

1 BY AUTHORITY

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2011

COUNCIL BILL NO. \_\_\_\_\_  
COMMITTEE OF REFERENCE:  
4 BUSINESS, WORKFORCE & SUSTAINABILITY

5 A BILL

6 For an ordinance approving a proposed First Amendment to Airport Use and Facilities  
7 Lease Agreement between the City and County of Denver and Lufthansa German  
8 Airlines, 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 First Amendment to Airport Use and Facilities Lease Agreement  
12 between the City and County of Denver and Lufthansa German Airlines, in the words and figures  
13 contained and set forth in that form of the First Amendment to Airport Use and Facilities Lease  
14 Agreement, filed in the office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of  
15 Denver, on the 21st day of April, 2011, City Clerk's Filing No. 106-630-A is hereby approved.  
16

17 COMMITTEE APPROVAL DATE: April 15, 2011

18 MAYOR-COUNCIL DATE: April 19, 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: April 21, 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 W. Broadwell, City Attorney

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

36 DATE: April 21, 2011



DU-630-A

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

This First 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 **LUFTHANSA GERMAN AIRLINES**, a corporation organized and existing under and by virtue of the laws of the country of Germany, and authorized to do business in the State of Colorado ("Airline"), Party of the Second Part.

**WHEREAS**, the City and Airline have previously entered into an Airport Use and Facilities Lease Agreement at Denver International Airport ("DIA"), dated August 8, 2006 ("Existing Agreement");

**WHEREAS**, City and Airline desire to further modify the Existing Agreement to create a first 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. Exhibit D-1, attached hereto, replaces Exhibit D of the Existing Agreement, effective on the dates specified in the attached revised Exhibit D-1.
2. Paragraph 6.01, "TERM OF AGREEMENT," of the Existing Agreement is deleted in its entirety and replaced with the following:

"The term of this Agreement shall commence on April 1, 2006 and shall terminate at 12:00 noon MST on December 31, 2011, unless this Agreement is earlier cancelled, terminated, or extended as hereinafter provided."

3. 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.
4. This First 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 ]

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. AR 65004 (1)

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

PARTY OF THE FIRST PART

LUFTHANSA GERMAN AIRLINES

By \_\_\_\_\_  
Title VP- The Americas

PARTY OF THE SECOND PART

ATTEST:

By \_\_\_\_\_

Title Director - HR & Finance  
The Americas

Effective April 1, 2006 through End of Term

V8

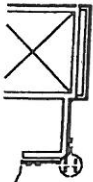
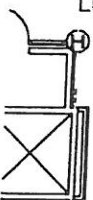
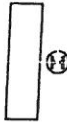
V7

V6

V5

V4

N29



Lufthansa German Airlines  
R16-1-6-W6-N26-1  
597.2 sq. ft.

N29

N29

N27

N25

N23

CONC. WALL (BY CITY)  
STUD/OFFICE WALL (BY CITY)  
GLASS WALL (BY CITY)  
TENANT LEASE LINE

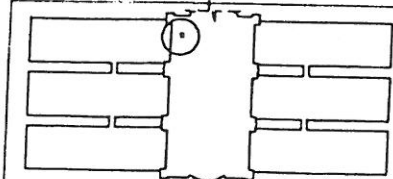
Ⓜ columns  
NIC = Not Included  
(In Lease or Sq. Ft. Calc.)

SCALE 1" = 20.00'

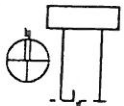
20.0' 10.0' 0 20.0'

