

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: City Manager – Approve a Fifth Amendment to Robinson Helicopter Lease

RECOMMENDATION

Recommendation that City Council authorize the Mayor to Execute and the City Clerk to Attest to a Fifth Amendment to Lease by and between the CITY OF TORRANCE, a Municipal corporation, referred to as the "City," and ROBINSON HELICOPTER COMPANY, INC., a California corporation, referred to as "RHC" (C2003-029) located at 2901 Airport Drive.

FUNDING

No funding is required for the requested action.

BACKGROUND

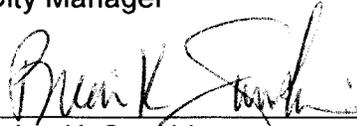
A Third Amendment to Lease was approved and executed on May 20, 2008. The Amendment to Lease severed an approximate 6 acres from the Torrance Flite Park, LLC leasehold and added it to the Robinson Lease. The purpose of the transaction was to allow Robinson to expand their facility and allow for the development of their new R-66 helicopter. Included in that group of parcels was a City easement for a driveway and gate structure.

ANALYSIS

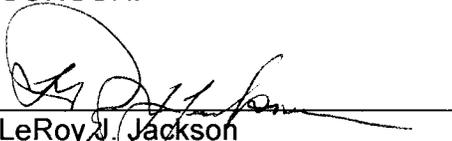
The original easement allowed for a gate structure in line with the security project being developed for the airport. Further analysis of the gate plan has required a relocation of the planned gate structure; in order to accomplish this, a new easement is required. Because of this, the old easement can be relinquished. The new easement will allow for the current gate to remain in place and for the new planned gate structure within the new easement when constructed.

Respectfully submitted,

LeROY J. JACKSON
City Manager


By: Brian K. Sunshine
Assistant to the City Manager

CONCUR:


LeRoy J. Jackson
City Manager

Attachment:

A) Fifth Amendment to Lease

**FIFTH
AMENDMENT TO LEASE**

THIS FIFTH AMENDMENT TO LEASE is made and entered into 22nd day of June 2010, by and between the **CITY OF TORRANCE**, a Municipal corporation, referred to as the "**City**," and **ROBINSON HELICOPTER COMPANY, INC.**, a California corporation, referred to as "**Robinson**."

RECITALS

WHEREAS, the City and Robinson entered into a Ground Lease dated January 28, 2003, for the purpose of leasing approximately 25.8 acres of land at the Torrance Municipal Airport referred to as the "**Lease**."

WHEREAS, the City and Robinson entered into a Third Amendment to Lease dated May 20, 2008, which added approximately 6 acres of land to the Ground Lease.

WHEREAS, Robinson acknowledged and accepted the Easement Deed (Exhibit 1) originally granted by Torrance Flite Park, LLC and that easement was incorporated into the Third Amendment to Lease.

WHEREAS, the City and Robinson have agreed to change the location of the easement for Ingress, Egress and Utility purposes.

NOW, THEREFORE, the parties hereto agree to amend the said Lease as follows:

1) Release of Easement.

The City agrees to execute the Release of Easement attached hereto and incorporated herein as Exhibit 2, which releases to Robinson the Easement Deed recorded on February 26, 2008 in Book 56502, Page 139, Official Records in the office of the County Recorder of Los Angeles County.

2) Easement Deed.

Robinson agrees to execute the Easement Deed attached hereto and incorporated herein as Exhibit 3, which grants to the City an Easement for Ingress, Egress, and Utility purposes. The City hereby accepts the Easement Deed from Robinson and consents to the recordation thereof by its duly authorized officer.

In all other respects, the said Lease is reaffirmed and ratified, and remains in full force and effect.

!!!

This Fifth Amendment to Lease is executed as of the first date written above.

