

RESOLUTION NO. .

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

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RESOLUTION AUTHORIZING: A) AN AMENDMENT TO THE RIGHT OF ENTRY AGREEMENT WITH ZELDA LEVIN AND MARTIN M. EISENBERG, CO-TRUSTEES OF THE SYDNEY LEVIN BYPASS TRUST ESTABLISHED UNDER TRUST AGREEMENT DATED JULY 31, 1984, ZELDA LEVIN AND MARTIN M. EISENBERG, CO-TRUSTEES OF THE SYDNEY LEVIN MARITAL TRUST ESTABLISHED UNDER TRUST AGREEMENT DATED JULY 31, 1984 AND ZELDA LEVIN AND MARTIN M. EISENBERG, CO-TRUSTEES OF THE ZELDA LEVIN MARITAL TRUST ESTABLISHED UNDER TRUST AGREEMENT DATED JULY 31, 1984, GRANTING CONTINUED ACCESS TO THE SAN CARLOS AIRPORT FROM THE PROPERTY LOCATED AT 655 SKYWAY ROAD IN THE CITY OF SAN CARLOS, FOR AN INITIAL TERM OF 30 YEARS AND AT A STARTING MONTHLY BASE RIGHT OF ENTRY FEE OF \$0.10 PER RENTABLE SQUARE FOOT OF DEVELOPED AIRCRAFT HANGAR AND FIXED-BASED OPERATOR SPACE; AND B) THE COUNTY MANAGER, OR HIS 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, Zelda Levin and Martin M. Eisenberg ("Operators"), as trustees of three trusts, own the property located at 655 Skyway Road in the City of San Carlos ("Property"), which abuts the west side of the San Carlos Airport ("Airport"), which is owned and operated by the County; and

WHEREAS, since March of 2009, Operators and tenants of Operator's office building and aircraft hangars have accessed the Airport by way of a Right of Entry Agreement ("Agreement") with the County; and

WHEREAS, Operators desire to demolish all existing improvements on the Property and develop up to 96,000 square feet of aircraft hangar and fixed-based operator space; enough to accommodate 32 aircraft; and

WHEREAS, there is a need for additional aircraft hangar space adjacent to the Airport as all aircraft hangars located on the Airport are fully occupied and there is currently a waitlist to lease aircraft hangar space on the Airport; and

WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance an Amendment to the Agreement, reference to which is hereby made for further particulars, whereby the Operators and tenants of the Operators aircraft hangars and fixed-based operator space to be developed will have direct access to the Airport for a term of 30 years and at a starting monthly base Right of Entry Fee of \$0.10 per rentable square foot of aircraft hangar and fixed-based operator space developed, in accordance with the terms and conditions contained in said Amendment to the Agreement; and

WHEREAS, this Board has been presented with an Amendment to the Agreement and has examined and approved same as to both form and content and desires to enter into same.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of the Board of Supervisors be, and is hereby, authorized and directed to execute said Amendment to the Right of Entry Agreement for and on behalf of the

County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

IT IS FURTHER DETERMINED AND ORDERED that the County Manager, or his designee, is hereby authorized to accept or execute on behalf of the County, any and all amendments, options, notices, consents, approvals, terminations, and documents in connection with the Amendment to the Right of Entry Agreement.

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