

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 **JETBLUE AIRWAYS CORPORATION**, a corporation organized and existing under and by virtue of the laws of the State of Delaware, 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 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-201206562-02

Contractor Name: JetBlue Airways Corporation

By: *Lisa Reifer*

Name: Lisa Reifer
(please print)

Title: VP Infrastructure, Properties + Development
(please print)

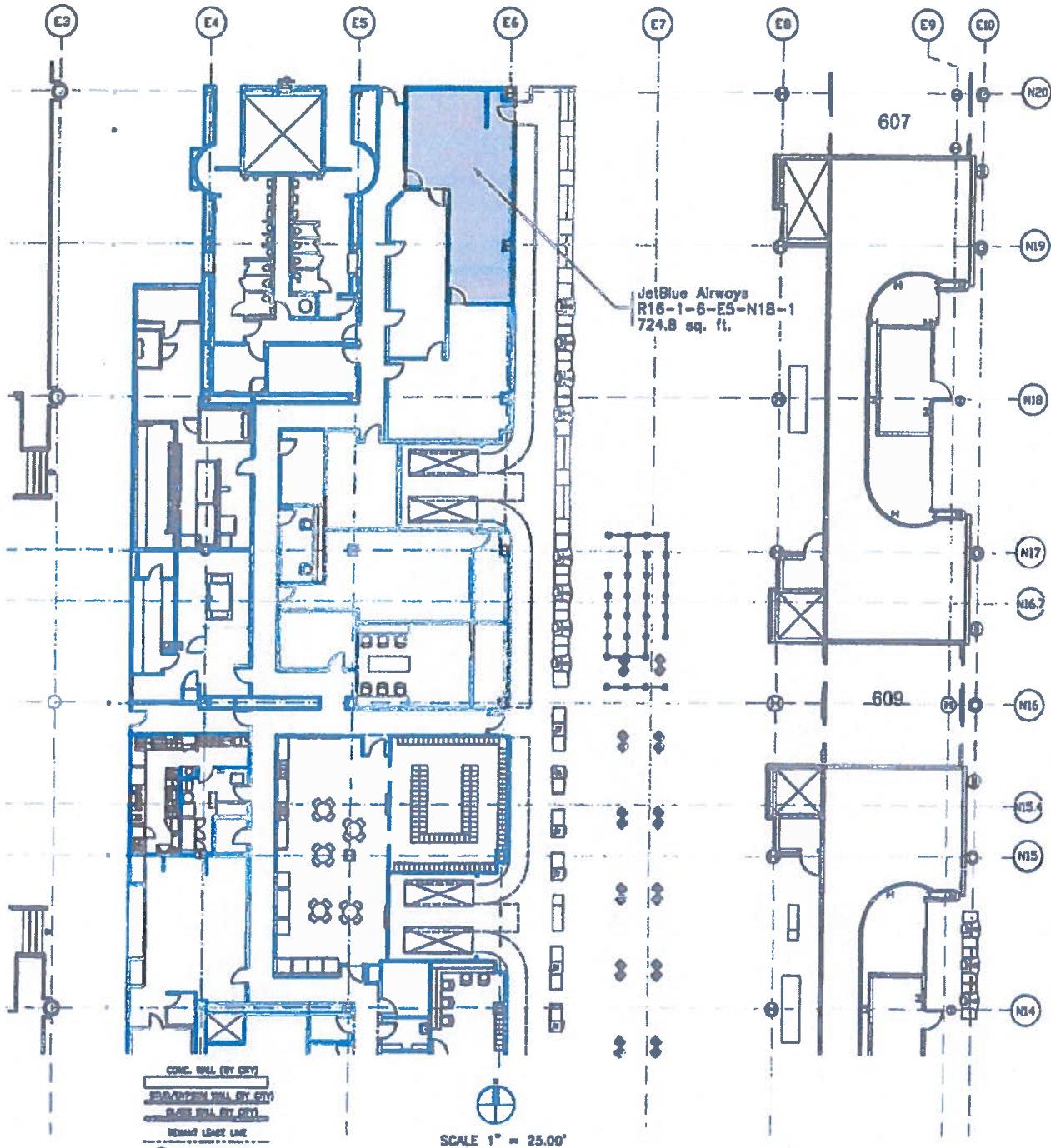
ATTEST: [if required]

By: _____

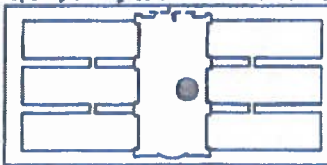
Name: _____
(please print)

Title: _____
(please print)





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.