CITY OF TORRANCE
A Municipal Corporation

By: _____
Frank Scotto, Mayor

ROBINSON HELICOPTER COMPANY, INC.
A California Corporation

By: _____
Franklin D. Robinson, President

ATTEST:

Sue Herbers, City Clerk

APPROVED AS TO FORM:

JOHN L. FELLOWS III
City Attorney

By: _____
Patrick Q. Sullivan
Assistant City Attorney

Exhibit 1

Recording Requested by:
Sue Herbers, City Clerk

When Recorded Mail to:
CITY OF TORRANCE
3031 Torrance Boulevard
Torrance, CA 90503

EASEMENT DEED

In consideration of the sum of One Dollar (\$1.00), and other valuable consideration, receipt of which is hereby acknowledged,

TORRANCE FLITE PARK, LLC, A CALIFORNIA

LIMITED LIABILITY COMPANY (LESSEE)

do(es) hereby grant to the CITY OF TORRANCE, a municipal corporation, of Los Angeles County, State of California, an easement for INGRESS, EGRESS AND UTILITY purposes and incidents thereto, in the following described real property in the City of Torrance, County of Los Angeles, State of California, and more particularly described as follows:

That portion of Parcel 12 of Official Map No. 2 in the City of Torrance, County of Los Angeles, State of California as shown on map filed in Book 5, Pages 44 thru 51 of Official Maps, in the Office of the County Recorder of said County, more particularly described as follows:

Beginning at the North corner of said Parcel 12; thence Southwesterly along the Northwesterly line of said Parcel 12 South 38° 38' 49" West 131.07 feet; thence South 51° 21' 11" East 9.00 feet; thence North 38° 38' 49" East 27.59 feet; thence South 52° 15' 22" East 24.58 feet; thence North 38° 38' 49" East 16.00 feet; thence North 52° 15' 22" West 24.58 feet; thence North 38° 38' 49" East 87.48 feet; thence North 51° 21' 11" West 9.00 feet to the point of beginning.

Dated this 26th day of February 2008.

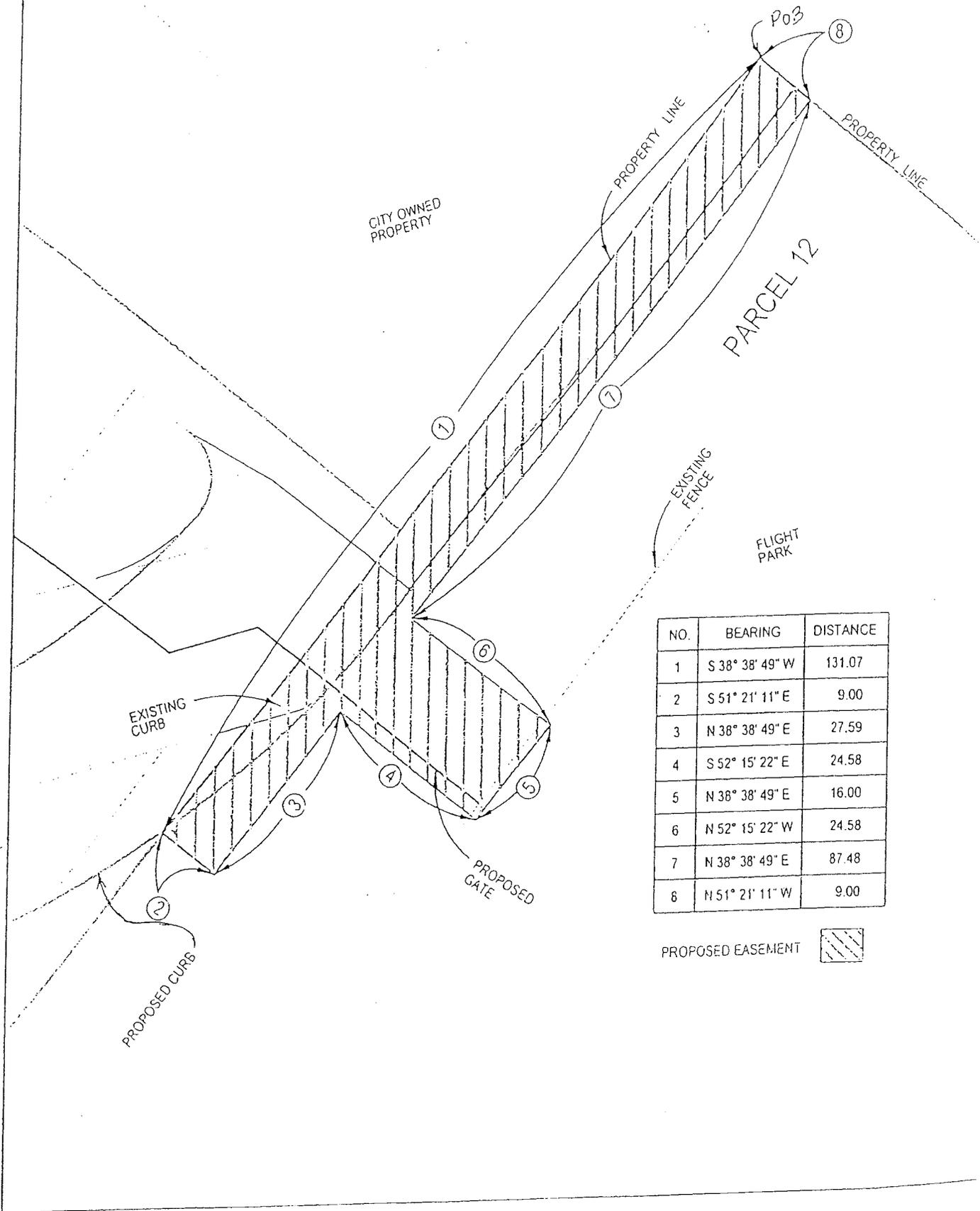
(All signatures must be notarized)

