

THIRD AMENDMENT TO THE AIRPORT USE AND LEASE AGREEMENT

THIS THIRD 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 **FRONTIER AIRLINES, INC.**, a corporation organized and existing under and by virtue of the laws of the State of Colorado, and authorized to do business in the State of Colorado ("**Airline**").

WITNESSETH

WHEREAS, the City owns and operates Denver International Airport ("DEN" or the "Airport"); and

WHEREAS, the parties hereto entered into a certain Use and Lease Agreement, which was effective January 1, 2012, a First Amendment dated October 30, 2015 and a Second Amendment dated June 5, 2017 (the "Agreement"), under which the Airline and the City agree to the terms of the Airlines use and lease of certain premises and facilities at the Airport; and

WHEREAS, the City now wishes to modify the premises leased by Frontier in the Agreement with this Amendment; and

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

1. The Exhibit D attached to the Agreement is hereby deleted and replaced by the Exhibit D attached to this Amendment; such attachment is incorporated into the Agreement by this reference.
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 Agreement shall remain in full force and effect.
4. This Amendment to Agreement shall not be effective or binding on the City until approved and fully executed by all signatories of the City and County of Denver.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

[SIGNATURE PAGES AND EXHIBIT FOLLOW]

Contract Control Number: PLANE-201206414-03

Contractor Name: Frontier Airlines, Inc.

By: 

Name: Howard Diamond
(please print)

Title: General Counsel & Secretary
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(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:

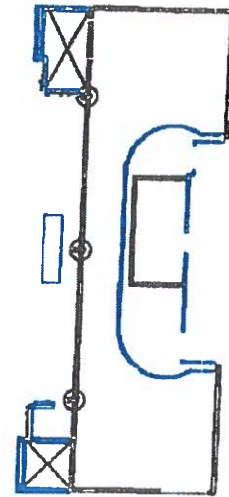
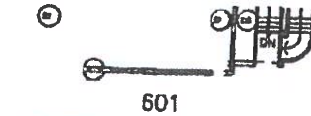
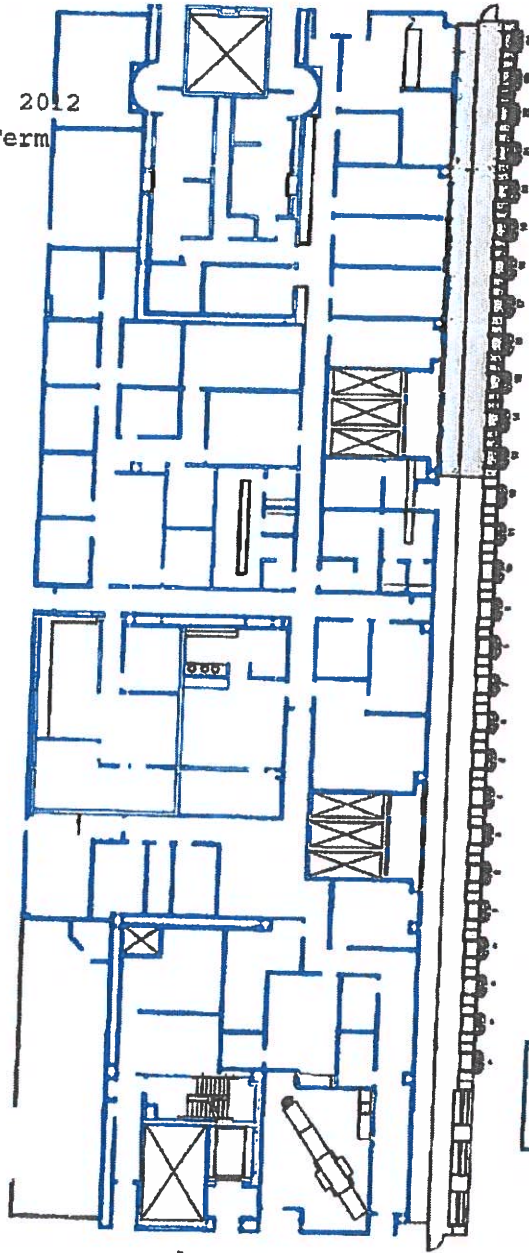
By_____

By_____

By_____



Effective
November 1, 2012
to End of Term



Frontier Airlines
R16-1-6-E6-N27-1
1070.3 sq. ft.

COND. WALL (BY CITY)
STUD. WALL (BY CITY)
GLASS WALL (BY CITY)
TYPICAL LINES USE
NIC = Not Included
(On Lease or By Ft. State)

SCALE 1" = 20.00'

Richard Horn
MANAGER OF DESIGN

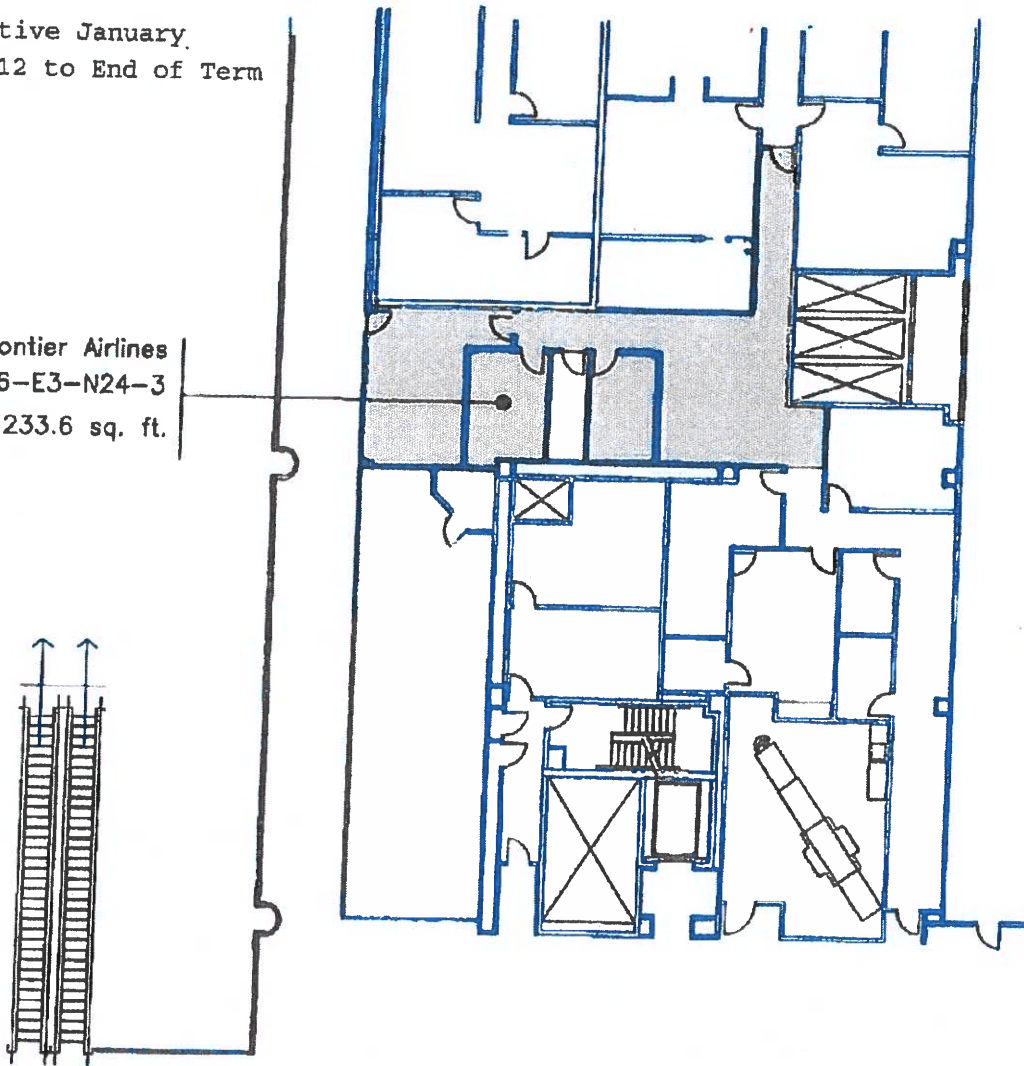
NOTE: This exhibit depicts only square footage of leased area based upon planning data and is not intended to address construction details.

<p>KEY PLAN TERMINAL AREA</p>		REVISED 08/07/12	DENVER INTERNATIONAL AIRPORT
		EXHIBIT D Terminal Level 6 Frontier Airlines	
		CC#: fol	DATE: 8/04/08

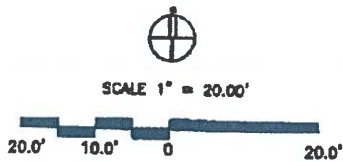
R16-1-6-15-135

Effective January
1, 2012 to End of Term

Frontier Airlines
R16-1-6-E3-N24-3
1233.6 sq. ft.



COND. WALL OFF CITY
FLOOR/CEILING WALL BY CITY
GLASS WALL BY CITY
STREET LIGHT LINE
COLUMNS
NIC = Not Included
(to be shown on the P.C. only)



Ronald Horn
MANAGER OF DESIGN

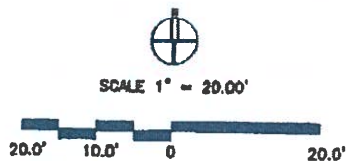
NOTE: This exhibit depicts only square footage of leased area based upon planning data and is not intended to address construction details.

<p>KEY PLAN TERMINAL AREA</p>		REVISED	DENVER INTERNATIONAL AIRPORT
		<p>EXHIBIT D- Terminal Level 6 Frontier Airlines</p>	
		CC#: fd	DATE: 8/25/05

R16-1-6-15-111

Effective January 1, 2012 to End of Term

Frontier Airlines
R16-1-5-E4-N23-1
300.0 sq. ft.