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

*Ronald Horn*  
MANAGER OF DESIGN



KEY PLAN  
TERMINAL AREA



REVISED

DENVER INTERNATIONAL AIRPORT

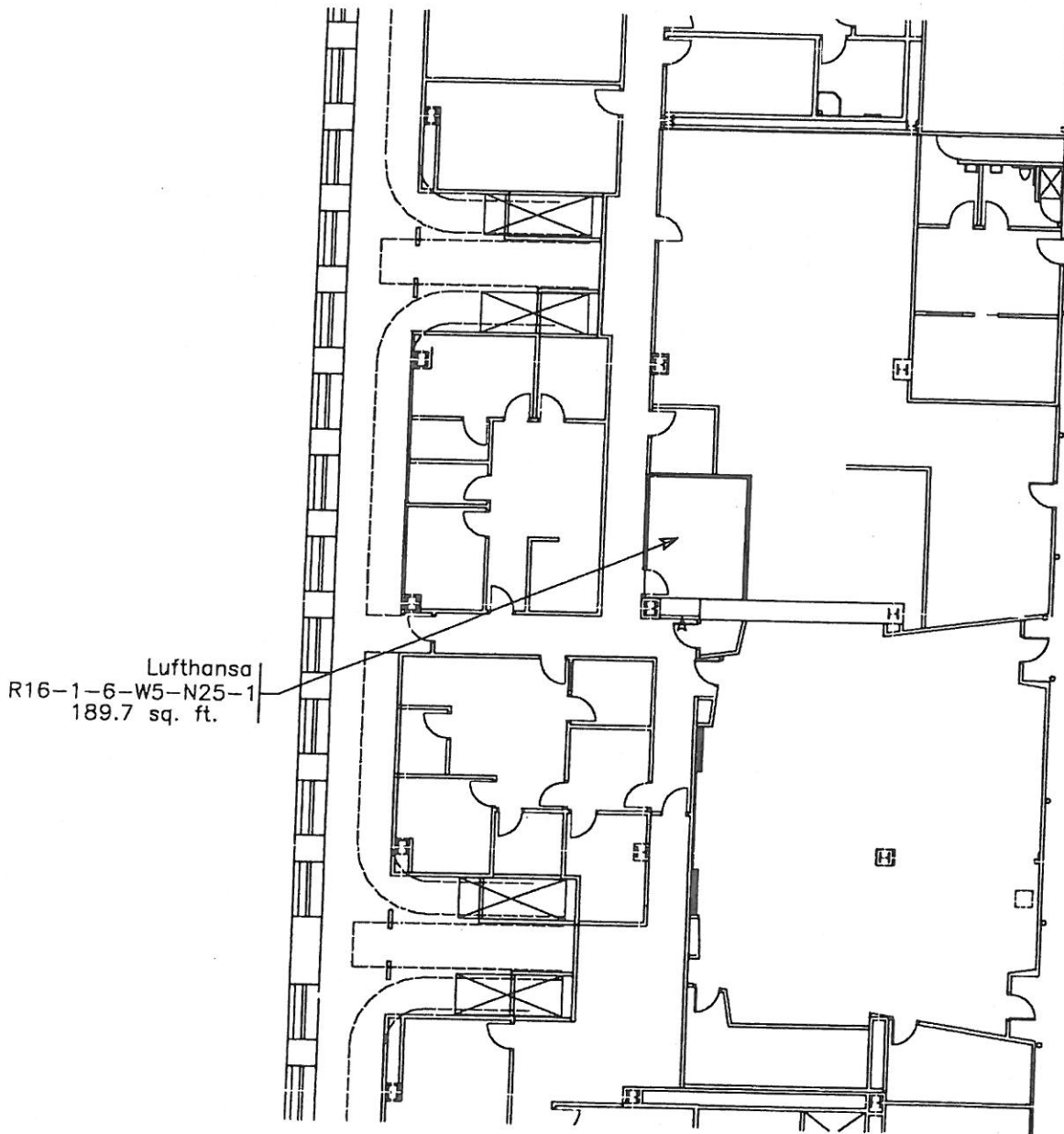
EXHIBIT D - 1  
Terminal Level 6  
Lufthansa German Airlines

CC#: lgal

DATE: 2/9/06

R16-1-6-15-25

Effective April 1, 2006 through End of Term



Lufthansa  
R16-1-6-W5-N25-1  
189.7 sq. ft.

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

SCALE 1" = 20.00'

20.0' 10.0' 0 20.0'

EXCLUSIVE USE PREMISES

*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.

