

City of Atlanta  
Department of Aviation  
Hartsfield-Jackson Atlanta International Airport

**US AIRWAYS, INC.**

**AMENDMENT NO. 17**

TO THE

**AGREEMENT AND LEASE – CENTRAL PASSENGER TERMINAL COMPLEX**

GEORGIA.....FULTON COUNTY

THIS AMENDMENT 17 (“**Amendment 17**”), is made and entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 by and between the **CITY OF ATLANTA**, a municipal corporation of the State of Georgia, (the “**City**”) and **US AIRWAYS, Inc.**, a corporation organized and existing under the laws of the State of Delaware (“**Airline**”).

**W I T N E S S E T H**

WHEREAS, the City owns and operates the Hartsfield-Jackson Atlanta International Airport (“Airport”), located in the Counties of Fulton and Clayton, Georgia, on which there exists certain terminal and concourse buildings and related facilities for the use of airlines engaged in the transportation of persons and property by scheduled and unscheduled aircraft service, such buildings and facilities being hereinafter referred to as the Central Passenger Terminal Complex or the “CPTC”; and

**WHEREAS**, the City and Airline entered into an Agreement and Lease - Central Passenger Terminal Complex, dated March 1, 1986, and various supplemental agreements and amendments thereto (hereinafter collectively referred to as the “**CPTC Lease**”), including that certain Agreement to Amend and Extend CPTC Leases, Use Agreements and Certain Other Space Use Agreements entered into by Airline and the City, effective as of September 20, 2010 (the “**Extension Agreement**”).

WHEREAS, the City and the Airline, now desire to amend said CPTC Lease in order to delete certain boarding level premises on Concourse D from the leased Premises; and

WHEREAS, the execution of this Amendment No. 17 on the part of the City has been authorized by the Council of the City by Resolution No. XXXXX, adopted on XXXXX, and approved on XXXX; in the form and manner of that copy of same attached hereto as Appendix I and made a part hereof by reference.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL TERMS AND CONDITIONS hereinafter set forth, the parties hereto do hereby agree that the said CPTC Lease shall stand amended further, as follows:

-1-

**Released Premises**

Effective as of XXXXX (“**Effective Date**”) the term “Exclusive Leased Premises” shall be and is hereby modified by DELETING there from approximately 8,442 square feet on the Ticketing Level of the North Terminal and 1,627 square feet on the Apron Level of Concourse D (“**Released Space**”), as more particularly delineated on Exhibit “A” attached hereto and made a part hereof by reference. As of the Effective Date, Airline shall, and hereby does, relinquish, release, permanently surrender and transfer back to the City all of its rights and interest in the Released Space.

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**Leased Premises**

Effective as of XXXXX (“**Effective Date**”) the term “Exclusive Leased Premises” shall be and is hereby modified by ADDING there from approximately 5,434 square feet on the Ticketing Level and Apron Level of the North Terminal (“**Leased Space**”), as more particularly delineated on Exhibit “B” attached hereto and made a part hereof by reference.

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**Rental & Charges**

All Rentals and Charges associated with the Released Space shall cease on the effective date of this Amendment. All Rentals and Charges associated with the Leased Space shall commence on the effective date of this Amendment

**EXCEPT AS HEREINABOVE MODIFIED OR AMENDED**, all of the terms and conditions of said CPTC Lease, as heretofore amended, shall be and continue in full force and effect.

(Signatures on following page)

**IN WITNESS WHEREOF**, the parties hereto have caused these presents to be executed by their duly authorized officials or officers, the signatures to be attested, and their respective seals to be hereunto affixed, as of the day and year first above written.

ATTEST: **US AIRWAYS, INC.** (Seal)

\_\_\_\_\_  
Corporate Secretary

\_\_\_\_\_  
Title:

ATTEST: **CITY OF ATLANTA** (Seal)

\_\_\_\_\_  
Municipal Clerk

By \_\_\_\_\_  
Mayor

APPROVED:

APPROVED:

\_\_\_\_\_  
Aviation General Manager

\_\_\_\_\_  
Chief Procurement Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
Senior Assistant City Attorney