

1 [Ground Lease Modification - United Airlines, Inc. - Three-Year Term Extension]

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3 **Resolution approving Modification No. 3 to Ground Lease No. 00-0464 between the City**
4 **and County of San Francisco, acting by and through its Airport Commission, and**
5 **United Airlines, Inc. to extend the term by three years, provide for rent adjustments**
6 **during the extension term, and update certain legal provisions required by applicable**
7 **local, state, and federal laws, as defined herein, to take effect only after approval by the**
8 **Board of Supervisors.**

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10 WHEREAS, On December 19, 2000, by Resolution No. 00-0464, the Airport
11 Commission (“Commission”) approved Lease No. 00-0464 (Lease) between the City and
12 County of San Francisco (the “City) and United Airlines, Inc. (“United”) for a portion of Plot 6 at
13 the Airport (Premises); and

14 WHEREAS, On June 1, 2001, by Resolution No. 403-01, the Board of Supervisors
15 approved the Lease; and

16 WHEREAS, On June 7, 2011, by Resolution No. 11-0135, the Commission approved
17 Modification No. 1 to the Lease, which adjusted the annual rent payable by United and
18 extended the term of the Lease to June 30, 2021 (“Modification No. 1”); and

19 WHEREAS, On January 10, 2012, by Resolution No. 1-12, the Board of Supervisors
20 (the “Board”) approved Modification No. 1; and

21 WHEREAS, On December 3, 2019, by Resolution No. 19-0303, the Commission
22 approved Modification No. 2 to the Lease, which modified the Premises through an exchange
23 of parcels between the City and United resulting in a net decrease of approximately
24 0.51 acres; and

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1 WHEREAS, On August 7, 2020, by Resolution No. 353-20, the Board approved
2 Modification No. 2; and

3 WHEREAS, The City and United have negotiated the terms of Modification No. 3 to the
4 Lease (“Modification No. 3”) to (i) extend the term for three years from the Effective Date, as
5 described below; (ii) provide for annual rent adjustments during the extension term based on
6 Consumer Price Index increases; and (iii) update certain legal provisions required by
7 applicable local, state, and federal laws; and

8 WHEREAS, All other terms and conditions of the Lease remain unmodified and in full
9 force and effect; and

10 WHEREAS, On October 19, 2021, by Resolution No. 21-0206, the Commission
11 approved Modification No. 3; and

12 WHEREAS, The Effective Date of Modification No. 3 is the date it is approved by the
13 Board of Supervisors and is fully executed by all parties; and

14 WHEREAS, A copy of Modification No. 3 is on file with the Clerk of the Board of
15 Supervisors in File No. 211141, which is hereby declared to be part of this Resolution as if set
16 forth fully herein; now, therefore, be it

17 RESOLVED, That the Board of Supervisors hereby approves Modification No. 3 to the
18 Lease; and, be it

19 FURTHER RESOLVED, That within thirty (30) days of Modification No. 3 being fully
20 executed by all parties, the Airport Commission shall provide a copy of the final Modification
21 No. 3 to the Clerk of the Board for inclusion into the official file.

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