		REVISED	DENVER INTERNATIONAL AIRPORT
			EXHIBIT D-1
			Terminal Level 6
			Lufthansa German Airlines
		CC#: lgal	DATE: 11/01/05

R16-1-6-15-19

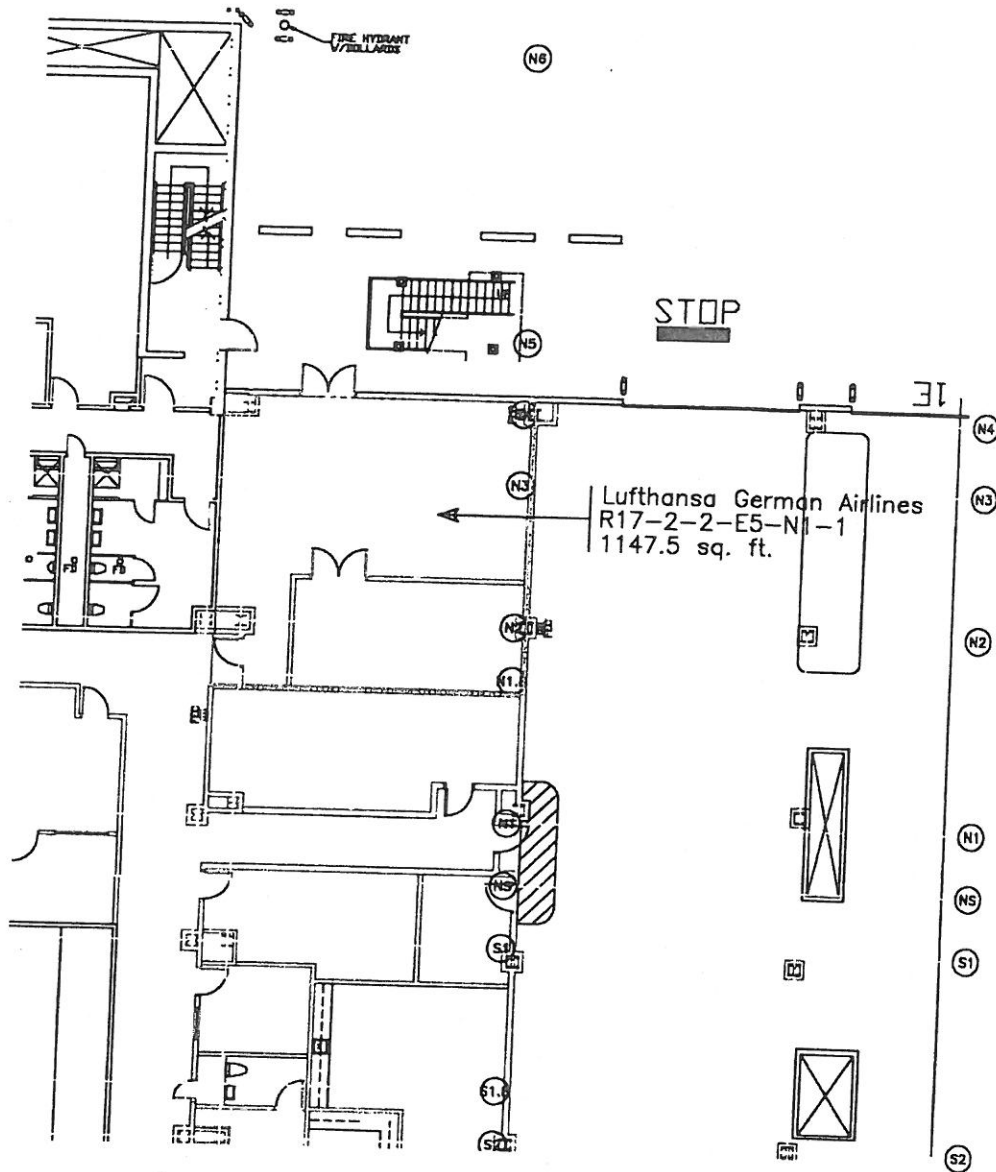
Effective April 1, 2006 through End of Term

CREASE  
INTERCEPTOR

E5.9 E6

E7

E8



ODORIC WALL (BY CITY)  
STUD/IMPRES WALL (BY CITY)  
GLASS WALL (BY CITY)  
TENANT LEASE LINE  
NIC = Not Included  
(In Lease or Sq. Ft. Calc.)