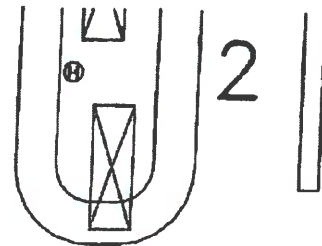
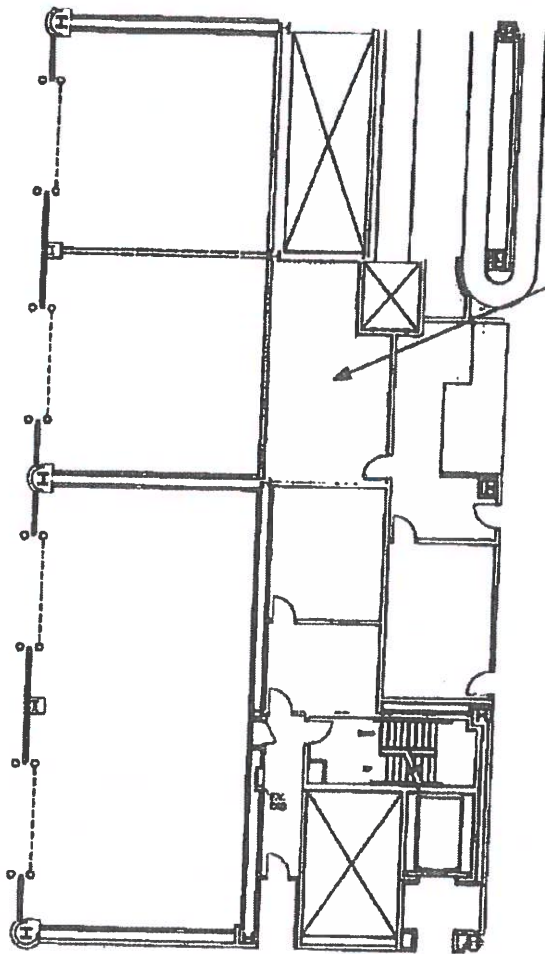
Final Norm
MANAGER OF DESIGN

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

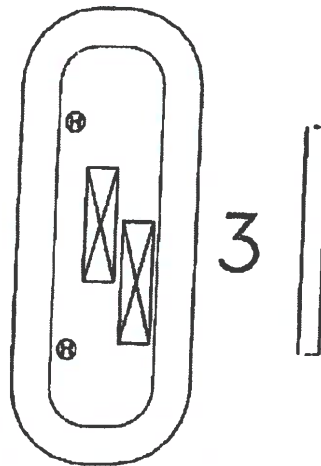


R16-1-5-15-81

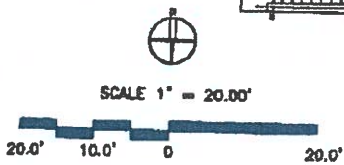
Effective January 1, 2012 to End of Term



Frontier Airlines
R16-1-5-E3-N24-1
460.6 sq. ft.

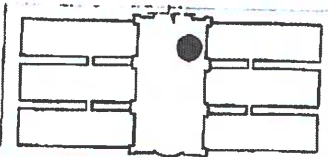


COND. WALL REV. CITY
FLOOR/CEILING WALL REV. CITY
GLASS WALL REV. CITY
THICK LINE LINE
NIC = Not Included
(or Name or No. Data.)



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
TERMINAL AREA



REVISED

DENVER INTERNATIONAL AIRPORT

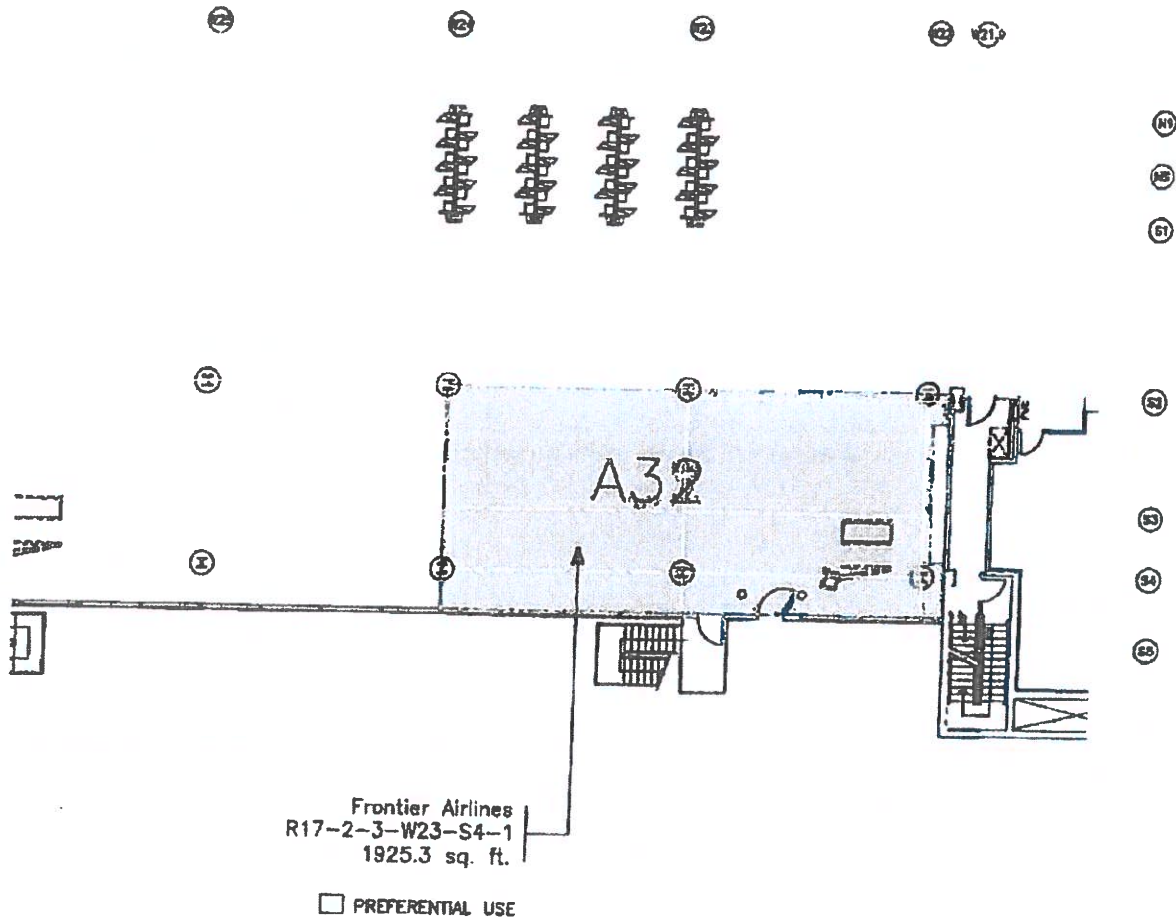
EXHIBIT D
Terminal Level 5
Frontier Airlines

CC#: fol

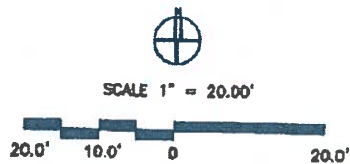
DATE: 8/25/05

R16-1-5-15-53

Effective January 1, 2012 to End of Term



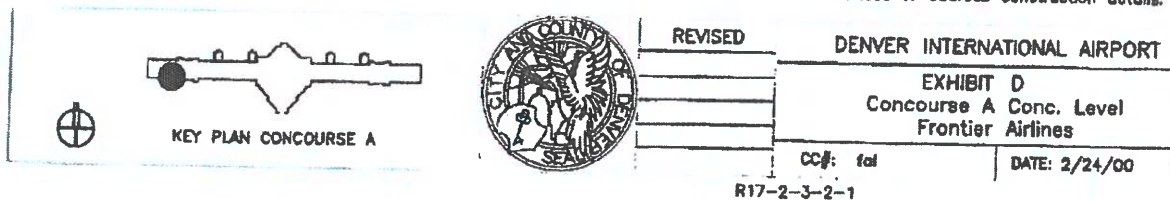
CONC. WALL (BY CITY)
STUD/STRENGTH WALL (BY CITY)
GLASS WALL (BY CITY)
TERRACE LEASE LINE
NIC = Not Included
(In Lease or Sq. Ft. Calc.)



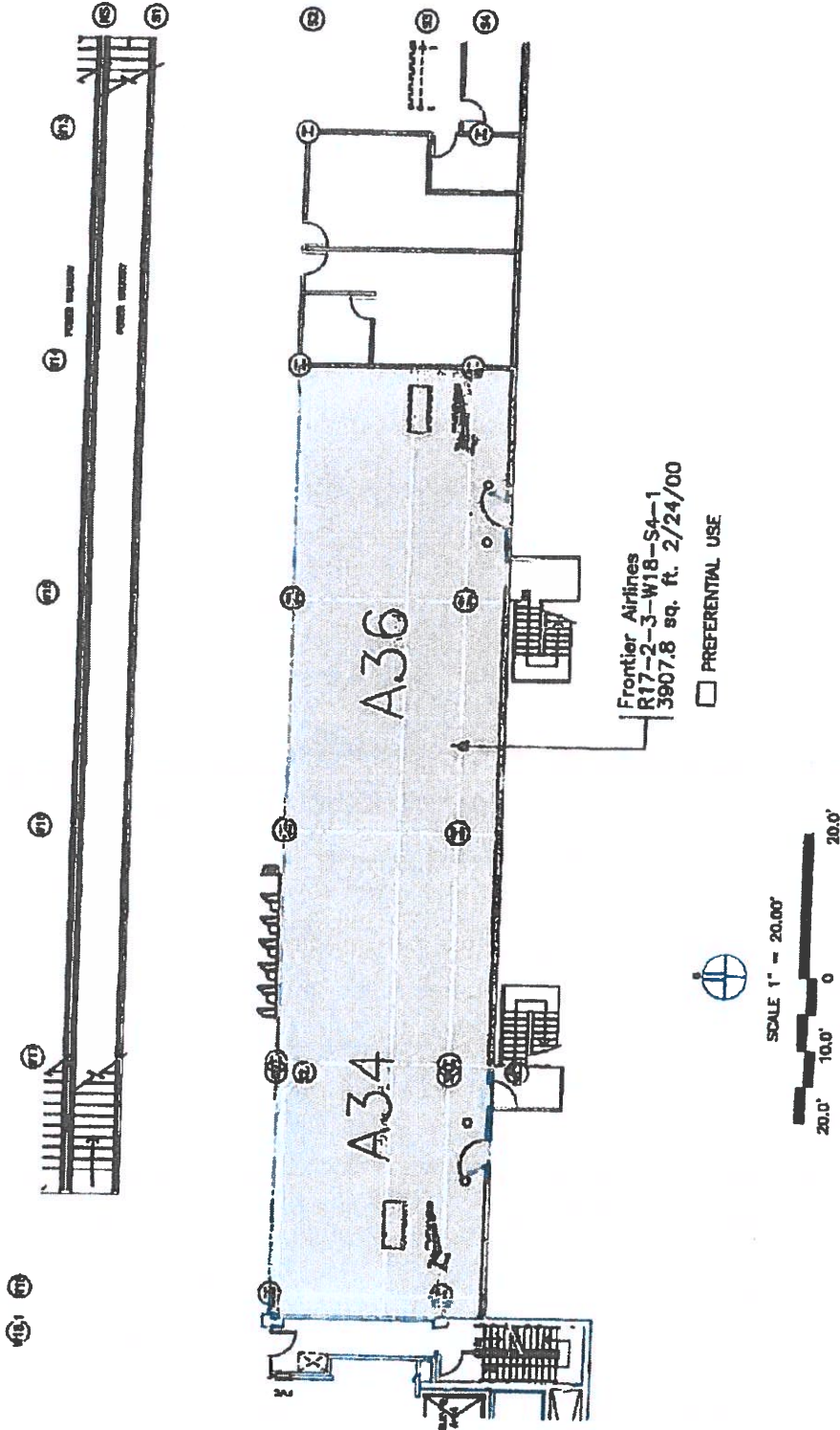
Hana Rocas

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.