Sign: [Signature]
Print: HASSAN IZAD

Sign: [Signature]
Print: RALPH J. MARTIN

Owner's Address: 3481 AIRPORT DRIVE # 200
TORRANCE, CA 90505

FLIGHT PARK INGRESS/EGRESS EASEMENT



NO.	BEARING	DISTANCE
1	S 38° 38' 49" W	131.07
2	S 51° 21' 11" E	9.00
3	N 38° 38' 49" E	27.59
4	S 52° 15' 22" E	24.58
5	N 38° 38' 49" E	16.00
6	N 52° 15' 22" W	24.58
7	N 38° 38' 49" E	87.48
8	N 51° 21' 11" W	9.00

PROPOSED EASEMENT 

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of LOS ANGELES

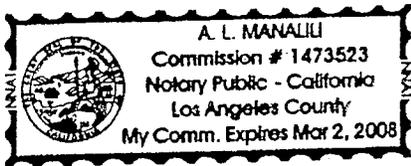
On FEBRUARY 26, 2008 before me, A. L. MANALILI, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared HASSAN IZAD AND RALPH J. MARTIN
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: EASEMENT DEED, TORRANCE FLITE PARK

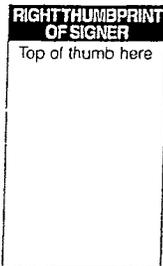
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

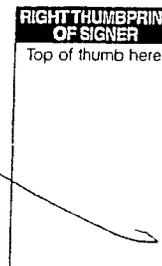
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Exhibit 2

Recording Requested by:
Sue Herbers, City Clerk

When Recorded Mail to:
CITY OF TORRANCE
3031 Torrance Boulevard
Torrance, CA 90503

RELEASE OF EASEMENT

In consideration of the sum of One Dollar (\$1.00), and other valuable consideration, receipt of which is hereby acknowledged,

