

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING:

- A) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A SECOND AMENDMENT TO THE RIGHT OF ENTRY AGREEMENT WITH MARTIN M. EISENBERG, SOLE TRUSTEE OF THE LEVIN FAMILY TRUSTS ESTABLISHED UNDER TRUST AGREEMENT DATED JULY 31, 1984, TO AMEND THE LEASE WITH UPDATED RIGHT OF ENTRY TAXILANE, RIGHT OF ENTRY FEE, MISCELLANEOUS RESPONSIBILITIES OF OPERATOR, SPECIAL REQUIREMENTS/CONDITIONS, MINIMUM STANDARDS, AND ADD LIMITS ON USE OF HANGARS BY OPERATOR AND HANGAR TENANTS; AND**
- B) THE COUNTY EXECUTIVE OFFICER, OR DESIGNEE, TO ACCEPT AND EXECUTE ON BEHALF OF THE COUNTY ANY AND ALL NOTICES, OPTIONS, CONSENTS, APPROVALS, TERMINATIONS, AND DOCUMENTS IN CONNECTION WITH THE RIGHT OF ENTRY AGREEMENT**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, County is owner of the San Carlos Airport, (the "Airport"), owned and maintained by County for use and benefit of the public for servicing aviation needs; and

WHEREAS, Martin M. Eisenberg (Operator) is the owner of the property identified as Assessor's Parcel Number 046-081-550, also known as 655 Skyway Road, in the City San Carlos, which abuts the Airport and is improved with office buildings and aircraft hangars (the "Property"); and

WHEREAS, on March 1, 1969, Operator executed a ground lease with Skyway Holdings, Inc. for the purposes of constructing office buildings and hangars and shortly thereafter, the County entered into a Right of Entry Agreement (the "Skyway

Agreement”) permitting Skyway Holdings, Inc., its tenants, and users access from the Property onto the Airport; and

WHEREAS, on November 30, 2008, both the Operator’s lease agreement with Skyway Holdings, Inc. and the Skyway Agreement expired and in accordance with the Operator’s lease, all improvements made by Skyway Holdings, Inc. reverted to the Operator; and

WHEREAS, on November 30, 2010, the Board executed Resolution No. 071178, which approved a Right of Entry Agreement (Agreement) with Operator permitting Operator, Operator’s tenants and users access from the Property onto the Airport; and

WHEREAS, on September 1, 2015, the Board executed Resolution No. 075700, which approved the First Amendment to Right of Entry Agreement between the County and Operator, which amended the Term, Right of Entry Taxilane, Right of Entry Fee, and modified certain other sections of the Agreement; and

WHEREAS, County and Operator desire to amend the Agreement under the terms and conditions set forth in the Second Amendment to Right of Entry Agreement No. 5329.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of this Board of Supervisors be, and is hereby, authorized and directed to execute said Second Amendment to the Right of Entry Agreement No. 5329 for and on behalf of the County, and the Clerk of this Board shall attest the President’s signature thereto.

IT IS FURTHER DETERMINED AND ORDERED that the County Executive Officer, or designee, is hereby authorized to execute notices, options and documents associated with this Agreement and non-substantive additions, clarifications and amendments to this Agreement.

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