

March 24, 2021

WHEREAS, MLT Development Co. currently leases approximately 124,122 square feet (2.85 acres) of land at Dallas Love Field under that certain Ground Lease (the “EDS Lease”) approved on September 22, 1993, by Resolution No. 93-3453; and

WHEREAS, the City and MLT Development Co. entered into the First Amendment to the EDS Lease approved on February 13, 2002, by Resolution No. 02-0626; and

WHEREAS, the City and MLT Development Co. also entered into a lease for approximately 61,149 square feet of land with an existing fuel farm facility under that certain Lease of Land and Facilities at Dallas Love Field (the “Shorecrest Lease”) approved on February 20, 1980, by Resolution No. 80-0640; and

WHEREAS, the Shorecrest Lease has expired by its terms and has been held over on a month-to-month basis; and

WHEREAS, the City and MLT Development Co. desire to enter a second amendment to the EDS Lease to add the approximately 61,149 square feet of land and improvements under the Shorecrest Lease and add an additional thirty-four years to the primary term in consideration for the City’s right of first offer to purchase any portion or all of approximately 175,569 square feet (4.03 acres) privately-owned property adjacent to the leasehold when it is made available for sale by the property owner.

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute the Second Amendment to the EDS Lease between the City of Dallas and MLT Development Co., approved as to form by the City Attorney.

SECTION 2. That the Second Amendment evidences the following terms and conditions:

- a. The primary term of the lease shall be extended by an additional thirty-four years and expire on May 13, 2059, subject to the existing options to extend the lease.
- b. The month-to-month Shorecrest Lease shall be terminated and the approximately 61,149 square feet (1.40 acres) of land and improvements shall be added into the EDS Lease.
- c. City shall have a right of first offer to purchase any portion or all of approximately 175,569 square feet (4.03 acres) privately-owned property adjacent to the leasehold when it is made available for sale by the property owner.

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SECTION 3. That the Chief Financial Officer is hereby authorized to deposit all revenues received under the Lease to - Aviation Operating Fund, Fund 0130, Department AVI, Unit 7722, Revenue Code 7707.

SECTION 4. That this Second Amendment is designated as Contract No. AVI-2021-00015891.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.