



Legislation Details (With Text)

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In control: Board of County Commissioners

On agenda: 1/12/2021

Final action: 1/12/2021

Title: SIXTH AMENDMENT TO THE COMMERCIAL LEASE WITH TRIUMPH AEROSTRUCTURES, LLC, REMOVING 1.57 ACRES KNOWN AS PARCEL C AT MARTIN COUNTY AIRPORT/WITHAM FIELD

Sponsors:

Indexes:

Code sections:

Attachments: 1. Executed 6th Amendment for 01_12_2021.pdf, 2. Exhibits A-B-C.pdf, 3. Parcel C Triumph.pdf

Date	Ver.	Action By	Action	Result
1/12/2021	1	Board of County Commissioners	approved	Pass

PLACEMENT: Departmental

TITLE:

SIXTH AMENDMENT TO THE COMMERCIAL LEASE WITH TRIUMPH AEROSTRUCTURES, LLC, REMOVING 1.57 ACRES KNOWN AS PARCEL C AT MARTIN COUNTY AIRPORT/WITHAM FIELD

EXECUTIVE SUMMARY:

This is a request for approval of a Sixth Amendment to the lease with Triumph Aerostructures, LLC, a Delaware limited liability company, for a partial turnback of approximately 1.57 acres of property known as Parcel C at Martin County Airport/Witham Field.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Carla T. Segura
Title: Real Property Manager

REQUESTED BY: Triumph Aerostructures, LLC and Martin County Airport/Witham Field.

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

- Amendment prepared by:** Martin County
- Parties to the Agreement:** Martin County (County)
Triumph Aerostructures, LLC (Tenant)

- | | | |
|----|-----------------------------------|--|
| 3. | Purpose of the Document: | Turn back approximately 1.57 acres (Parcel C) |
| 4. | New/Revised Document: | New Amendment to Lease |
| 5. | Duration: | No change in term of lease |
| 6. | Benefits to Martin County: | Comply with FAA aeronautical requirements and add space for a new tenant |
| 7. | Cost to Martin County: | Decrease annual rent based upon pro-rata share of leased property by \$11,700. |

Martin County entered into a lease with Grumman Aircraft Engineering (Grumman) at Martin County Airport/Witham Field in 1950. The lease was amended in 1963 to extend the term. Triumph Aerostructures, LLC (Tenant) became the successor-in-interest to the lease. The lease expires on June 30, 2024.

Originally Tenant leased approximately 63.4 acres, and in 2015, Tenant turned back 17.97 acres to the County as duly approved by the Board.

After the turnback, Tenant retained approximately 35 acres to the north of SE Airport Road, designated for aeronautical use by Federal Aviation Administration (FAA), and about 9 acres of vacant land, designated non-aeronautical use by the FAA for future opportunities that may require separation from Tenant's existing operations for security purposes.

Tenant desires to turnback 1.57 acres of the designated aeronautical use property known as Parcel C. After the turnback, Tenant will lease approximately 43.90 acres of land. A separate agenda item contemporaneous to this one seeks the Board's approval of a Short-Term Lease Agreement of Parcel C between the County and Precision Jet Center, LLC, whose affiliate currently subleases Parcel C from Tenant. Upon the turnback, the sublease terminates. A request for proposal will be prepared and then issued for Parcel C. Upon approval, the turnback and the Short-Term Lease Agreement will commence simultaneously on January 12, 2021. Additionally, Precision Jet would pay the County the amount of \$10,260 for renting Parcel C for six months, offsetting the decrease in rent from Triumph.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine if it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board approve the Sixth Lease Amendment with Triumph Aerostructures, LLC, and

authorize the Chair to execute any and all documents necessary to complete this transaction.

ALTERNATIVE RECOMMENDATIONS

None

FISCAL IMPACT:

RECOMMENDATION

None

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☒ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☐ Resolution
☐ Other:

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