURVEY. NOR DOES IT REPRESENT A TITLE SURVEY BY  
 THIS SURVEYOR. IT IS INTENDED ONLY TO DEPICT THE  
 ATTACHED DESCRIPTION.

*Michael H. Steffens* 12/10/12  
 MICHAEL H. STEFFENS, PE DATE  
 MANAGER OF CONSTRUCTION



CITY AND COUNTY OF DENVER  
 DEPARTMENT OF AVIATION  
 DENVER INTERNATIONAL AIRPORT

REVISED		
NO.	DATE	NAME
1	11/26/12	TJB

DHL RAMP LEASE AREA  
 SITUATED IN SE 1/4 SECTION 32, TOWNSHIP 2 SOUTH,  
 RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND  
 COUNTY OF DENVER, STATE OF COLORADO.

REQUESTED BY: SUSAN E MOORE	DATE 10/10/12	SCALE 1"=80'	DRAWN BY: TJB FIELD BY: TJB CHECKED BY: RTL	SHEET NO. 1 OF 1 SHEETS	DRAWING NO. 13Q1008T
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