

WHEREAS, Southwest Airlines Co. (Lessee) currently leases approximately 39.28 acres of land at Dallas Love Field from the City of Dallas under that one certain lease referred to as the Maintenance Base Lease dated March 1, 1978; and,

WHEREAS, Lessee has seen a tremendous increase in its operations at Dallas Love Field since the expiration of the Wright Amendment and requires additional land for the construction of new improvements on the leased premises; and,

WHEREAS, under the existing Maintenance Base Lease title to all newly constructed improvements on the leased premises at Love Field shall vest in the City upon completion of construction; and,

WHEREAS, in connection with Lessee's construction of new improvements including an airplane wash bay on the Maintenance Base Lease, Lessee has requested, and the City agrees to accept, the donation of all rights, title and interest in those certain items of tangible personal property and services to be incorporated in or used for the construction of such improvements purchased by Lessee.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the proposed Tenth Amendment to the Southwest Airlines Co. Maintenance Base Lease and the Agreement For Donation and Assignment are hereby approved and the City Manager is authorized to execute, on behalf of the City of Dallas, a Tenth Amendment to the Southwest Airlines Co. Maintenance Base Lease and the Agreement For Donation and Assignment after approval as to form by the City Attorney.

Section 2. That the Tenth Amendment to the Southwest Airlines Co. Maintenance Base Lease evidences, among other things, the following terms and conditions:

- (a) An additional 1.483 acres of land shall be added to the Leased Premises.
- (b) Lessee shall cooperate with the City in the construction and equipping of certain airport improvements including an airplane wash bay on the additional land.

Section 3. That the Agreement For Donation and Assignment between the City of Dallas and Southwest Airlines Co. evidences, among other things, the following terms and conditions:

- (a) In connection with Southwest Airlines Co. construction of the new improvements on the Maintenance Base Lease, Southwest will acquire from third parties certain items of tangible personal property and services (collectively "Purchased Items") to be incorporated in or used for the construction of such improvements, and Southwest will donate and convey to the City, and the City will accept, all rights, title and interest in such Purchased Items.

Section 4. That the Chief Financial Officer is hereby authorized to deposit all revenues received under the Lease to: Aviation Operating Fund 0130; Dept. AVI; Unit 7722; Revenue Source 7814.

Section 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