KEY PLAN
 TERMINAL AREA

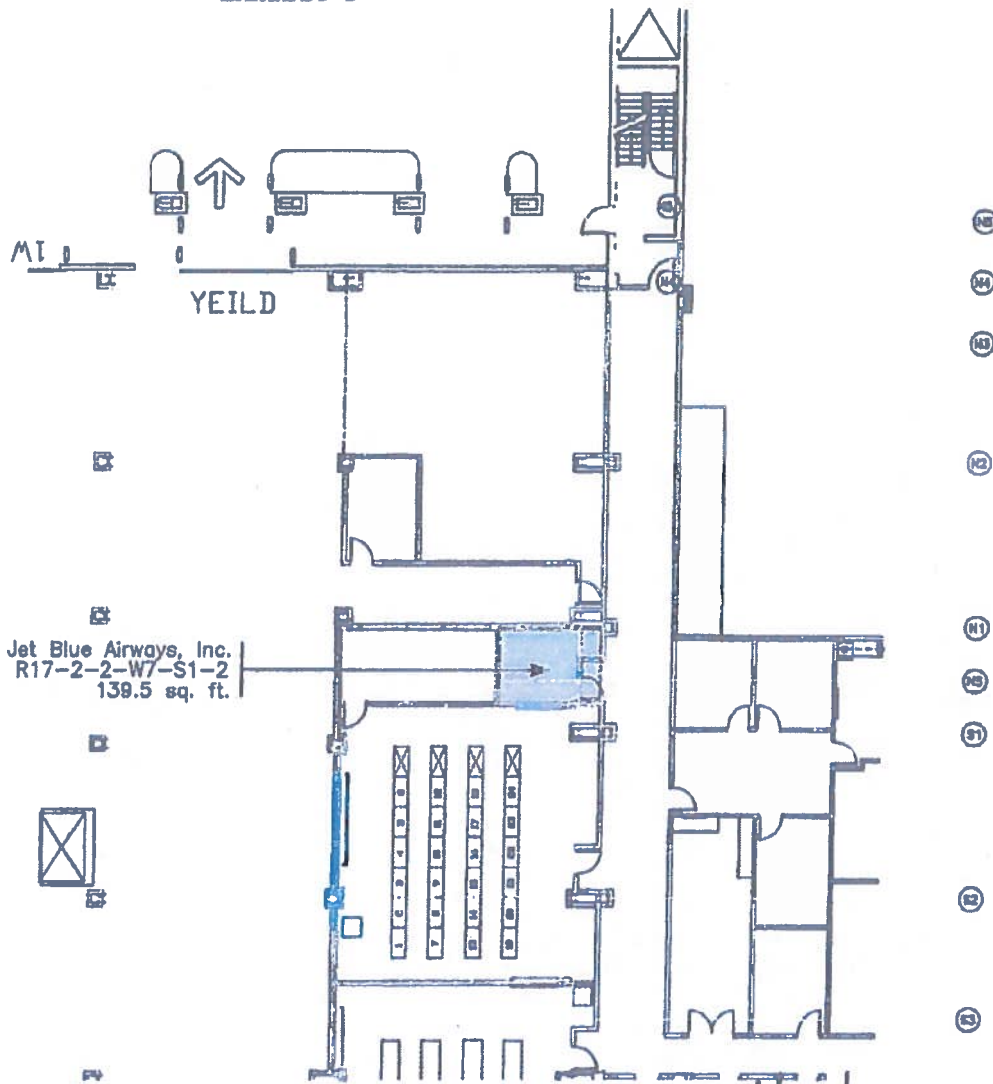


REVISED

DEN Property Management	
DENVER INTERNATIONAL AIRPORT	
EXHIBIT D	
Terminal Level 6	
JetBlue Airways	
CC#: jetb	DATE: 07/12/16

R16-1-6-15-157

Exhibit D



Jet Blue Airways, Inc.
R17-2-2-W7-S1-2
139.5 sq. ft.