Effective January 1, 2012 to End of Term



Hana Roub
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.

REVISION	DENVER INTERNATIONAL AIRPORT
	EXHIBIT D
	Concourse A Conc. Level
	Frontier Airlines
CC#	DATE: 2/24/00

R17-2-3-15-3

SCALE 1" = 20.00'

20.0' 10.0' 0 20.0'

KEY PLAN CONCOURSE A

CONC. WALL (BY CITY)

STRUCTURAL WALL (BY SDP)

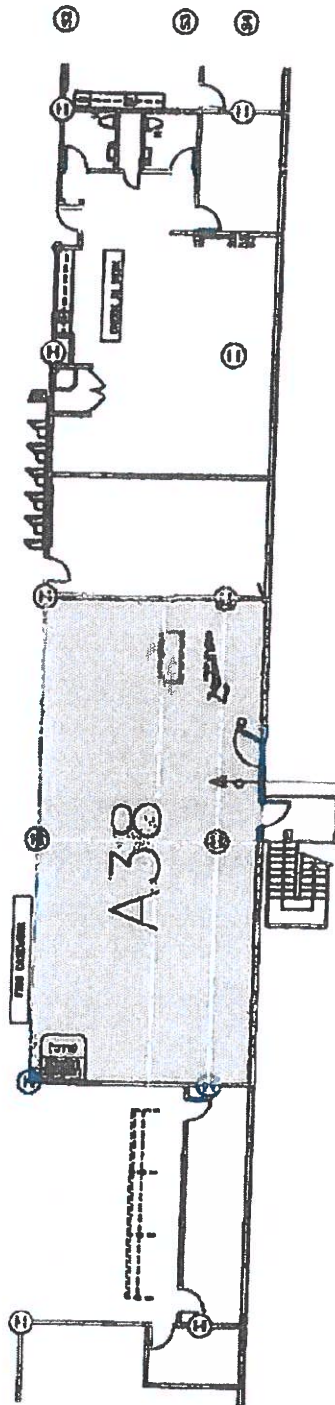
GLASS WALL (BY CITY)

TRAVEL LANE LINE

COLLUMS

NIC = Not Included
(In Leases or Sq. Ft. Data)

Effective January 1, 2012 to End of Term



Frontier Airlines
R17-2-3-W11-S4-1
1907.7 sq. ft.

☐ PREFERENTIAL USE



SCALE 1" = 20.00'



CANCEL WALL (BY CITY)
REPAIR WALL (BY CITY)
BASE WALL (BY CITY)
TYPICAL LEASE USE
NIC = Not Included
(In Lease or Sub. Pk. Costs)

Hana Roberts

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.

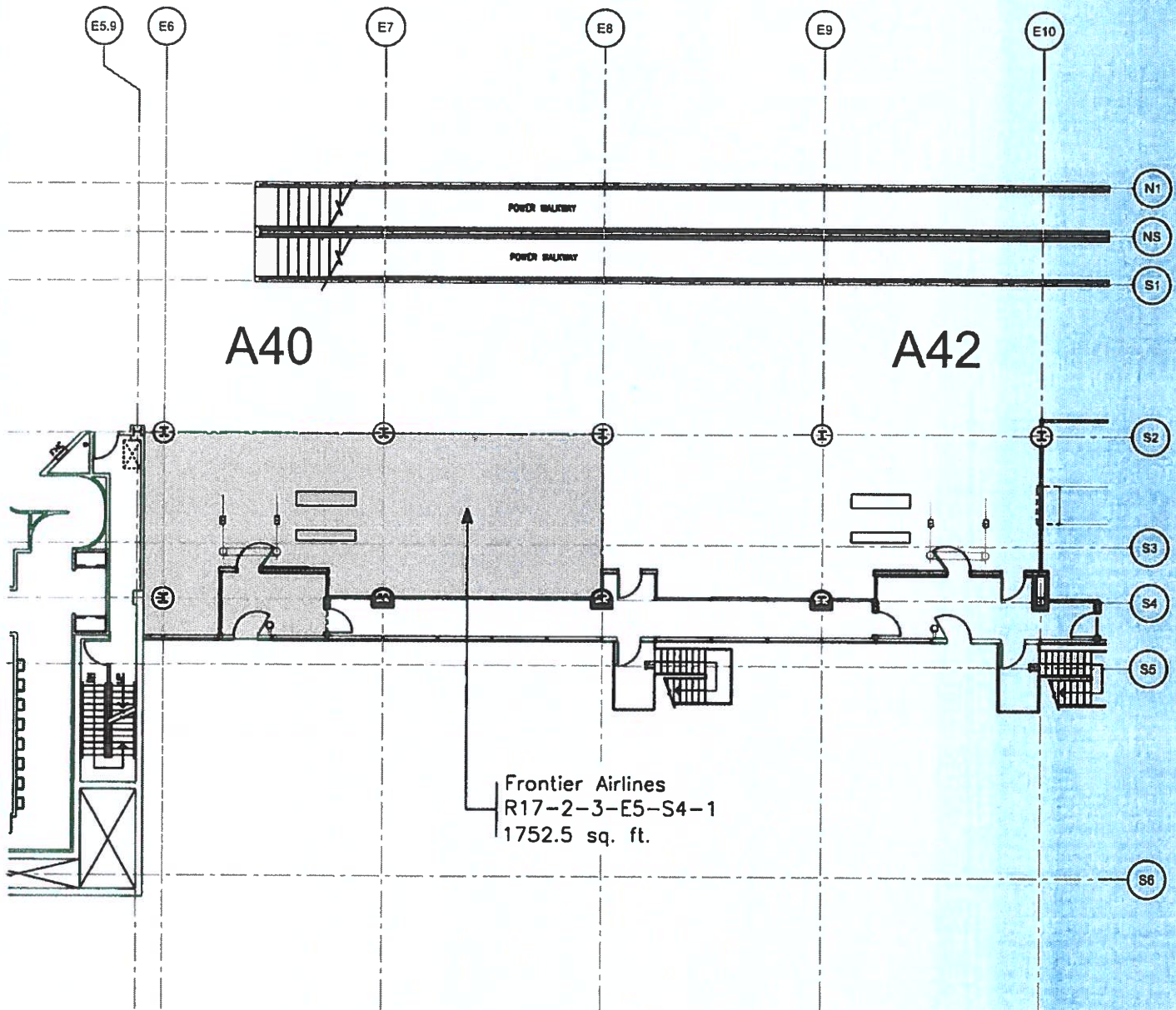


KEY PLAN CONCOURSE A

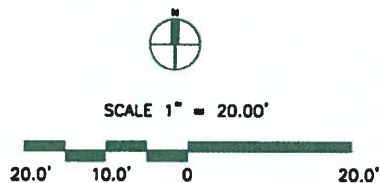
REVISED	DENVER INTERNATIONAL AIRPORT
	EXHIBIT D
	Concourse A Conc. Level
	Frontier Airlines

CC#: 101 DATE: 2/24/00

R17-2-3-15-5





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



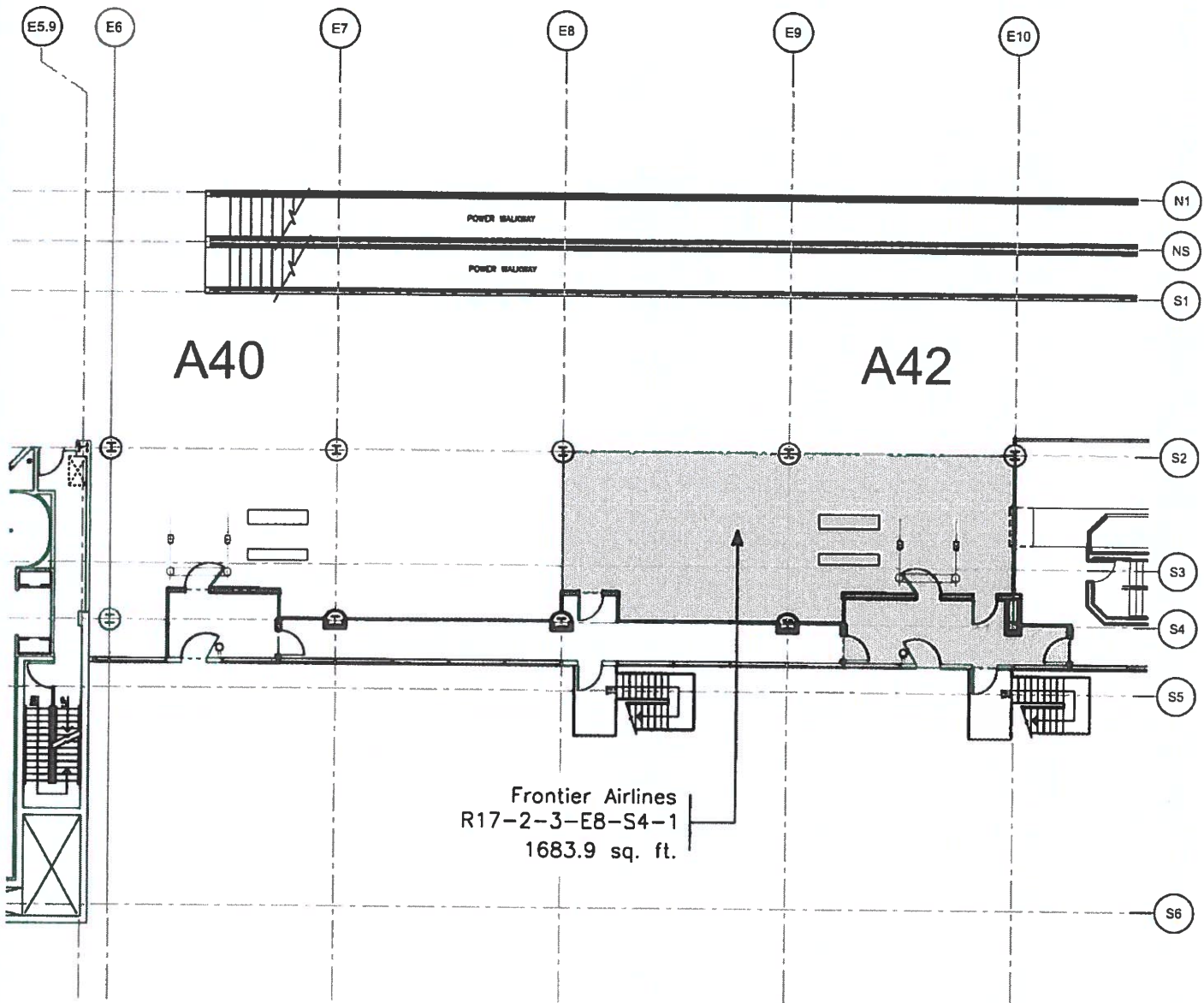
NOTE:

