

RESOLUTION NO. 071178

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

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**RESOLUTION AUTHORIZING THE: 1) PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A RIGHT-OF-ENTRY AGREEMENT WITH SYDNEY LEVIN AND ZELDA LEVIN, TRUSTEES OF THE LEVIN LIVING TRUST DATED JULY 31, 1984, AUTHORIZING ACCESS FOR AIRCRAFT AT THE SAN CARLOS AIRPORT, AT A RATE OF \$75.00 PER MONTH FOR EACH HANGAR AND \$25.00 PER MONTH FOR EACH AIRCRAFT STORED ON A TIEDOWN, FOR A TERM OF FIVE YEARS, WITH ONE OPTION TO EXTEND FOR AN ADDITIONAL FIVE YEARS, AND 2) COUNTY MANAGER OR HIS DESIGNEE TO ACCEPT OR EXECUTE NOTICES, OPTIONS AND DOCUMENTS ASSOCIATED WITH THE AGREEMENT INCLUDING, BUT NOT LIMITED TO, EXTENSION OR TERMINATION OF THE AGREEMENT UNDER THE TERMS SET FORTH THEREIN.
(LEASE NO. 5329)**

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

WHEREAS, Sydney Levin and Zelda Levin, Trustees of the Levin Living Trust dated July 31, 1984 (the "Levins") own property located at 655 Skyway in San Carlos (the "Property"), which Property is adjacent to the San Carlos Airport, and consists of an office building, aircraft hangars and tiedowns for the storage of aircraft, and the Levins lease the hangars and tiedowns to aircraft owners that are not engaged in revenue generating aeronautical activities; and

WHEREAS, since March 2009, the Levins have provided aircraft based on their Property access to the San Carlos Airport via a Right-of-Entry Agreement with County; and

WHEREAS, since December 2009, the Levins have provided access on a month-to-month basis in accordance with the holdover provision of the existing agreement, and the County and Levins wish to enter into a new long-term agreement; and

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WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance a Right-of-Entry Agreement, reference to which is hereby made for further particulars, whereby the County of San Mateo shall permit the Levins to provide aircraft stored on their property access to the San Carlos Airport, at a rate of \$75.00 per month for each hangar and \$25.00 per month for each aircraft stored on a tiedown, for a term of five years, with one option to extend for an additional five years, in accordance with the terms and conditions contained in the Right-of-Entry Agreement; and

WHEREAS, this Board has been presented with the Right-of-Entry 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 this Board of Supervisors be, and is hereby, authorized and directed to execute said 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; and

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 notices, options and documents associated with the Agreement including, but not limited to, extension or termination of the Agreement under the terms set forth therein.

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Regularly passed and adopted this 14th day of December, 2010.

AYES and in favor of said resolution:

Supervisors: MARK CHURCH
CAROLE GROOM
ROSE JACOBS GIBSON
ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors: NONE

Absent Supervisors: NONE

Carole Groom
Vice President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Marie L. Peterson

Marie L. Peterson, Deputy
Clerk of the Board of Supervisors

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