

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

249



FROM: Economic Development Agency/Facilities Management

SUBMITTAL DATE:
November 13, 2014

SUBJECT: French Valley Airport-Lease Termination Agreement and Sublease Termination Agreement with French Valley Aviation Inc., District 3/District 3 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify the attached Lease and Sublease Termination Agreement between the County of Riverside and French Valley Aviation Inc., and authorize the Chairman of the Board to execute the Agreements.

BACKGROUND:

Summary

The County entered into a Lease with French Valley Aviation Inc., on July 3, 2012, for the Fixed Based Operator (FBO) hangar facility at the French Valley Airport, consisting of approximately 2.94 acres of improved aircraft ramp space and 20 tie-down spaces, along with a 12,000 gallon Jet A ground fuel storage tank and a self-service fueling station on Leased Premises.

(Continued)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: N/A	Budget Adjustment: No
	For Fiscal Year: 2014/15

C.E.O. RECOMMENDATION:

APPROVE

BY:
Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FORM APPROVED COUNTY COUNSEL
BY: ANITA C. WILLIS
DATE: 11-6-14

Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 3.14 of 7/3/12 | District: 3/3 | Agenda Number:

3-30

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Economic Development Agency/Facilities Management

FORM 11: French Valley Airport-Lease Termination Agreement and Sublease Termination Agreement with French Valley Aviation Inc., District 3/District 3 [\$0]

DATE: November 13, 2014

PAGE: 2 of 2

BACKGROUND:

Summary (Continued)

The County had also entered into a Sublease with French Valley Aviation Inc., on July 3, 2012, consisting of approximately .56 acres of unimproved land, a 16,185 square foot hangar building, landscaping and automobile parking.

The Premises are located at the French Valley Airport, which is located at 37680 Sky Canyon Drive. County and Lessee agree that the Lease Agreement and Sublease Agreement referenced shall be terminated in its entirety effective October 14, 2014.

Lessee agrees to surrender the premises to the County on the Termination Date together with all County owned property including all alterations and improvements made by Lessee which have become a part of the County property.

The Lease and Sublease Termination Agreement shall be contingent upon approval by the Riverside County Board of Supervisors of the new Lease Agreement between Riverside Air Service Inc. and the County of Riverside for the leased premises.

Attachment:

Lease Termination Agreement

Sublease Termination Agreement

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2
3 **LEASE TERMINATION AGREEMENT**

4 **THIS LEASE TERMINATION AGREEMENT** (“Lease Termination Agreement”),
5 dated as of _____, 2014, is entered into by and between the **COUNTY**
6 **OF RIVERSIDE**, a political subdivision of the State of California, (herein “County”), and
7 French Valley Aviation, a California Corporation, (herein “Lessee”). County and
8 Lessee are herein collectively referred to as the “Parties.”

9 **RECITALS**

- 10 a. County and Lessee have entered into that certain Lease (the “Lease
11 Agreement”) dated July 3, 2012, in which Lessee has agreed to lease from County the
12 premises located at the French Valley Airport, which airport is located at 37680 Sky
13 Canyon Drive, Riverside County, and as more particularly described in the Lease.
14 b. The Parties now desire to amend the Lease as set forth below.

15 **NOW THEREFORE**, for good and valuable consideration the receipt and adequacy of
16 which is hereby acknowledged, the Parties agree as follows:
17

- 18 1. **TERMINATION OF LEASE.** County and Lessee agree that the
19 Lease Agreement referenced above shall be terminated in its entirety effective October
20 14, 2014 (the “Termination Date”).
21 2. **COUNTY PROPERTY.** Lessee agrees to surrender the premises
22 to County on the Termination Date together with all County owned property including
23 all alterations and improvements made by Lessee which have become a part of the
24 County property.
25 3. **TRADE FIXTURES.** As set forth in section 9(d) of the Lease
26 Agreement, Lessee shall remove, at its expense, trade fixtures and restore said
27 Leased Premises to their original shape and condition as practical as possible. In the
28

1 event Lessee does not remove said trade fixtures, they shall become the property of
2 the County.

3 4. **FUEL EQUIPMENT; FIXTURES.** Lessee shall not remove the fuel
4 dispensary equipment or the fuel tanks or related equipment from the premises.

5 5. **ALL RIGHTS AND OBLIGATIONS OF THE PARTIES.** All rights
6 and obligations of the Parties pursuant to the Lease Agreement are hereby terminated
7 in their entirety.

8 6. **CONTINGENT UPON BOARD APPROVAL OF NEW LEASE**
9 **WITH RIVERSIDE AIR SERVICE, INC.** This Lease Termination Agreement shall be
10 contingent upon approval by the Riverside County Board of Supervisors of the Lease
11 Agreement between Riverside Air Service, Inc. and the County of Riverside for the
12 leased premises.

13 7. **APPROVAL.** This Lease Termination Agreement shall not be
14 binding or consummated until its approval and execution by the Riverside County
15 Board of Supervisors.

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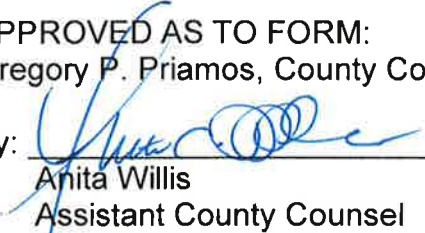
1 WITNESS WHEREOF, the parties have executed this Lease Termination
2 Agreement as of the date first written above.

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4 COUNTY:
5 COUNTY OF RIVERSIDE

LESSEE:
French Valley Aviation, Inc.

6
7 By: _____
8 Jeff Stone, Chairman
Board of Supervisors

By: 
Joseph A. Diorio, President

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11 APPROVED AS TO FORM:
12 Gregory P. Priamos, County Counsel
13 By: 
14 Anita Willis
Assistant County Counsel