

CITY COUNCIL AGENDA: December 16, 2014

SUBJECT: ASSIGNMENT OF AIRPORT LEASE – LOT 38

SOURCE: Finance Department

COMMENT: Raymond Broad, Manager of Lighten Up Aviation LLC, current leaseholder of Lot No. 38 at the Porterville Municipal Airport is requesting the transfer of the lease to Raymond Broad and Dernie Waikiki. The current lease is in the name Lighten Up Aviation LLC. Effective December 25, 2014, the business is being dissolved. Raymond Broad and Dernie Waikiki are requesting Council authorization to assume the existing lease between the City of Porterville and Lighten Up Aviation LLC, which is expiring on June 30, 2015.

RECOMMENDATION: That City Council approve the Assignment of Lease for Lot No. 38 at the Porterville Municipal Airport from Lighten Up Aviation LLC to Raymond Broad and Dernie Waikiki; and authorize the Mayor to sign the Lessor's Consent to Assignment of Lease Agreement on behalf of the City.

Attachments: 1. Locator Map
2. Assignment of Lease
3. Lessor's Consent to Assignment of Lease
4. Letter of Request

Dir. MB Appropriated/Funded MB C/M J

Item No. 8

A I R P O R T L E A S E S I T E S



44A 44B 44C

40	41	42	43
36	37	38	39

SUBJECT LOCATION

35

A	B	C	34	D	E	F
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33

32A	B	C
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31C

31A	31B
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30B

30A1	30A2	30A3
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45

46A-46B-46C

47

48

49A

49B

50

TAXIWAY

TAXIWAY

HANGAR ROAD

HOPE ROAD

THUNDERBOLT DR.

ADMIN.
BLD.

**ASSIGNMENT OF LEASE
PORTERVILLE MUNICIPAL AIRPORT**

THIS AGREEMENT, made this 16th day of December, 2014, by and between Lighten Up Aviation LLC, P.O. Box 336, Strathmore, CA 93267, owner of a hangar on Lot 38 at the Porterville Municipal Airport, as the Assignor, and Raymond Broad and Dernie Waikiki, P.O. Box 336, Strathmore, CA 93267, as the Assignees.

In consideration of the mutual covenants herein contained, each act to be performed hereunder, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Effective December 16, 2014, Assignors hereby assign, transfer and convey to Assignee all of their right, title and interest as Lessee, in, to and under a certain Lease Agreement dated June 20, 2000 (hereinafter "Lease"), executed by and between the City of Porterville, as Lessor, and Barbara Dillard, as original Lessee, and assumed by Lighten Up Aviation on 8/1/11, providing for the letting of certain premises located at the Porterville Municipal Airport, Porterville, California, being more particularly described as follows:

An airport hangar known as No. 38, and containing a total area of approximately 4,200 square feet, and establishing an original Lease terminating June 30, 2015.

2. Effective December 16, 2014, Assignee hereby accepts and assumes all of the obligations, responsibilities and liabilities of Assignors under said Lease, and agrees to perform said Lease Agreement according to its terms, covenants and conditions, without exception, and Assignee understands and agrees that Landlord makes no warranty or representation that either Assignors or Assignee would be given an exclusive use in the Porterville Municipal Airport for the use thereof by Assignors and/or Assignee, except as provided in the Lease.

3. Upon execution of this Assignment of Lease and Landlord's consent hereto, the parties' Noticed Address shall be as set forth herein above.

4. Assignors hereby covenant said Lease as valid and existing and hereby warrant that Assignors are not in default as of the date of this Assignment.

5. This Assignment shall be binding upon and shall inure to the benefit of the respective parties, their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment of Lease as of the date first above written.

ASSIGNOR:

By: Raymond Broad
Raymond Broad, Mgr.
Lighten Up Aviation LLC

ASSIGNEES:

By: Raymond Broad
Raymond Broad

By: Dernie K. Waikiki
Dernie Waikiki

**LESSOR'S CONSENT TO ASSIGNMENT OF LEASE AGREEMENT
PORTERVILLE MUNICIPAL AIRPORT
AIRPORT HANGAR LOT NO. 38**

The City of Porterville, a municipal corporation of the State of California, being the Landlord under the Lease for Airport Hangar Lot No. 38, described in the foregoing Assignment, hereby consents to the foregoing Assignment of Lease upon the expressed condition, however, that there shall be no further assignment without the prior written consent of the Landlord.

Dated this 16th day of December, 2014.

CITY OF PORTERVILLE
"LESSOR"

BY: _____
Milt Stowe
MAYOR, CITY OF PORTERVILLE

ATTEST: _____
John D. Lollis, CITY CLERK

APPROVED AS TO FORM:

BY: _____
Julia Lew, City Attorney

Raymond Broad
PO Box 336
Strathmore, CA 93267

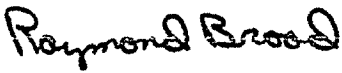
December 3, 2014

City of Porterville
291 N Main St.
Porterville, CA 93257

To whom it may concern:

Please change the name of the owner of the hangar on space 38 from Lighten up Aviation LLC To Raymond Broad and Dernie Waikiki, joint owners. The reason for the change is that the LLC, with only a husband and wife member, is being dissolved effective December 25, 2014.

Please contact us if any further information is needed. 559-972-3285.


Raymond Broad


Dernie Waikiki