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 CONCOURSE A</p>		REVISED	DENVER INTERNATIONAL AIRPORT	
			EXHIBIT D Concourse B Conc. Level Frontier Airlines	
		CC#: fol		DATE: 07/12/16

R17-2-3-15-38



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



SCALE 1" = 20.00'



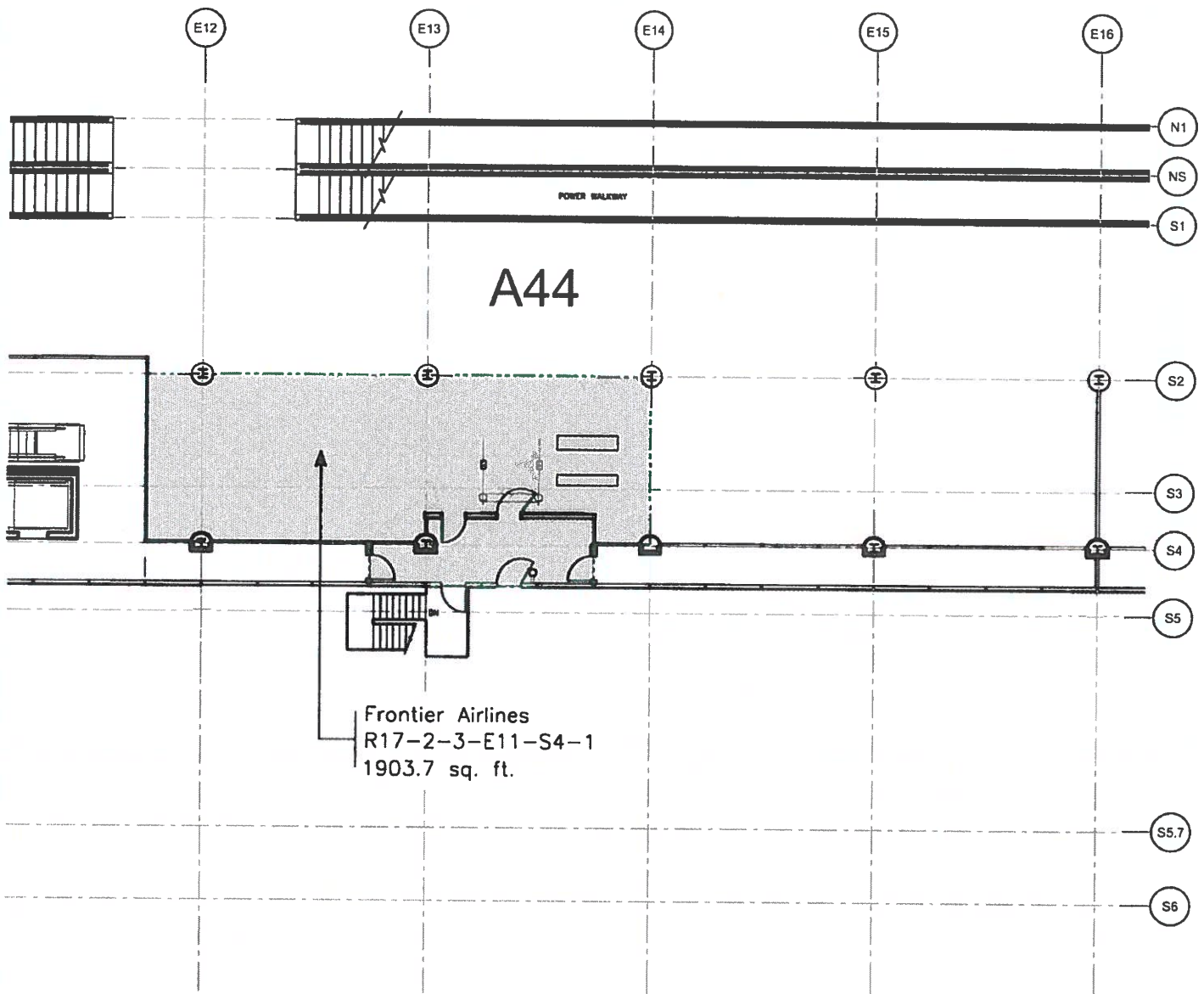
NOTE:

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DEN Property Management

 KEY PLAN CONCOURSE A		REVISED	DENVER INTERNATIONAL AIRPORT	
			EXHIBIT D	
			Concourse B Conc. Level	
			Frontier Airlines	
				CC#: fal

R17-2-3-15-39



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

(H) (C) COLUMNS
 NIC = Not Included
 (In Lease or Sq. Ft. Calc.)



SCALE 1" = 20.00'

20.0' 10.0' 0 20.0'

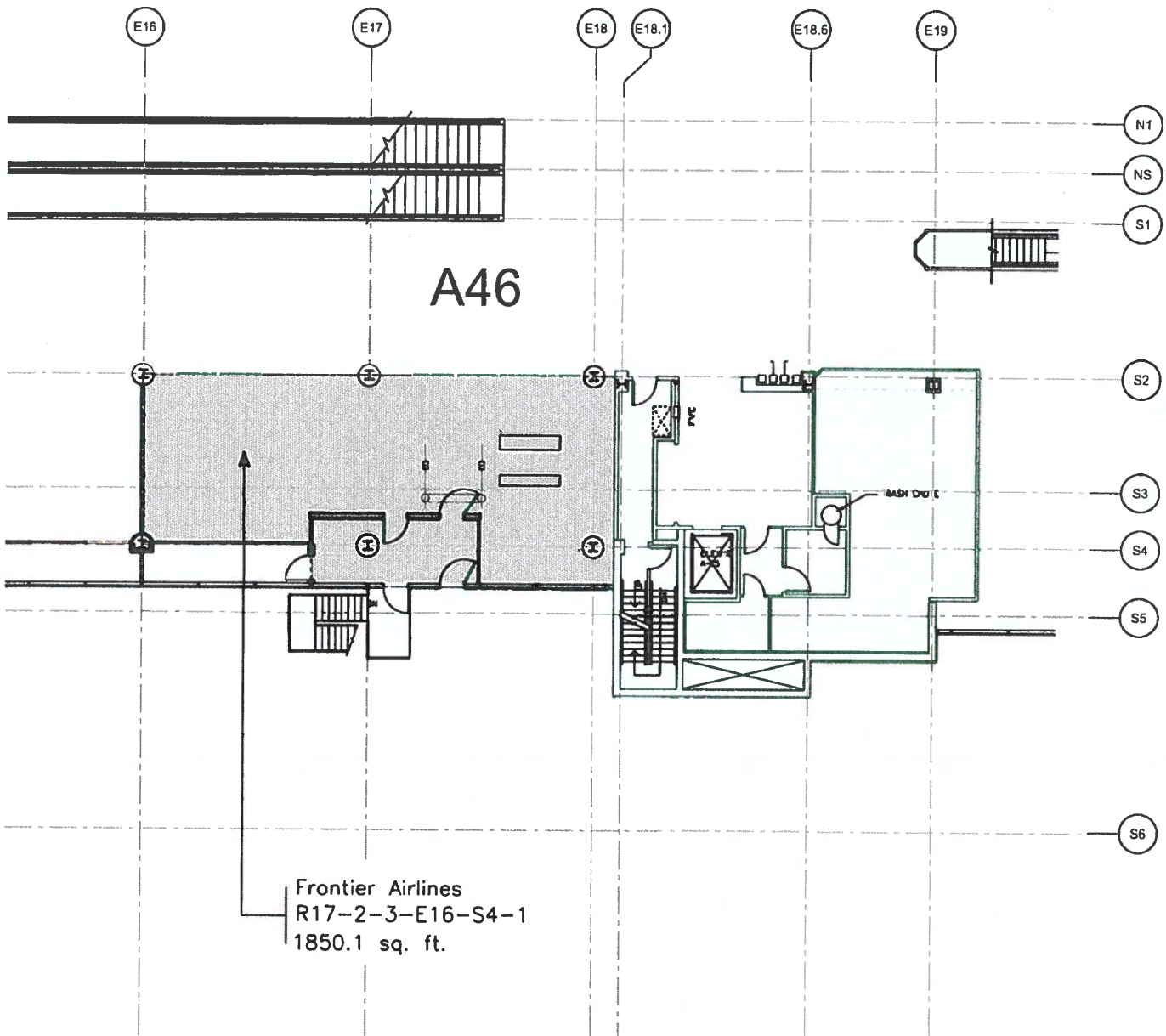
NOTE:

This exhibit depicts only 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 CONCOURSE A</p>		REVISED	DENVER INTERNATIONAL AIRPORT	
			EXHIBIT D	
			Concourse B Conc. Level	
			Airline Hold Room	
		CC#: ahr		DATE: 07/12/16

R17-2-3-15-42



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

(H) (C) COLUMNS

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




SCALE 1" = 20.00'

20.0' 10.0' 0 20.0'

