

Item # 9-2

**City of Carson City
Agenda Report**

Date Submitted:09/17/10

Agenda Date Requested:10/07/10

Time Requested: consent

To: Board of Supervisors
From: Carson City Airport Authority

Subject Title: Action to approve the assignment of the Robert Thomas dba Comstock Aviation airport lease to Comstock Aviation Services, LLC., owned by Robert Thomas, Trustee of The Universal Trust dated April 4, 1994.

Staff Summary: At a regular meeting of the Carson City Airport Authority on September 15, 2010, publicly noticed for that purpose, the Authority approved an assignment of an airport lease from Mr. Thomas to an LLC that he has set up as part of his estate planning. There are no changes to the lease nor to any services provided under the lease.

Type of Action Requested: (check one)
 Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: (I move that we) approve the assignment of the Robert Thomas dba Comstock Aviation airport lease to Comstock Aviation Services, LLC., owned by Robert Thomas, Trustee of The Universal Trust dated April 4, 1994.

Explanation for Recommended Board Action:

Under Nevada Chapter 844, which created the Carson City Airport Authority, lease agreements at the Airport must be approved by the Carson City Board of Supervisors. The Airport Authority has approved the lease assignment and requests Board of Supervisors approval.

Mr. Thomas has held a lease on the Airport since 1976, which has been updated via Addendums over the years. As part of his estate planning, Mr. Thomas has set up an LLC, named Comstock Aviation Services, LLC, to hold the lease. In turn, the LLC is wholly owned by Mr. Thomas as the trustee of his family trust, The Universal Trust, dated April 4, 1994.

There are no changes to the terms of the lease, nor as to any responsibilities thereunder. Mr. Thomas is still the responsible tenant, albeit via the LLC and Trust.

Applicable Statue, Code, Policy, Rule or Regulation: Statutes of Nevada, Chapter 844.

Fiscal Impact: No City impact.

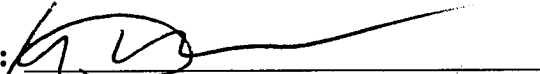



Explanation of Impact: Not Applicable.

Funding Source: Airport Authority and FAA.

Alternatives: Not Applicable

Supporting Material: Assignment

Prepared By: Casey Pullman, Airport Manager (& Steven E. Tackes, Esq., Airport Counsel)

Reviewed By:  Date: 9/28/10
(Department Head)
 Date: 9/28/10
(City Manager)
 Date: 9/28/10
(District Attorney)
 Date: 9/28/10
(Finance Director)

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
2) _____ _____

(Vote Recorded By)

LEASE ASSIGNMENT

This lease assignment made and entered into this 9 day of September, 2010, between the Carson City Airport Authority (Landlord), whose address is 2600 College Parkway #6 Carson City, Nevada 89706, ASSIGNOR- ROBERT THOMAS, dba COMSTOCK AVIATION (hereinafter THOMAS), whose address is 152 E. Bonanza Dr., Carson City, Nevada 89706, and COMSTOCK AVIATION SERVICES, LLC. (hereinafter LLC), whose address is 152 E. Bonanza Dr., Carson City, Nevada 89706.

WITNESSETH:

WHEREAS, Landlord and THOMAS entered into an airport lease on the Carson Airport, dated March 2, 1976, with three subsequent Addendums thereto;

WHEREAS, THOMAS has set up Comstock Aviation Services, LLC.;

WHEREAS, THOMAS is the sole owner of the LLC, and holds the LLC in the name of his Trust, namely Robert Thomas, Trustee, The Universal Trust dated April 4, 1994; and

WHEREAS, THOMAS desires to assign the lease from THOMAS to the LLC, as permitted by Section IX (B) of said lease.

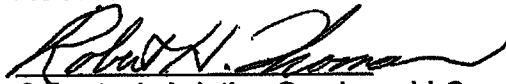
NOW THEREFORE, the parties agree as follows:

1. The lease held by THOMAS is hereby assigned to Comstock Aviation Services, LLC.
2. All terms of the lease remain in force, except that Comstock Aviation Services, LLC., shall be substituted for THOMAS as Tenant.

ASSIGNOR


Robert Thomas

ASSIGNEE


Comstock Aviation Services, LLC.,
By Robert Thomas, Member and Manager

CARSON CITY AIRPORT AUTHORITY
CARSON CITY, NEVADA

ATTEST:

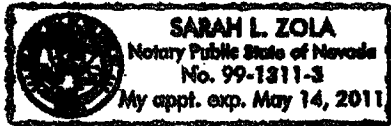
John Kelly
Harlow Norvell, CHAIRMAN
JOHN KELLY, VPCC CHAIRMAN

Alex Carter
Alex Carter, TREASURER

STATE OF NEVADA)
COUNTY OF CARSON CITY) ss

On this 9th day of SEPTEMBER, 2010, before me, the undersigned, a Notary Public, personally appeared ROBERT THOMAS, Managing Member of Comstock Aviation Services, LLC, known to me to be the person described herein, who executed the foregoing instrument, and he acknowledged to me, that he has the requisite authority and executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year hereinabove written.



Sarah L. Zola
NOTARY PUBLIC (SEAL)

CARSON CITY

Approved by the Board of Supervisors this ____ day of _____, 2010.

ROBERT L. CROWELL, Mayor

ATTEST:

CITY'S LEGAL COUNSEL
Approved as to form.

ALAN GLOVER, Clerk/Recorder

DISTRICT ATTORNEY

AIRPORT AUTHORITY COUNSEL
Approved as to form

Steven E. Tackes
STEVEN E. TACKES, ESQ.