SCALE 1" = 20.00'

20.0' 10.0' 0 20.0'

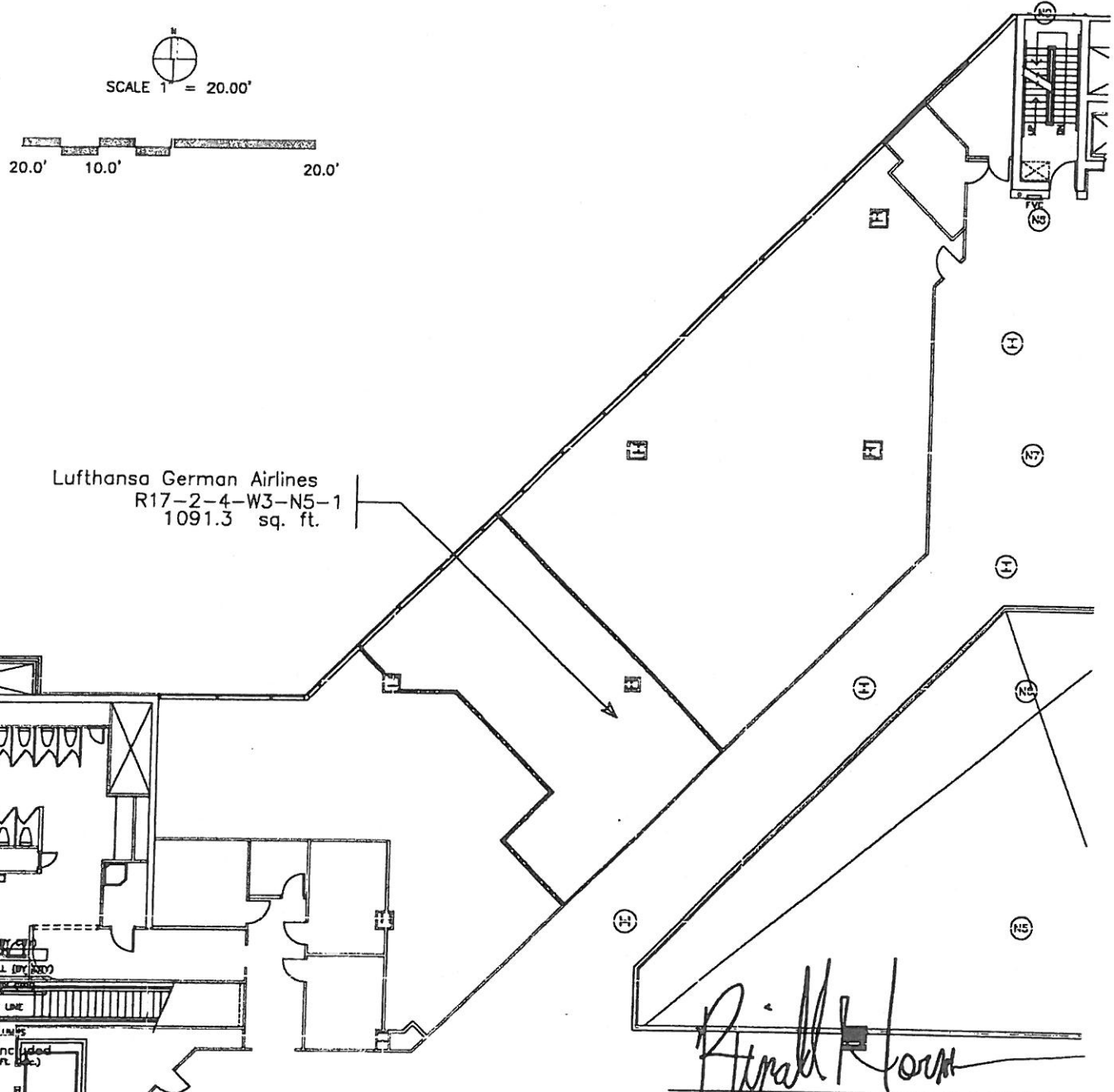
*[Signature]*  
MANAGER OF DESIGN

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 CONCOURSE A</p>		REVISED	DENVER INTERNATIONAL AIRPORT
		5/10/05	
		EXHIBIT D - 1	
		Concourse A Apron Level	
		Lufthansa German Airlines	
		CC#: lgal	DATE: 1/16/01