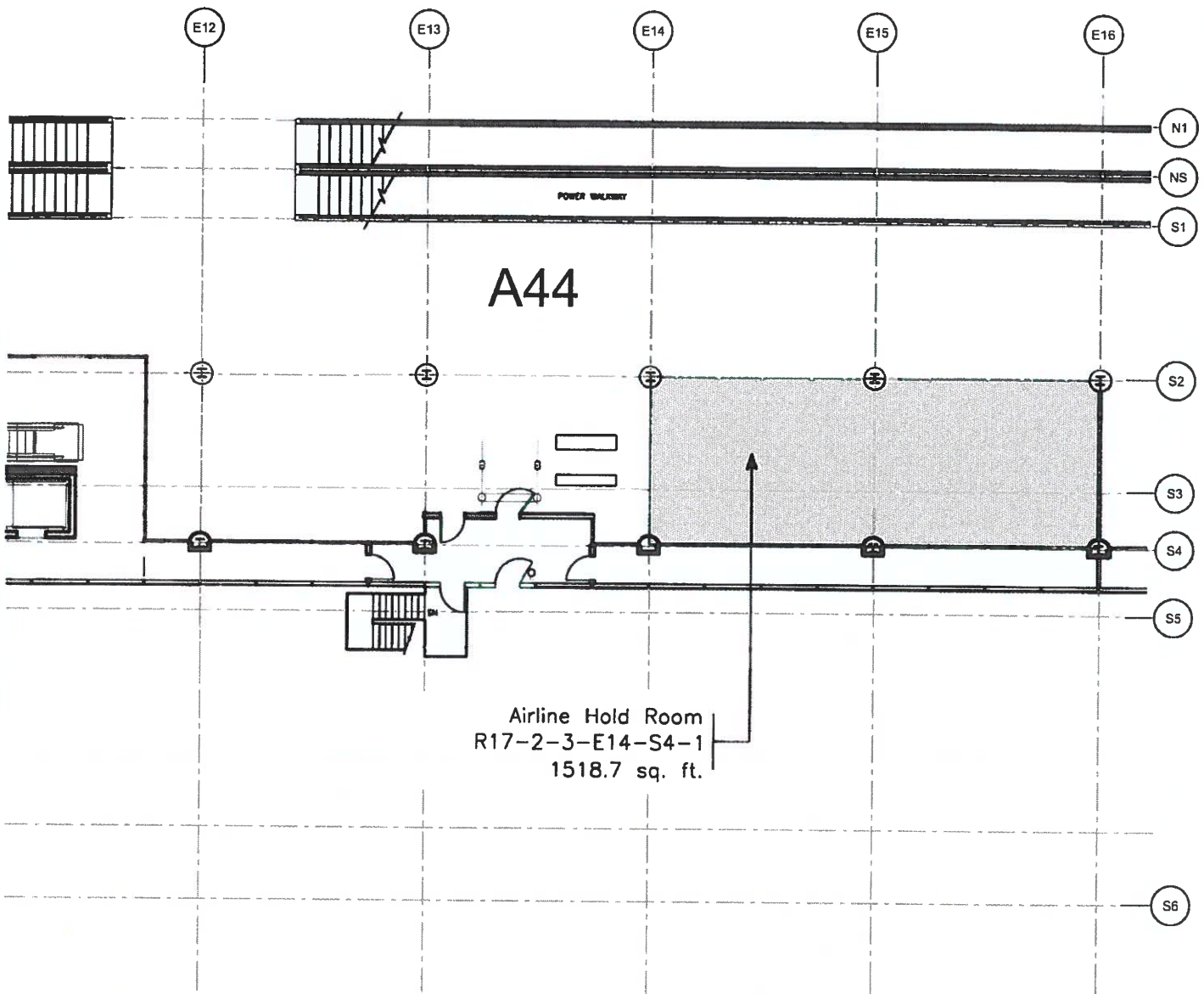
NOTE:

This exhibit depicts only 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

  KEY PLAN CONCOURSE A		REVISED	DENVER INTERNATIONAL AIRPORT	
			EXHIBIT D	
			Concourse B Conc. Level	
			Frontier Airlines	
			CC#: fal	DATE: 07/12/16

R17-2-3-15-43



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

(H) (C) COLUMNS
 NIC = Not Included
 (In Lease or Sq. Ft. Calc.)





SCALE 1" = 20.00'

20.0' 10.0' 0 20.0'

NOTE:

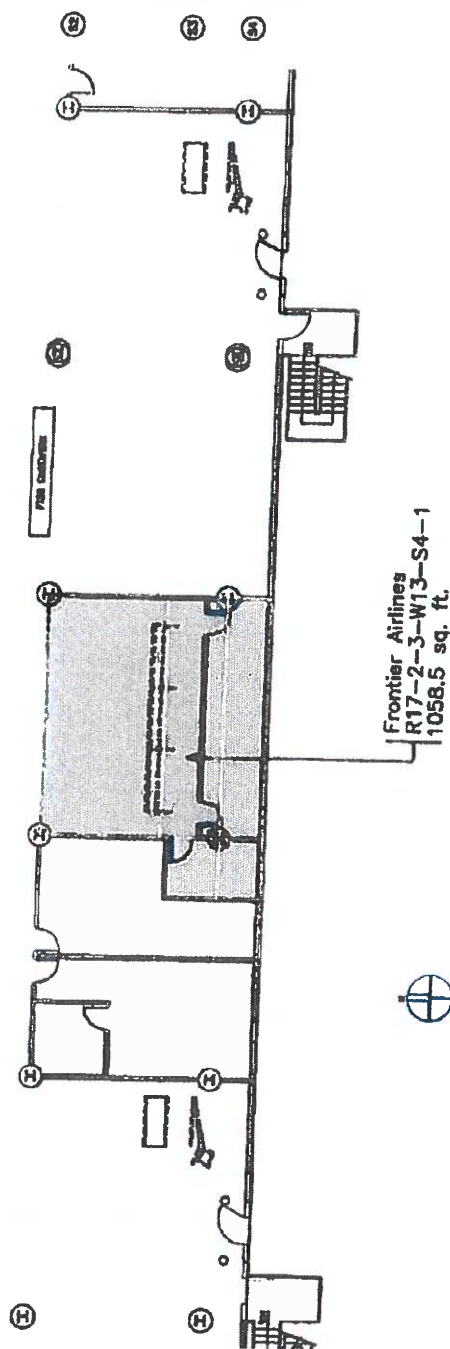
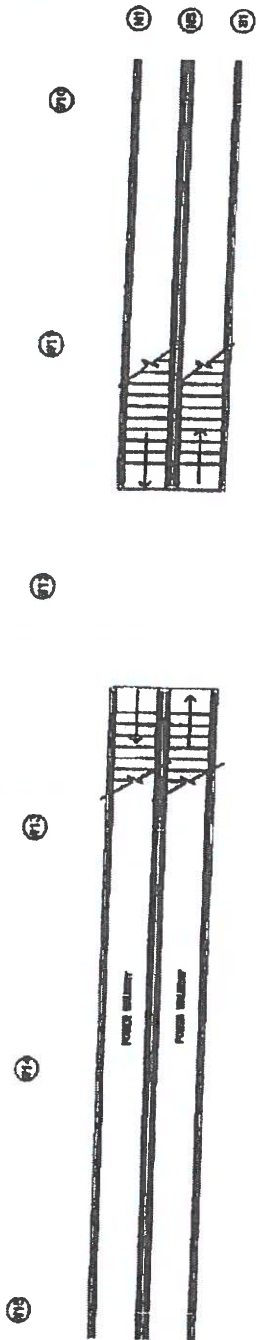
This exhibit depicts only approximate dimensions and square footage of leased area based upon planning data and is not intended to show dimensions for construction details.

DEN Property Management

 KEY PLAN CONCOURSE A		REVISED	DENVER INTERNATIONAL AIRPORT	
			EXHIBIT D	
			Concourse B Conc. Level	
			Airline Hold Room	
			CC#: ahr	DATE: 07/12/16

R17-2-3-15-42

⑤ ④ ③



Frontier Airlines
R17-2-3-W13-S4-1
1058.5 sq. ft.

SCALE 1" = 20.00'

EXCLUSIVE USE PREMISES

Хака Рокс

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

DENVER INTERNATIONAL AIRPORT

EXHIBIT D
Concourse A Conc. Level
Frontier Airlines

cc: Mr

DATE: 2/24/00

R17-2-3-15-4

CONFIDENTIAL

2000年1月1日

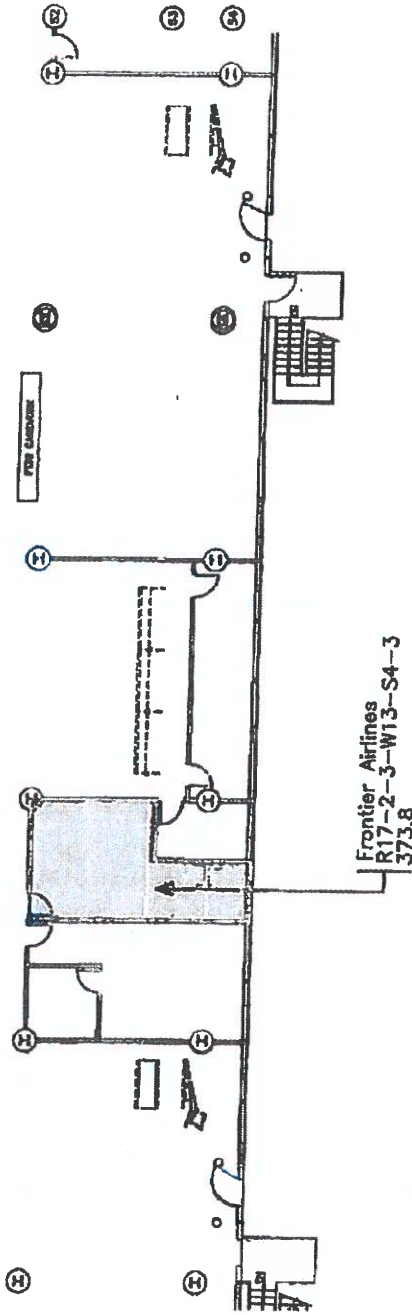
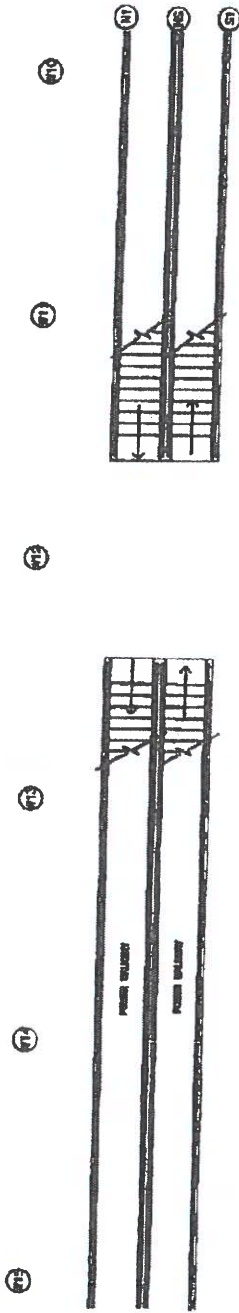
OUT OF THE BOX

2011 2021 2021

NIC = Not Included

NOI MAGGIOR
(In Loro o Sp. V. Date.)

