

AMENDMENT ONE

CITY OF BILLINGS

AND

LYNCH FLYING SERVICE, INC. DBA EDWARDS JET CENTER

COMMERCIAL AVIATION GROUND LEASE

W I T N E S S E T H

WHEREAS, on May 29, 2001, the City of Billings, Montana, as Lessor, entered into a Commercial Aviation Ground Lease with Lynch Flying Service, Inc., as Lessee, for a 19,500 square foot parcel of land, and

WHEREAS, the Lessee is a Fixed Base Operator (FBO) that operates at Billings Logan International Airport as Lynch Flying Service, Inc. DBA Edwards Jet Center and uses said parcel in its FBO operations for aircraft tie down space, and

WHEREAS, the Lessor will construct a new vehicle access/incursion road on the east portion of the airfield that will cross the parcel of land leased by Lessee, thereby reducing the amount of leased space available to Lessee for aircraft tie down space, and

WHEREAS, the Lessor and Lessee desire to amend the description of the leased premises to reduce the leasehold by deleting that portion of the leasehold that will constitute a portion of the new vehicle access/incursion road, and

WHEREAS, the Lessor also desires to incorporate into the amended description the section reference points in place of the former "D" line reference points.

NOW THEREFORE, Article I, Premises and Privileges, Section A, Description of the Premises, is hereby amended as follows:

ARTICLE I

PREMISES AND PRIVILEGES

A. Description of the Premises. Lessor hereby leases to Lessee and Lessee hereby leases from Lessor that certain parcel of real property, together with improvements (hereinafter called the premises), for its exclusive use, specifically described as follows:

Main Parcel

Commencing at the N E Corner, Section 30, T. 1 N., R. 25 E., P.M.M., Yellowstone County, Montana; thence S 02°55'53" W a distance of 3,397.50 feet to the Point of Beginning; thence S 68°58'04" E a distance of 123.04 feet; thence S 65°27'17" E a distance of 152.50 feet; thence S 24°32'43" W a distance of 65.00 feet; thence N 65°27'17" W a distance of 300.00 feet; thence N 24°32'43" E a distance of 57.40 feet to the Point of Beginning.

Said Parcel containing 19,029.56 square feet.

Parcel is set forth on attached Exhibit A and by this reference made a part hereof.

All other terms and conditions of the original Lease remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hand this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

ATTEST:

CITY OF BILLINGS

BY \_\_\_\_\_  
CITY CLERK

BY \_\_\_\_\_  
MAYOR

APPROVED AS TO FORM

LYNCH FLYING SERVICE, INC. DBA  
EDWARDS JET CENTER

BY \_\_\_\_\_  
CITY ATTORNEY

BY \_\_\_\_\_