

MEMO

TO: Finance Board

FROM: Robert McEwing, Burlington International Airport

DATE: September 20, 2012

SUBJECT: Finance Board Approval Request – Land-VT ANG

The Burlington Airport seeks Finance Board and City Council approval for the following item related to a Lease associated with Airport property:

Authorization to Execute Supplemental Lease Agreement No. 6 Related to Lands leased for use by the Vermont Air National Guard. On June 17, 1974, the City entered into a lease of approximately 278 acres to the United States Government for a term ending June 30, 2023. This lease has been amended 5 times with the addition of additional lands, including the addition of approximately 48.5 acres purchased by the Airport on behalf of the National Guard Bureau under Agreement No. W912LN-06-2-2103 and the reduction of certain lands no longer required by the VT ANG. The net amount of those changes resulted in a total lease area of **280.527** acres with a term ending **June 30, 2048**. Now it has been determined that, as a result of new surveys (and apparently more accurate measurements), the total acreage should be **280.77** acres, an increase of **0.243** acres.

It is requested that authorization be granted to execute the appropriate Supplemental Lease Agreement (No. 6) which will add 0.243 acres to the lease with the United States Government on behalf of the Vermont Air National Guard.

Thank you.

A resolution prepared and reviewed by McNeil, Leddy, and Sheahan is included with this Request.

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**AUTHORIZATION TO EXECUTE
SUPPLEMENTAL AGREEMENT TO
US GOVERNMENT LEASE AT
BURLINGTON INTERNATIONAL AIRPORT**

In the year Two Thousand Twelve.....
Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, the City of Burlington (“City”) owns and operates the Burlington International Airport in South Burlington, Vermont (“Airport”); and

WHEREAS, Airport leases land at the Airport to the United States Government for use by the Vermont Air National Guard (“VTANG”) under Agreement No. DACA51-5-74-480 (“Lease”), the most recent amendment to which extended the Lease to June 30, 2048, for an area consisting of 280.527 acres of land; and

WHEREAS, the VTANG, through survey and recalculation has determined that the area being leased is actually 280.77 acres, an increase of 0.243 acres, and desires that the Lease be amended by SUPPLEMENTAL AGREEMENT NO. 6, LEASE NO. DACA51-74-480 (“Supplemental Agreement No. 6”) to reflect the increase in acreage, with no cost to the VTANG and with no extension of the Lease’s duration; and

WHEREAS, the Interim Director of Aviation deems Supplemental Agreement No. 6 to be in the best interest of the City and public airport purposes,

NOW THEREFORE BE IT RESOLVED, that upon the September 24, 2012 approvals of the Board of Finance and this body, the Mayor of the City of Burlington, Miro Weinberger, be and hereby is authorized to execute Supplemental Agreement No. 6 between the United States Government and the City of Burlington, and such other documents as will be required for the

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**AUTHORIZATION TO EXECUTE
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lawful culmination of that Agreement, all subject to the prior approval of the Chief
Administrative Officer and the City Attorney as necessary.

NAME/PURPOSE OF CONTRACTS:	VANG Supplemental Lease Agreement
ADMINISTRATING DEPARTMENT:	Airport
CONTRACT TERM:	October 1, 2012- June 30, 2048
ANTICIPATED GRANT AMOUNTS:	N/A
SOURCE OF FUNDS:	N/A
FISCAL YEAR:	2013
ACCOUNT NAME:	Terminal Rent
ACCOUNT NUMBER:	35002-44076

200030-62 Resolution –VTANG Supp. Lease #6