R17-2-2-15-37

Effective April 1, 2006 through End of Term



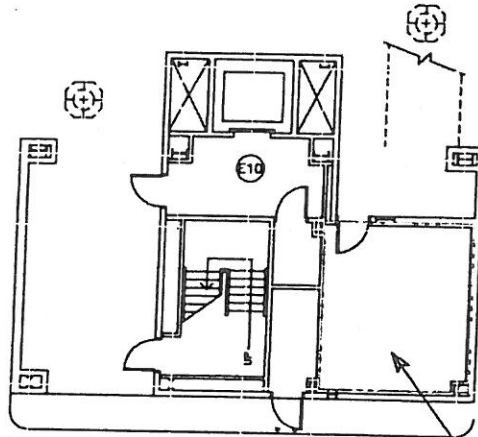
NOTE: This exhibit depicts only square footage of leased area based upon planning data and is not intended to address construction details.

		REVISED	MANAGER OF DESIGN DENVER INTERNATIONAL AIRPORT	
			EXHIBIT D-1 Concourse A Mezz. Level Federal Aviation Administration	
		CC#: lgal	DATE: 2/9/06	

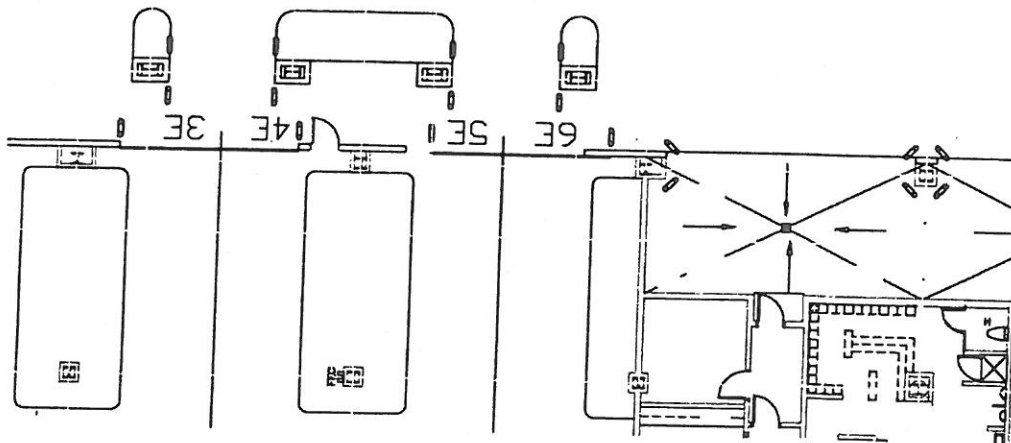
R17-2-4-16-5



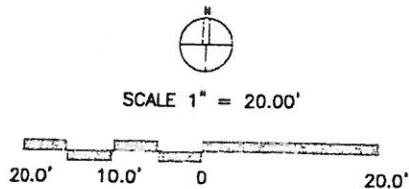
Effective September 1, 2010 through End of Term



Lufthansa  
 R17-2-2-E10-N6-1  
 314.7 sq. ft.



