

ENROLLED ORDINANCE 159-56

APPROVE SECOND AMENDMENT TO FIXED BASE OPERATOR AGREEMENT
BETWEEN WAUKESHA COUNTY AND WAUKESHA FLYING SERVICES, INC.

WHEREAS Waukesha County and Waukesha Flying Services are parties to the Fixed Base Operator (FBO) Lease and Operating Agreement by which Waukesha Flying Services leases certain lands at the Waukesha County Airport, including one hundred eighteen thousand three hundred ninety nine (118,399) square feet of the west tie-down area of the terminal aircraft parking ramp exclusively, and

WHEREAS Waukesha Flying Services has negotiated a lease as Waukesha Jet Center, LLC. to construct a one hundred fifty foot by one hundred fifty foot hangar for the primary purpose of aircraft storage in the west tie-down area of the terminal aircraft parking ramp, and

WHEREAS the FBO Lease and Operating Agreement provides the County the unilateral right to adjust the leased square footage in the west tie down area of the terminal aircraft parking ramp for the purpose of providing exclusive use aircraft parking ramp space for tenants desiring to construct hangars in this area, and

WHEREAS this new hangar will have 69,740 square feet of the west tie-down area of terminal aircraft parking ramp included in the land lease with Waukesha Jet Center, LLC for their exclusive use, and

WHEREAS the FBO Lease and Operating Agreement includes language regarding Quonset huts as managed premises which are referenced as 507 and 509 Bluemound Road in Article 5 of the Lease, and

WHEREAS those structures have been removed and are no longer managed by Waukesha Flying Services.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that subsequent to the execution of the land lease with Waukesha Jet Center, LLC., the Airport Manager is authorized to execute an amendment to the Fixed Base Operator (FBO) Lease and Operating Agreement, after review and approved by the Corporation Counsel, which provides for the reduction of 69,740 square feet of the west tie-down area of terminal aircraft parking ramp from 118,399 square feet to 48,659 square feet.

BE IT FURTHER ORDAINED that the planned amendment to the FBO Lease and Operating Agreement shall also include the removal of language regarding the Quonset huts from Article 5, Managed Premises, of the Lease.

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BETWEEN WAUKESHA COUNTY AND WAUKESHA FLYING SERVICES, INC.

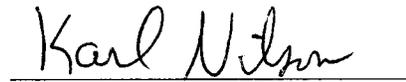
Presented by:
Public Works Committee

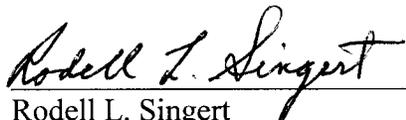

Richard L. Manke, Chair


James R. Behrend


Hank Carlson

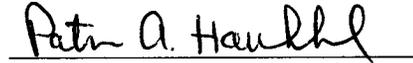

Peter Gundrum


Karl Nilson

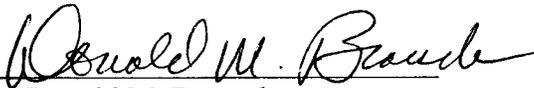

Rodell L. Singert


David W. Swan

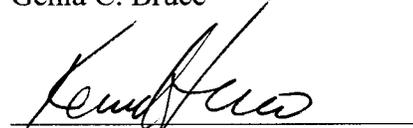
Approved by:
Finance Committee


Patricia A. Haukohl, Chair


James R. Behrend


Donald M. Broesch


Genia C. Bruce


Kenneth C. Herro


Joe C. Marchese

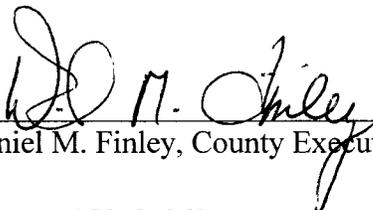

Bonnie J. Morris

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 10-29-04, 
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved:
Vetoed:

Date: 11-1-04, 
Daniel M. Finley, County Executive

**SECOND AMENDMENT TO THE
FBO LEASE AND OPERATING AGREEMENT**

Waukesha County, Wisconsin, (the "County") and Waukesha Flying Services, Inc. (the "Lessee") are parties to an FBO Lease and Operating Agreement (the "Agreement") that was entered on November 1, 1998, and that has once been previously amended.

The County and the Lessee have negotiated this second amendment to the Agreement, which is set forth as follows.

1. The amount of square feet leased to the Lessee in the "West Tie-Down Area of the New Terminal Building Aircraft Parking Ramp," as described in paragraph 5 of Article 3, is reduced from 118,399 square feet to 48,659 square feet.

2. The amount of square feet referred to in paragraph 5 of Article 4 is changed from 118,399 square feet to 48,659 square feet.

3. Items A and B, the Quonset hut hangars, are deleted from Article 5.

WAUKESHA COUNTY

WAUKESHA FLYING SERVICES, INC.

By: _____
Keith Markano
Airport Manager

By: _____
John W. Lotzer
President

Date: _____

Date: _____

159-0-063

2.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-10/26/04

(ORD) NUMBER-1590063

1 K. HERRO.....AYE
 3 D. STAMSTA.....AYE
 5 J. MARCHESE.....AYE
 7 J. JESKEWITZ.....AYE
 9 P. HAUKOHL.....AYE
 11 K. HARENDA.....AYE
 13 J. MORRIS.....AYE
 15 D. SWAN.....AYE
 17 J. BEHREND.....AYE
 19 W. MITCHELL.....AYE
 21 W. KOLB.....AYE
 23 J. TORTOMAST.....AYE
 25 K. CUMMINGS.....AYE
 27 D. PAULSON.....AYE
 29 T. BULLERMANN.....
 31 V. STROUD.....AYE
 33 D. PAVELKO.....AYE
 35 C. SEITZ.....AYE

2 R. THELEN.....AYE
 4 H. CARLSON.....AYE
 6 D. BRODSCH.....AYE
 8 J. DWYER.....AYE
 10 S. WOLFF.....AYE
 12 J. GRIFFIN.....AYE
 14 A. KALLIN.....NAY
 16 P. MANKE.....AYE
 18 B. MORRIS.....AYE
 20 M. KIPP.....
 22 G. BRUCE.....AYE
 24 B. KRAMER.....AYE
 26 S. KLEIN.....AYE
 28 P. JASKE.....AYE
 30 K. NILSON.....
 32 P. GUNDRUM.....
 34 R. SINGERT.....AYE

TOTAL AYES-30

TOTAL NAYS-01

CARRIED X

DEFERRED _____

UNANIMOUS _____

TOTAL VOTES-31