CITY OF TORRANCE

A MUNICIPAL CORPORATION

do(es) hereby release to ROBINSON HELICOPTER COMPANY, INC., a California Corporation, of Los Angeles County, State of California, an easement recorded on February 26, 2008 in Book 56502, Page 139, Official Records, in the office of the County Recorder of Los Angeles, County, for INGRESS, EGRESS AND UTILITY purposes and incidents thereto, in the following described real property in the City of Torrance, County of Los Angeles, State of California, and more particularly described as follows:

That portion of Parcel 12 of Official Map No. 2 in the City of Torrance, County of Los Angeles, State of California as shown on map filed in Book 5, Pages 44 thru 51 of Official Maps, in the Office of the County Recorder of said County, more particularly described as follows:

Beginning at the North corner of said Parcel 12; thence Southwesterly along the Northwesterly line of said Parcel 12 South 38°38'49" West 131.07 feet; thence South 51°21'11" East 9.00 feet; thence North 38°38'49" East 27.59 feet; thence South 52°15'22" East 24.58 feet; thence North 38°38'49" East 16.00 feet; thence North 52°15'22" West 24.58 feet; thence North 38°38'49" East 87.48 feet; thence North 51°21'11" West 9.00 feet to the point of beginning.

Dated this ____ day of _____ 2010. Sign: _____

(All signatures must be notarized) Print: _____

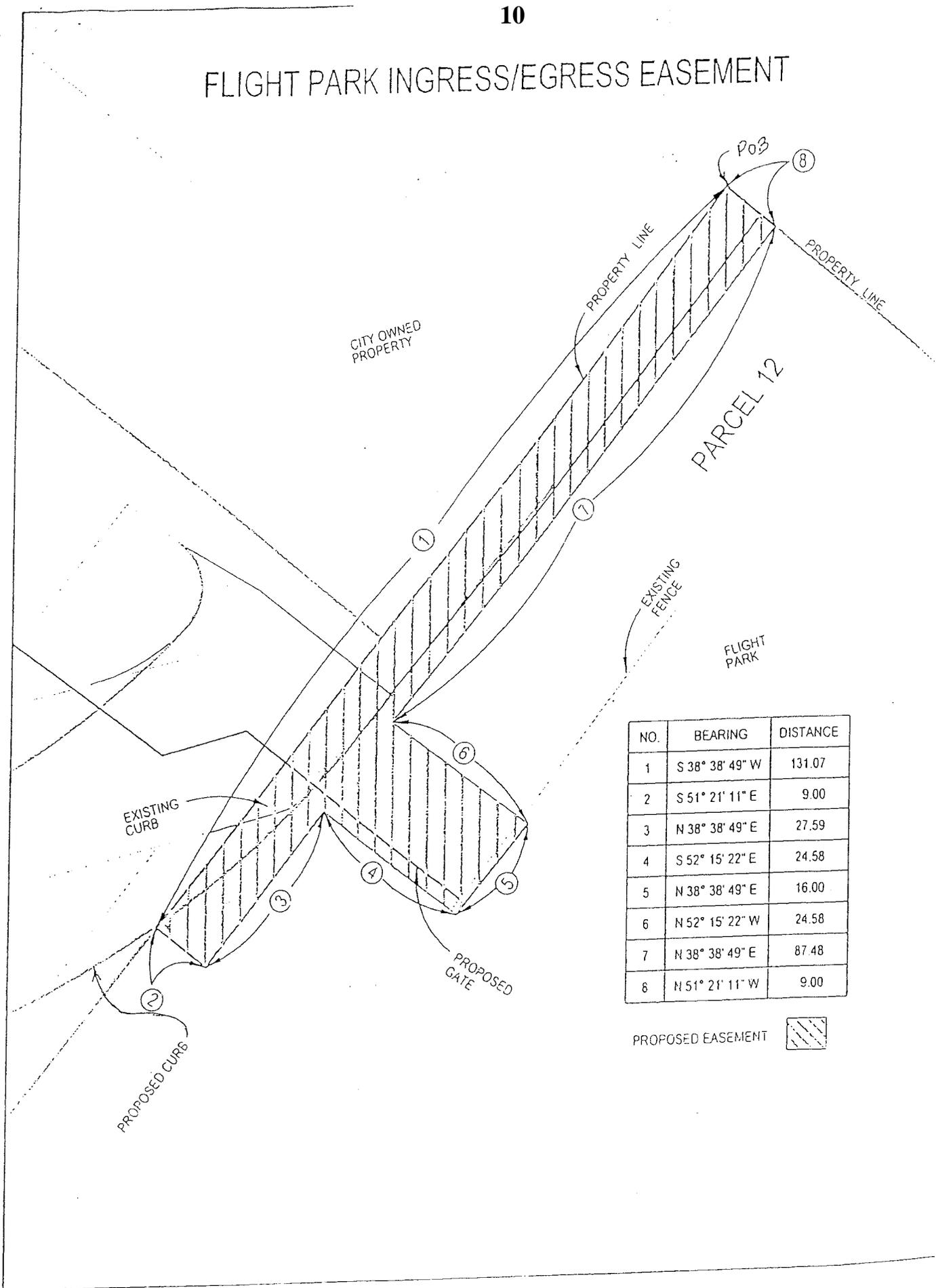
Sign: _____

Print: _____

Owner's Address: _____ 3031 Torrance Boulevard

_____ Torrance, CA 90503

FLIGHT PARK INGRESS/EGRESS EASEMENT



NO.	BEARING	DISTANCE
1	S 38° 38' 49" W	131.07
2	S 51° 21' 11" E	9.00
3	N 38° 38' 49" E	27.59
4	S 52° 15' 22" E	24.58
5	N 38° 38' 49" E	16.00
6	N 52° 15' 22" W	24.58
7	N 38° 38' 49" E	87.48
8	N 51° 21' 11" W	9.00