Effective January 1, 2012 to End of Term



Final



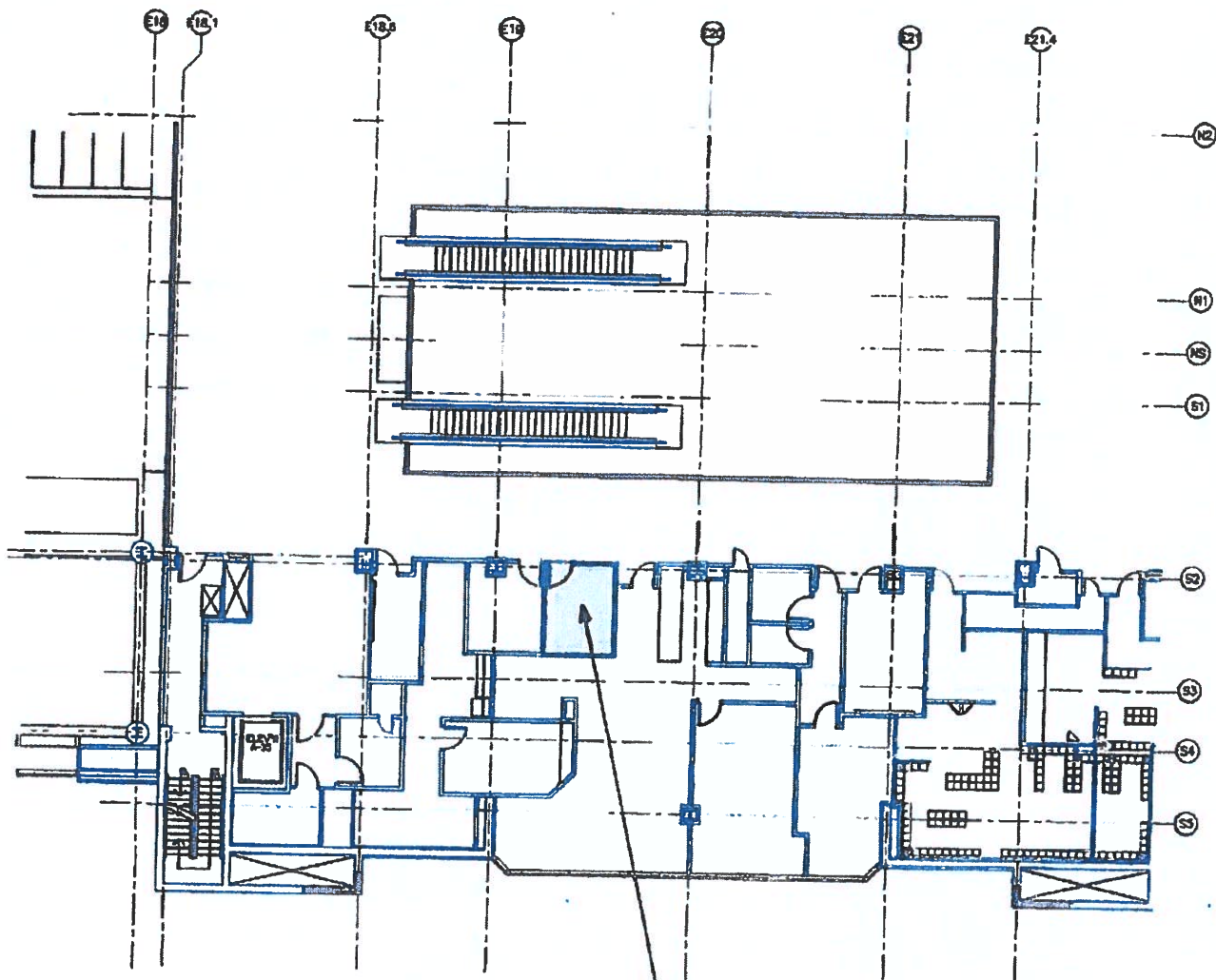
NOTE: This exhibit depicts only square footage of leased area based upon planning data and is not intended to address construction details.

- CONC. WALL (BY CITY)
- STRUCTURED WALL (BY CITY)
- GLASS WALL (BY CITY)
- TRANS. LOOSE LINE
- COLUMNS
- NIC = Not Included
(In Lease or City Pl. Data)

REVISED	DENVER INTERNATIONAL AIRPORT
EXHIBIT D	
Concourse A Conc. Level	
Frontier Airlines	
CC#: 101	DATE: 8/31/07

R17-2-3-15-123

Effective July 1, 2015 to End of Term



Frontier Airlines, Inc.
R17-2-4-E19-S3-1
117.9 sq. ft.



NIC = Not Included
(In Locs or Sq. Ft. Col.)



SCALE 1" = 20.00'



NOTE:

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.

David Mashe
Director of Facilities Services



KEY PLAN CONCOURSE A



REVISÉD

DENVER INTERNATIONAL AIRPORT

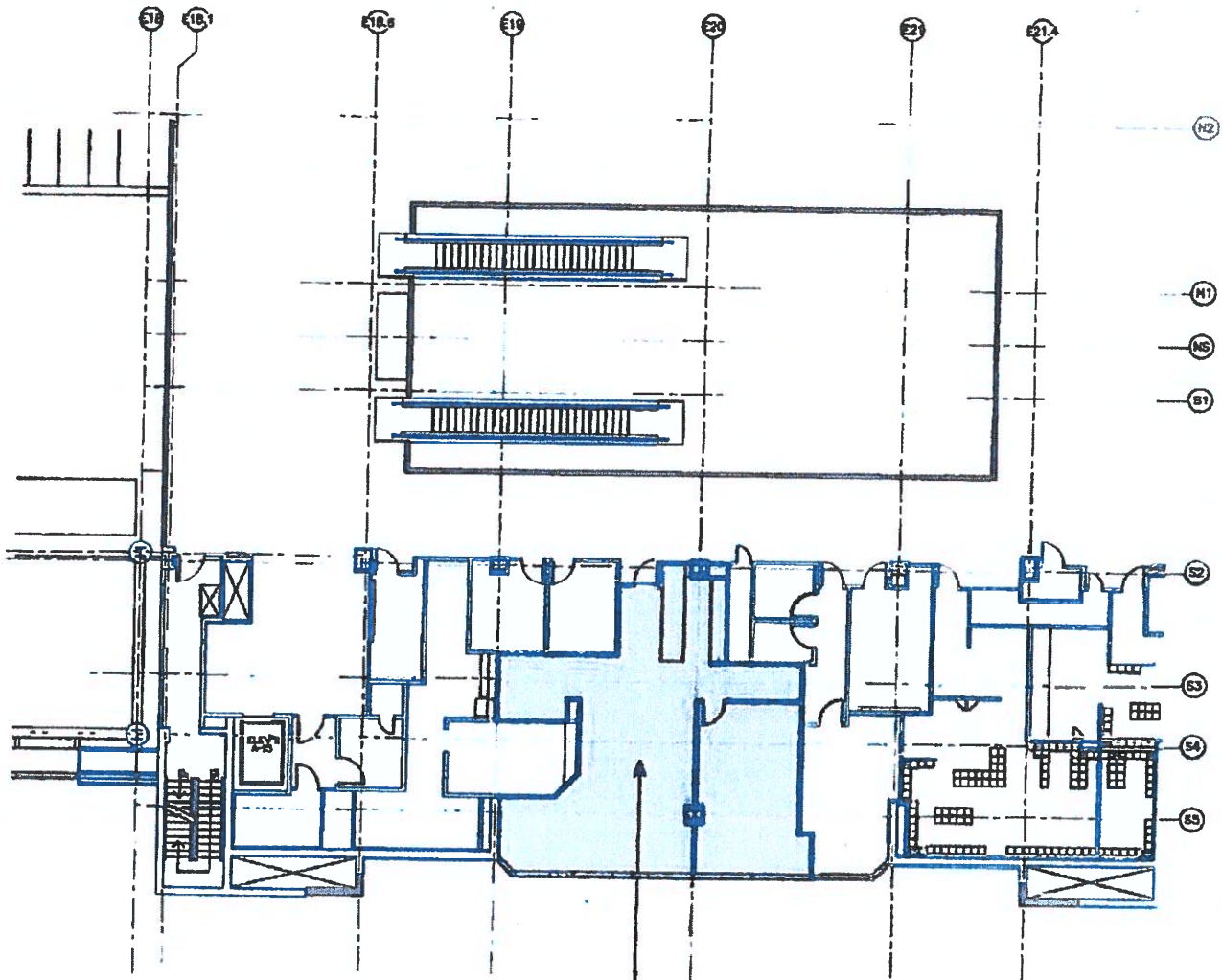
EXHIBIT D
Concourse A Mezz Level 4
Frontier Airlines, Inc.

CC: fol

DATE: 06/01/15

R17-2-4-15-118

Effective July 1, 2015 to End of Term



Frontier Airlines, Inc.
R17-2-4-E18-S5-1
1253.8 sq. ft.

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



SCALE 1" = 20.00'



NOTE:

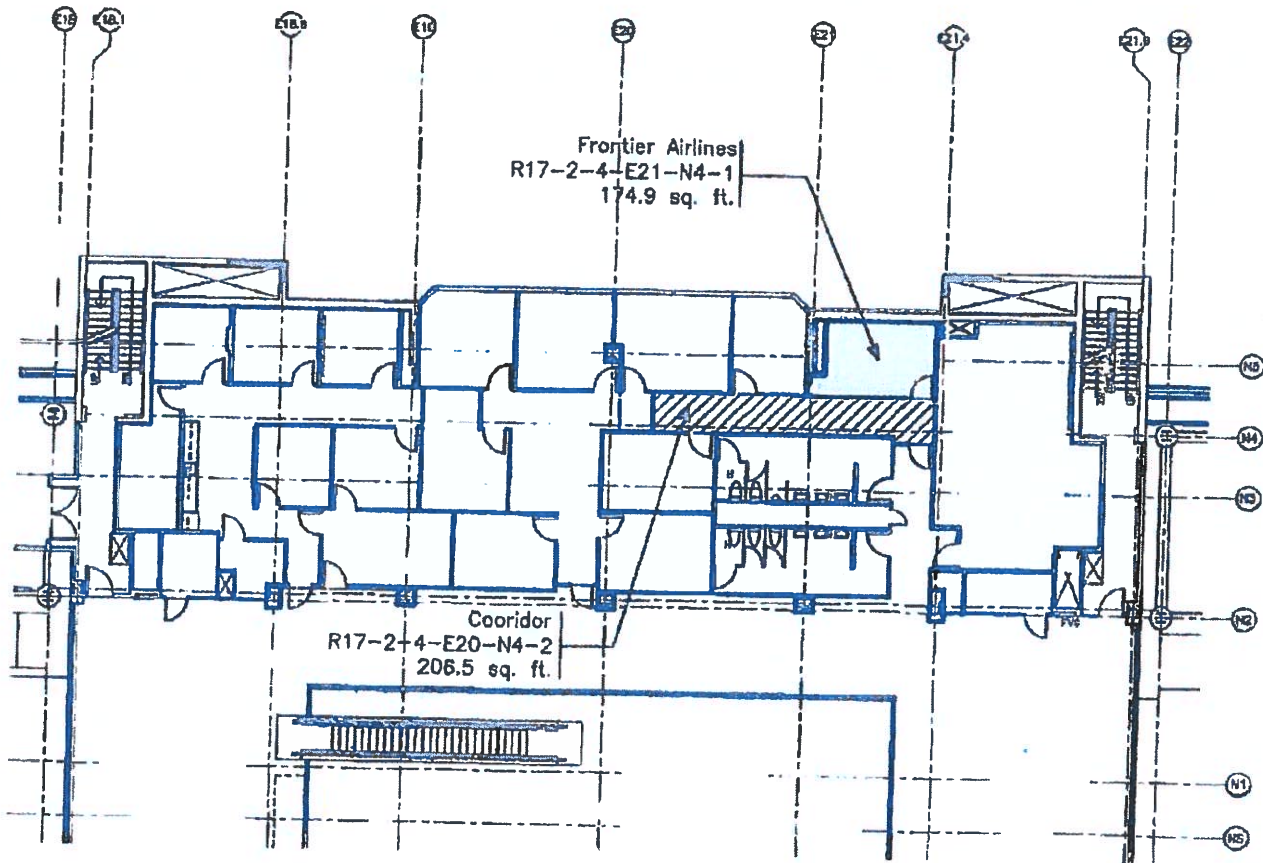
This exhibit depicts only approximate dimensions and square footage of leased area based upon planning data and is not intended to show dimensions for construction details.

