

MINUTES OF A SPECIAL MEETING
OF
THE WALKER FIELD AIRPORT BOARD
Held January 21, 1963 at Grand Junction, Colorado

The meeting was called to order by Chairman Henry J. Tupper at 3:00 P.M. in the Court House Annex, Room 206A, Grand Junction, Colorado with the following members present:

County Commissioners: Henry J. Tupper, R.F. Saunders, Art Jens
City Councilmen: Ed McCormack and Ray Meacham
Also Present were: Joe Lacy, City Manager, Andy Prinster,
Jim Dufford, R. Martin, Tom Copeland,
Tom Younge, County Attorney, and Ed
Strnad, Secretary

The minutes of the last meeting were read and approved as read.

Mr. Dufford again stated the case of Union Carbide. Mr. Younge presented the following opinion:

Mr. Henry J. Tupper

Board of County Commissioners

Mesa County

Collbran ,Colorado

Dear Mr. Tupper :

At the meeting of the Airport Board January 7th, I was instructed to look over the Lease held by the Union Carbide Corporation for its hanger at the Walker Airport. I have done so and I have conferred briefly with Jim Dufford, Attorney for Union Carbide, and have the following to report:

1. The original Lease by the City on this area of the airport ran to James P. Riggs, Jr. Said original Lease, with, with various amendments encompassed most of what is now occupied by Monarch Aviation. It runs until 1966 with an option of renewal for an additional five years until 1971. This Lease has the provision that it shall not be assigned except by written consent of the City. It was assigned with consent of the City to Monarch Aviation. Monarch Aviation has a similar Lease directly from the City, also running until 1966 and also with a five year option of renewal until 1971. This Lease likewise provides that it shall not be assigned except by written consent of the City. Thus, Monarch holds partially under original Rigg Lease and partially under an additional Lease in its own name.

2. Union Carbide entered into a Sub-Lease with Monarch for the area presently occupied by its hanger and with an easement over additional grounds for taxiing purposes between the hanger and the airstrip. This Lease expires upon the expiration of the Rigg Lease (Because the hanger is on property covered by the original Rigg Lease) with provisions that in case of termination of the Rigg Lease prior to 1971 Union Carbide Corporation can unilaterally extend as to its property. The Sub-Lease was specifically consented to by the City. The Sub-Lease does not provide that assignments or sub-leases under it must be consented to by Monarch. It does provide however, that it is made for the purpose of providing space for the storage of the airplanes and other equipment of Union Carbide.

3. Union Carbide proposes to make an Assignment or Sub-Lease of the premises it holds under the Sub-Lease from Monarch. It agrees that in order to do so it must have the consent of the City and the County as owners of the Airport because of the provisions requiring consent which are contained in the original Rigg and Monarch Leases. I assume that the Airport Board would be willing to consent to such an Assignment or Sub-Lease to a responsible party. It is my opinion that legally the City and County would be obligated to give consent to assignment to such a responsible party unless there were some definite substantial reason for not giving such consent.

4. Union Carbide takes the position that the consent of Monarch to the Assignment or Sub-Lease would not be necessary. Monarch take a contrary position. In my opinion it is not necessary for the Airport Board or its Counsel to take a stand on this question.

5. The party to whom Union Carbide presently contemplates making an Assignment or Sub-Lease has stated that he would need to secure an extension of Union Carbide's Leases at this time to cover a total term of 20 years. This would be required in order that he could finance the purchase of Carbide's hanger. It would be the responsibility of the Airport Board to determine whether or not such an extension would be advisable. I would like to point out, however, that other leases at the Airport have been scheduled to expire in 1966 (or in 1971 if extended) and that proper planning and administration would seem to require that all leases expire simultaneously. It may also be desirable to keep leases on a relatively short-term basis in order not to limit for too long a period of time such necessary changes, remodeling or shifting of facilities on the Airport as may be necessary because of changing circumstances or conditions at the Airport.

This matter will be re-submitted to the Airport Board at its scheduled meeting January 21. This memo is submitted for consideration prior to that time.

Very truly yours,

Signed: Thomas K. Younge

County Attorney and
Ex-Officio Attorney for
Airport Board

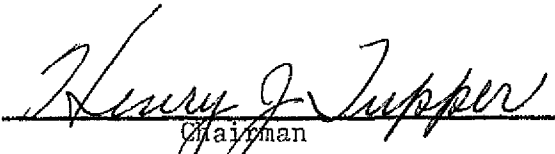
After considerable discussion it was suggested by Ed McCormack that Union Carbide Corp. might consider financing Mr. Span on a lease purchase agreement, or if not him, perhaps the City-County can purchase same in like manner and then lease to Mr. Span. It was moved by Art Jens and seconded by Ray Meacham that a proposal be given by Union Carbide and brought back to the Airport Board for review. Motion carried.

A discussion followed pertaining to the agreement that the State Highway Department presented to the Board at the last meeting in regard to purchase of a strip of land for ROW for the Interstate Highway. It was moved by Ed McCormack and seconded by Art Jens that the Airport Board sign the agreement presented for the amount of \$6,740.00. Motion Carried.


Carl Alstatt gave the following estimates from the Ute Water Engineers: A 4" line from 7th and H Road is the original plan and would cost the least but this line would give us zero pressure. We could take an 8" tap on the south of the Airport from 28 Road and F 3/4 Road or from 26 1/2 Road and H Road at a cost of roughly \$30,000.00. It was suggested that we get further estimates and to keep in touch with the situation.

There being no further business the meeting adjourned at 4:30 P.M.

APPROVED:



Chairman



Secretary