PROPOSED EASEMENT 

Exhibit 3

Recording Requested by:
Sue Herbers, City Clerk

When Recorded Mail to:
CITY OF TORRANCE
3031 Torrance Boulevard
Torrance, CA 90503

EASEMENT DEED

In consideration of the sum of One Dollar (\$1.00), and other valuable consideration, receipt of which is hereby acknowledged,

ROBINSON HELICOPTER COMPANY, INC. (LESSEE)

do(es) hereby grant to the CITY OF TORRANCE, a municipal corporation, of Los Angeles County, State of California, an easement for INGRESS, EGRESS, AND UTILITY purposes and incidents thereto, in the following described real property in the City of Torrance, County of Los Angeles, State of California, and more particularly described as follows:

That portion of Parcel 12 of Official Map No. 2 in the City of Torrance, County of Los Angeles, State of California as shown on map filed in Book 5, Pages 44 through 51, inclusive, of Official Maps, in the Office of the County Recorder of said County, more particularly described as follows:

Beginning at the most northerly corner of said Parcel; thence southwesterly along the northwesterly line of said Parcel, S. 38° 38' 49" W. 131.07 feet; thence S. 51° 21' 11" E. 6.50 feet; thence N. 38° 38' 49" E. 9.00 feet; thence S. 51° 21' 11" E. 2.50 feet; thence N. 38° 38' 49" E. 100.07 feet; thence S. 51° 21' 11" E. 5.00 feet; thence N. 38° 38' 49" E. 6.00 feet; thence S. 51° 21' 11" E. 23.00 feet; thence N. 38° 38' 49" E. 16.00 feet to the northeasterly line of said Parcel; thence along said northeasterly line N. 51° 21' 11" W. 37.00 feet to the point of beginning.

Dated this ____ day of _____ 20__.

Sign: _____

Print: _____

(All signatures must be notarized)

Sign: _____

Print: _____

Owner's Address: _____ 2901 Airport Drive

_____ Torrance, CA 90505