David Washburn
Director of Facilities Services

 KEY PLAN CONCOURSE A		REVISED	DENVER INTERNATIONAL AIRPORT
		EXHIBIT D Concourse A Mezz Level 4 Frontier Airlines, Inc.	
		CC#: fal	DATE: 06/01/15

R17-2-4-15-120

Effective July 1, 2015 to End of Term



Frontier's share of corridor: 36.9% or 76.2 sq. ft.

CONC. WALL (BY CITY)
 STUCCO/STUCCO WALL (BY CITY)
 GLASS WALL (BY CITY)
 TIGHT LEASE LINE
 (M) COURAGE
 NIC = Not Included
 (In Lease or Sq. Ft. Calc.)



SCALE 1" = 20.00'



NOTE:

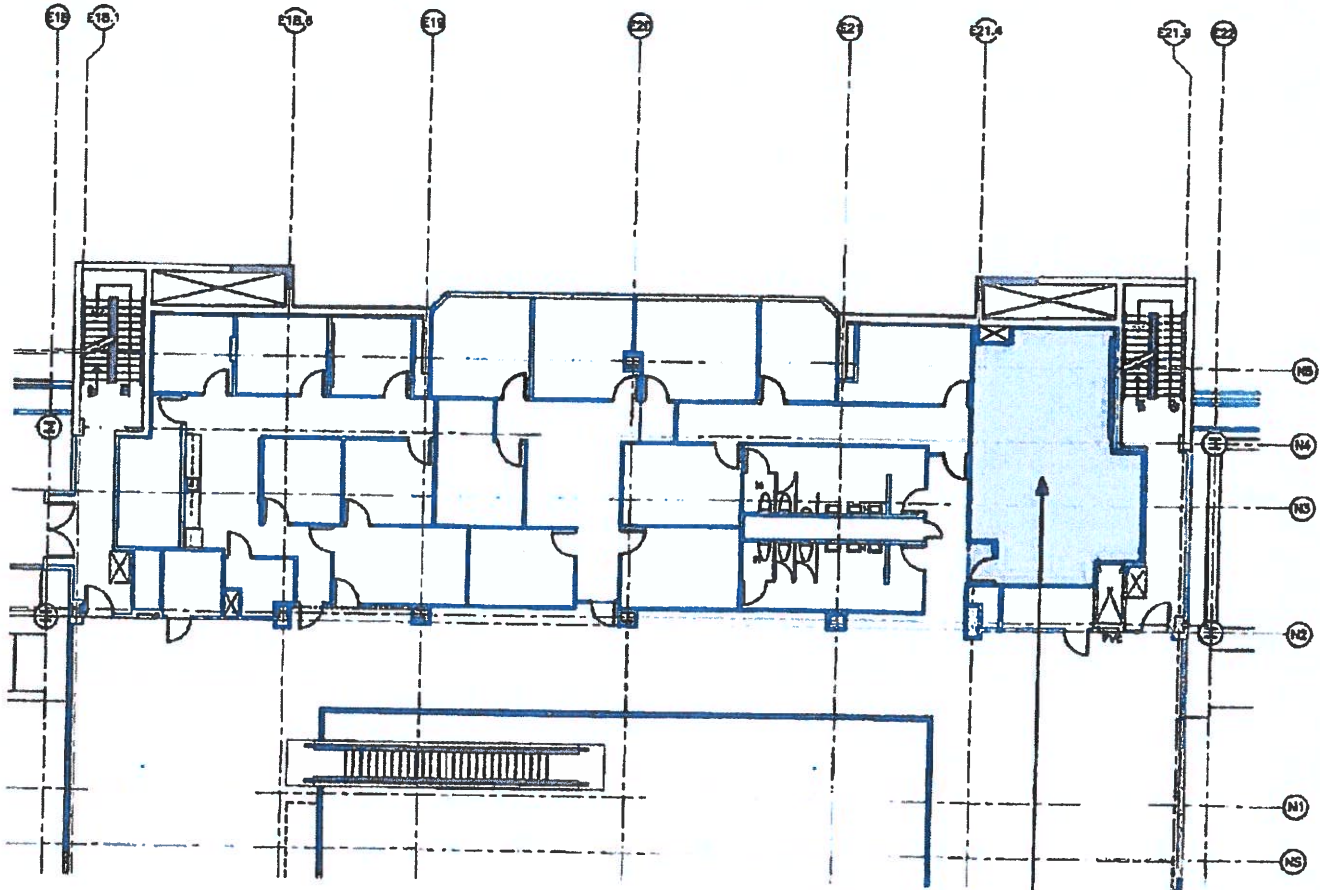
This exhibit depicts only approximate dimensions and square footage of leased area based upon planning data and is not intended to show dimensions for construction details.

David Washle
 Director of Facilities Services

<p>KEY PLAN CONCOURSE A</p>		REVISED	DENVER INTERNATIONAL AIRPORT
		EXHIBIT D Concourse A Mezz. Level Frontier Airlines	
		CC#: tal	DATE: 06/01/15

R17-2-4-15-30

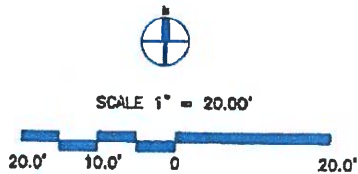
Effective July 1, 2015 to End of Term



Frontier Airlines
R17-2-4-E21-N2-2
658.0 sq. ft.

CONC. WALL (BY CITY)
STUD/GYPSUM WALL (BY CITY)
GLASS WALL (BY CITY)
TOWARD LEASE LINE

(H) (S) COLUMNS
NIC = Not Included
(In Lease or Sq. Ft. Calc.)



NOTE:

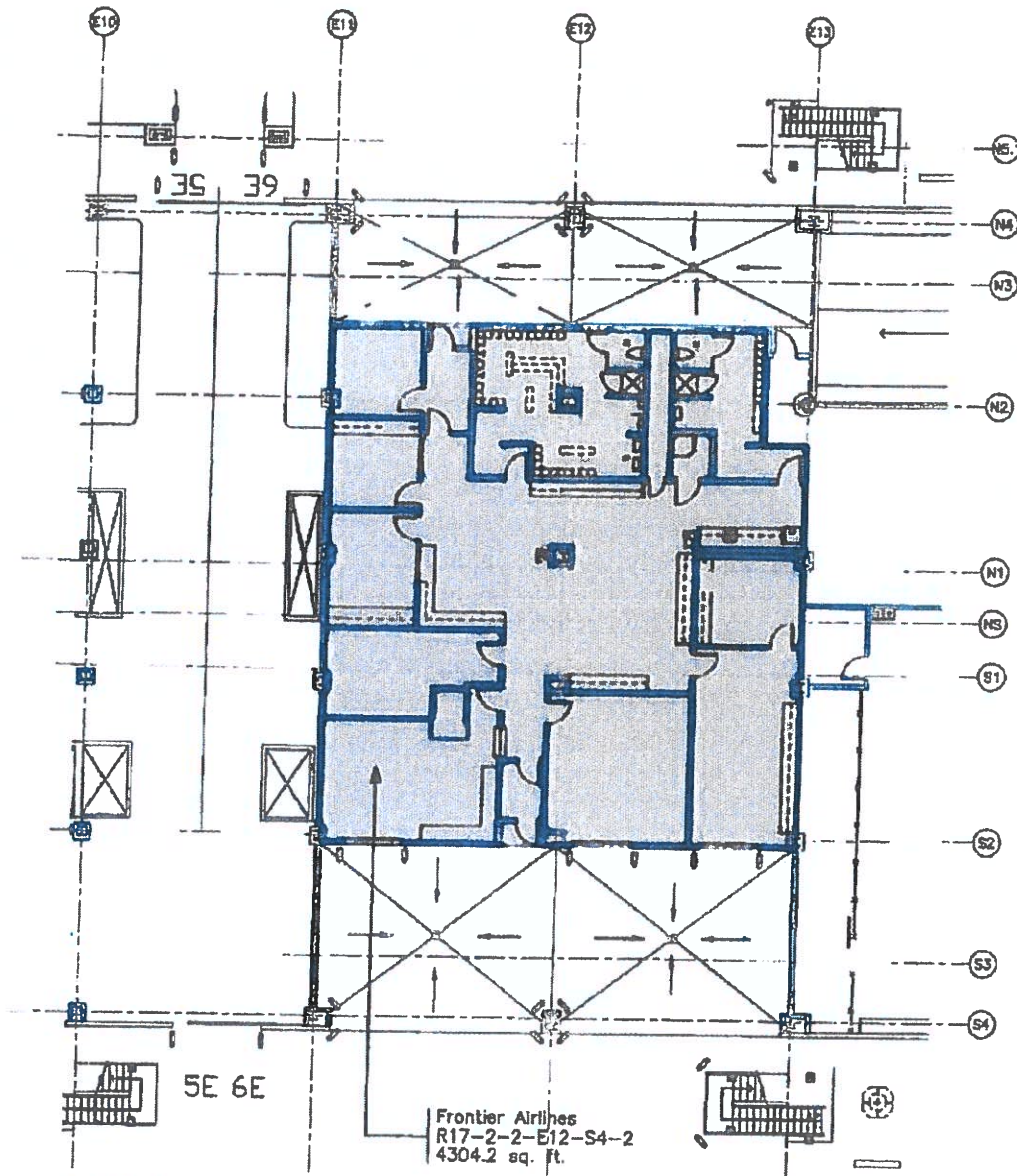
This exhibit depicts only approximate dimensions and square footage of leased area based upon planning data and is not intended to show dimensions for construction details.

