

RESOLUTION NO. R2022-71

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING FIRST AMENDMENT TO LETTER OF INTENT TO GROUND LEASE PROPERTY AT THE BURNET MUNICIPAL AIRPORT.

Whereas, by resolution no. R2022-54 City Council authorized a letter of intent with Airy Mount Properties, LLC., to negotiate ground leases for a 1.14 +/- acres located at the north end of the Burnet Municipal Airport runway; and 0.972 +/- acres located at the south end of the Burnet Municipal Airport runway; and

Whereas, the term of the Letter of Intent expired on September 12 2022, and City Council desires to extend the term to December 11, 2022 ; and

Whereas, it is City Council's intent the Letter of Intent is not assignable; and

Whereas, it is further City Council's intent that the City Manager have the authority to extend the Letter of Intent for an additional ninety days if necessary; and

Whereas, as to all other matters the provisions of resolution no. R2022-54 and the Letter of Intent approved therein shall remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section one. Findings. That the recitals to this Resolution are incorporated herein for all purposes.

Section two. Approval. The First Amendment to the Letter of Intent attached hereto are hereby approved.

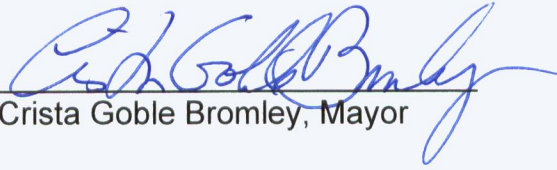
Section three. Authorization. The Mayor is hereby authorized to execute instruments in substantial form as the attachment and execute such ancillary documents and takes such related actions reasonably necessary to facilitate the intent of this Resolution. The City Manager is authorized to extend the term an additional ninety days without further City Council action.

Section four. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

Section five. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

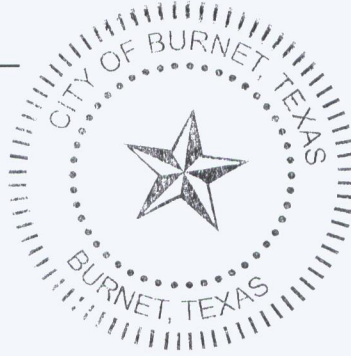
PASSED AND APPROVED this the 27th day of September, 2022.

CITY OF BURNET, TEXAS


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary



**Airy Mount Properties, LLC
PO Box 1669
Burnet, Texas 78611**

September 22, 2022

Crista Goble Bromley, Mayor
City of Burnet Texas
1001 Buchanan Drive, Suite 4
Burnet, Texas 78611

RE: FIRST AMENDMENT TO LETTER OF INTENT

The Honorable Crista Goble Bromley Mayor, City of Burnet, Texas:

The purpose of this First Amendment is to extend the term of that certain airport ground lease Letter of Intent ("LOI") by and between Airy Mount Properties, LLC, and the City of Burnet, Texas, dated September 22, 2022. The term of the LOI expired on September 12, 2022. By entry of this First Amendment the term of the LOI is extended to December 11, 2022.

EXCEPT AS AMENDED HEREIN THE LETTER OF INTENT SHALL REMAIN IN FULL FORCE AND EFFECT AS WRITTEN.

Sincerely,

Airy Mount Properties, LLC

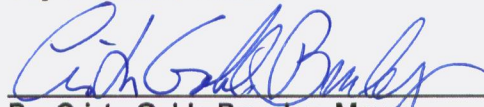
By: Alushield Investments, LLC


By: A.B. Walters, Member Manager

Accepted:

The terms of the First Amendment to the Letter of Intent is accepted subject to the Letter of Intent not being assignable.

City of Burnet, Texas


By: Crista Goble Bromley, Mayor

Date: September 27, 2022