WALL
 WINDOW
 DOOR
 STAIR
 ELEVATOR
 MECHANICAL
 PLUMBING
 ELECTRICAL
 FURNITURE
 SIGNAGE
 OTHER

SCALE 1" = 20.00'



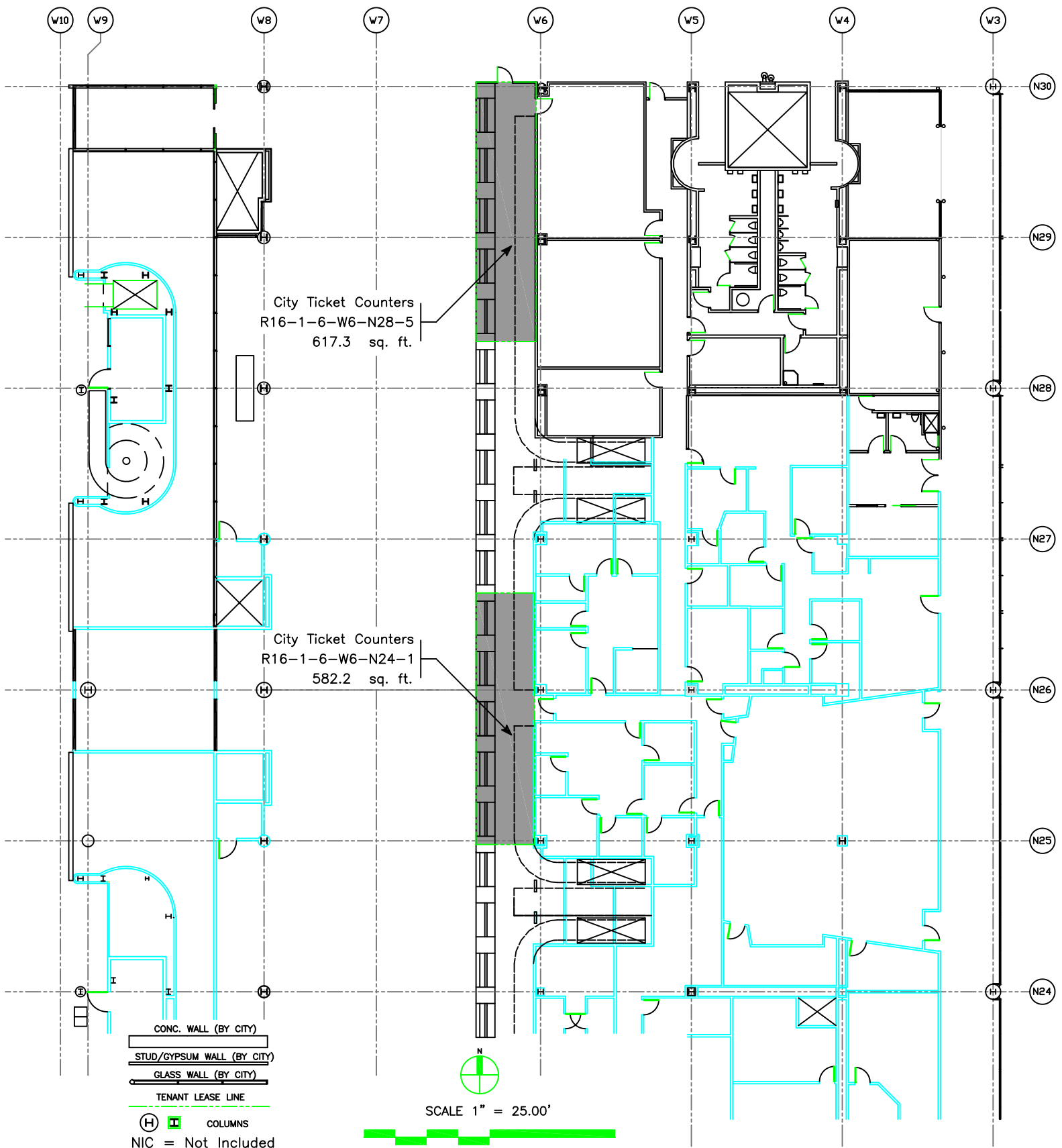
Ronald Horn
MANAGER OF DESIGN

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



REVISED
12/10/09

DENVER INTERNATIONAL AIRPORT
EXHIBIT D
Concourse A Apron Level
Jet Blue Airways, Inc.
CC#: Jetb DATE: 1/31/06



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 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