David Washburn
Director of Facilities Services

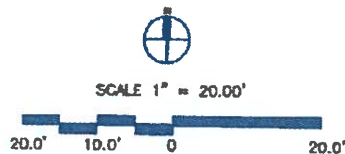
 KEY PLAN CONCOURSE A			REVISED
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R17-2-4-15-29

Effective July 1, 2015 to End of Term



CONC. WALL (BY CITY)
 STUO/TRIPLEX WALL (BY CITY)
 GLASS WALL (BY CITY)
 TENANT LEASE LINE
 (H) (I) COLUMNS
 NIC = Not Included
 (In Lease or Sq. Ft. Calc.)



NOTE:

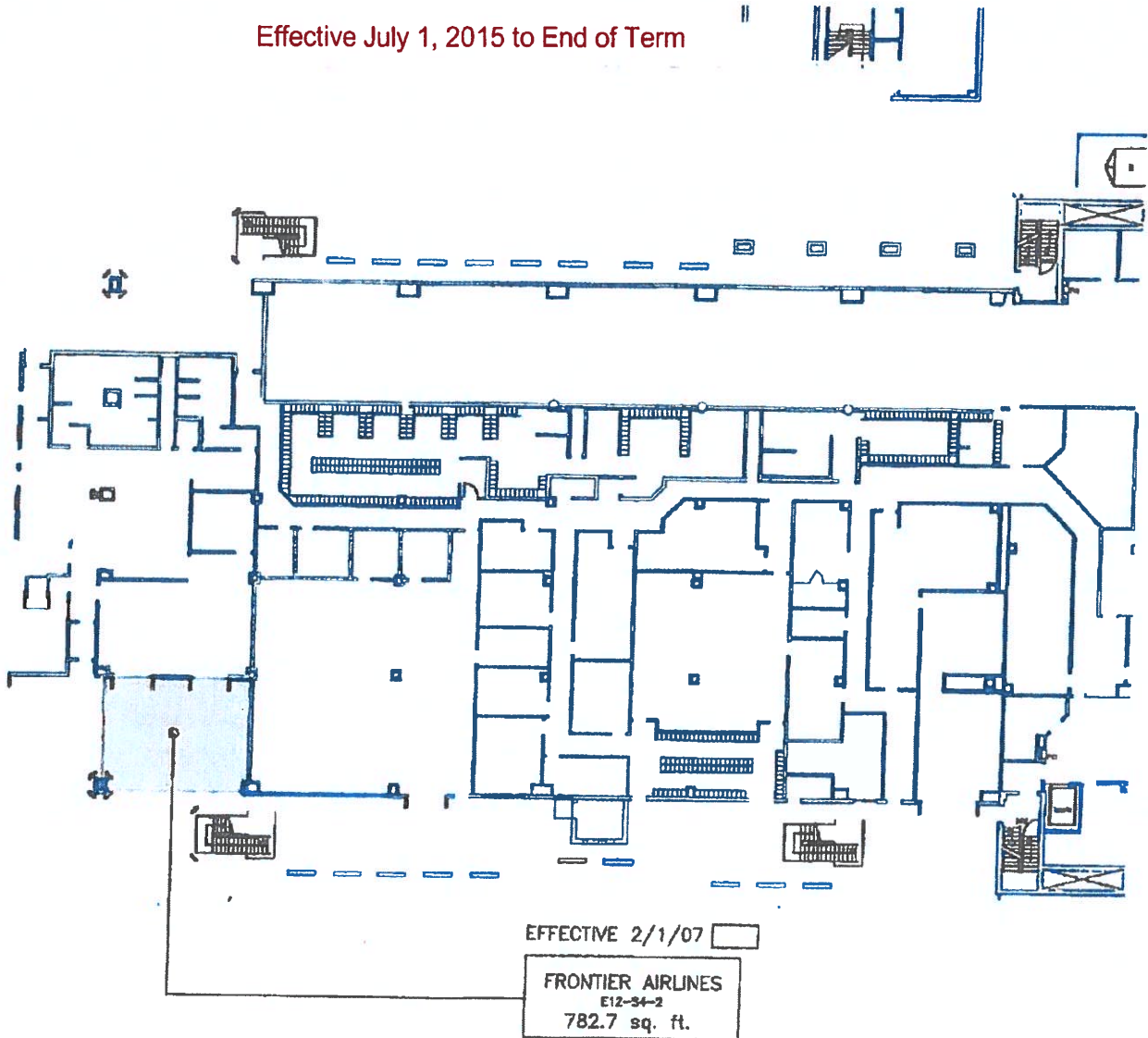
This exhibit depicts only approximate dimensions and square footage of leased area based upon planning data and is not intended to show dimensions for construction details.

Daniel Mascher
 Director of Facilities Services

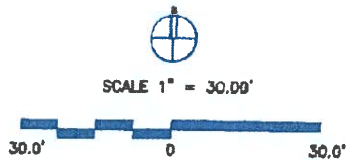
 KEY PLAN CONCOURSE A		REVISED	DENVER INTERNATIONAL AIRPORT	
		EXHIBIT D		
		Concourse A Apron Level Frontier Airlines		
CC#: fal		DATE: 05/18/15		

R17-2-2-15-165

Effective July 1, 2015 to End of Term



CONC. WALL (BY CITY)
 PLASTER/PAINT WALL (BY CITY)
 FLOOR AREA (BY CITY)
 SECURITY LOCKER LINE
 (X) COLUMNS
 NUC = Not Included
 (In Section or City Pl. Code)



Richard 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 Concourse A Apron Level FRONTIER AIRLINES	
		CC#: FAL	DATE: 1/30/07

R17-2-2-15-137

Frontier Airlines
R17-2-2-E2-S7-1
420.6 sq. ft.

Frontier Airlines
R17-2-2-E2-S7-1
420.6 sq. ft.

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.

CONC. BELL (NY CITY)
 STUBBINS BELL (NY CITY)
 GLASS BELL (NY CITY)
 THOMAS LOWME LANE
 COLLEGE
 (M)

NIC = Not Included
 (In terms of the FL class.)

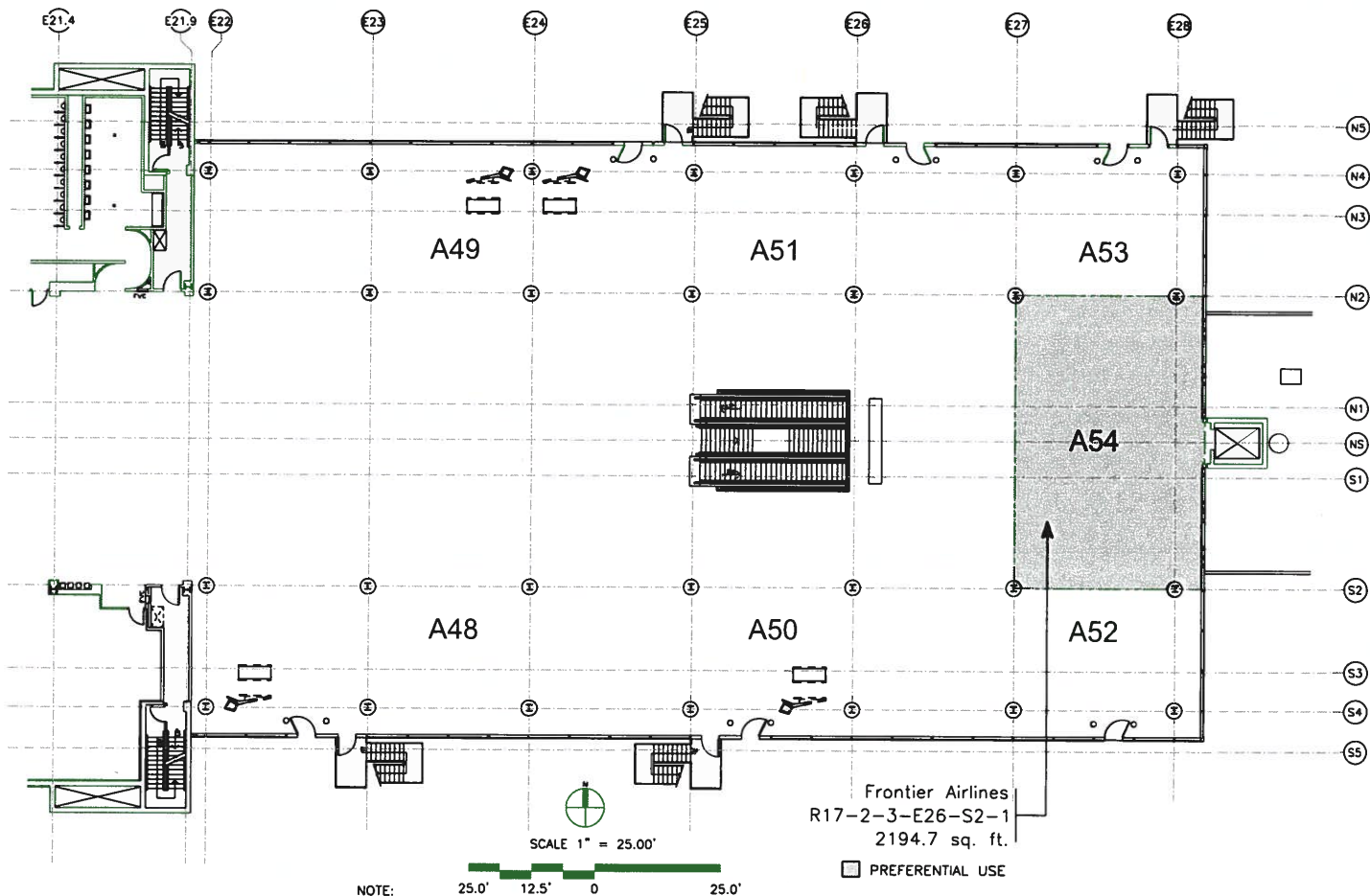


KEY PLAN CONCOURSE A

REVISÉ

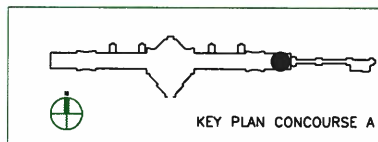
CC#: 1al	DATE: 5/02/07
EXHIBIT D. FRONTIER AIRLINES CONCOURSE A - APRON LEVEL	
DENVER INTERNATIONAL AIRPORT	

R17-2-2-15-78



NOTE: 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.

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



REVISED

DEN Property Management

DENVER INTERNATIONAL AIRPORT

EXHIBIT D
 Concourse A Conc. Level
 Frontier Airlines

CC#: fal

DATE: 04/05/19

R17-2-3-15-125