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



*Ronald Norm*

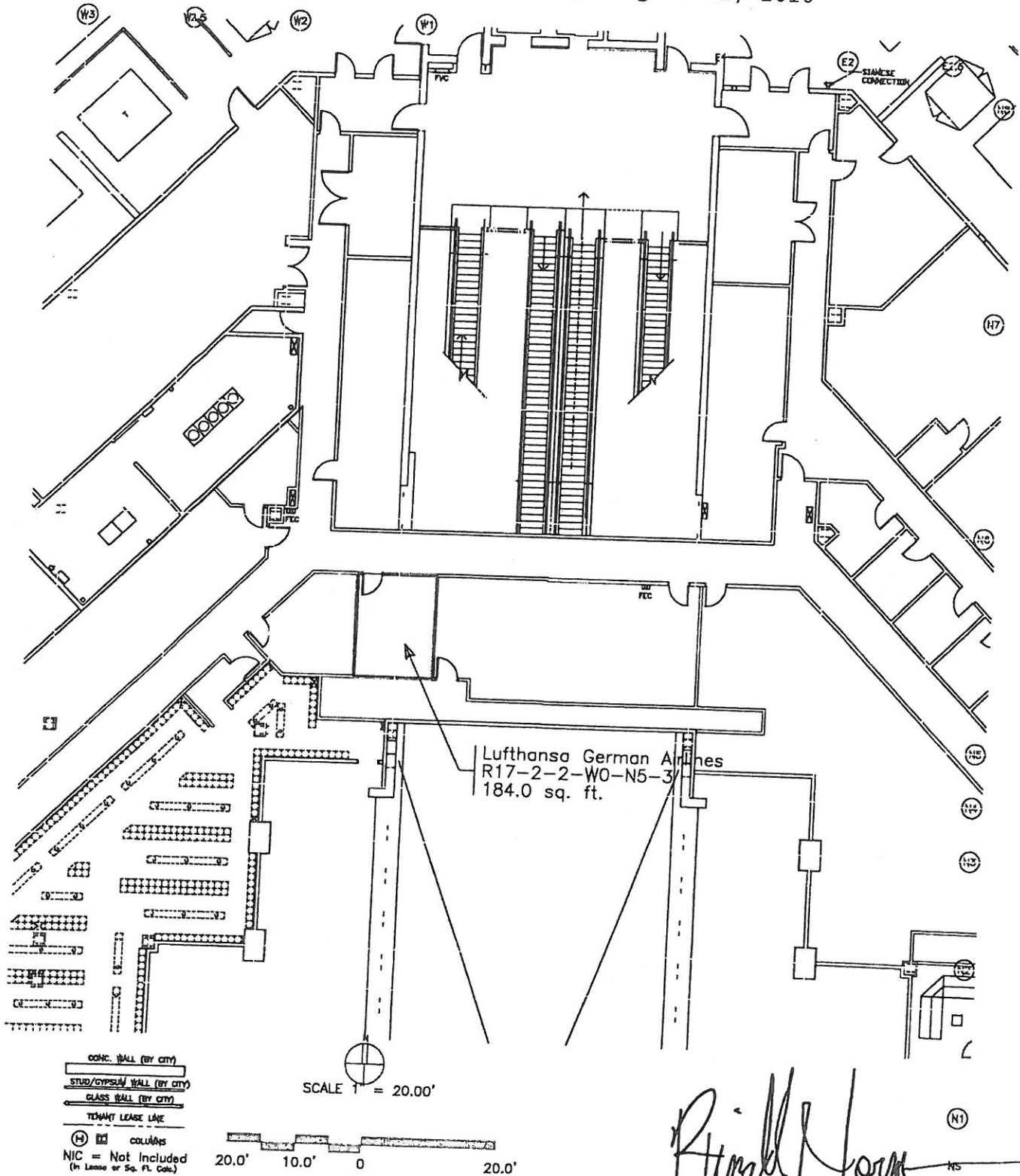
MANAGER OF DESIGN

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-1 Concourse A Apron Level Lufthansa	
		CC#: LGAL	DATE: 7/01/10

R17-2-2-2-1

Effective April 1, 2006 through August 31, 2010



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 CONCOURSE A</p>		REVISED	DENVER INTERNATIONAL AIRPORT	
		<p>EXHIBIT D-1 Concourse A Apron Level Lufthansa German Airlines</p>		
CC#: lgal		DATE: 1/24/06		