



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

November 21, 2022

City Council President Ian Abreu and
Honorable Members of the City Council
133 William Street, Room 215
New Bedford, MA 02740

RE: Lease Amendment between Nor East Aviation Services, Inc. and the New Bedford
Regional Airport Commission

Dear Council President Abreu and Members of the City Council:

On October 19, 2022, the Airport Commission voted to approve an amendment to its existing lease with Nor East Aviation Services, Inc. There are two components to the amendment. First, 20,080 square feet of abutting land will be added to Nor East's existing parcel; the prevailing rate of \$0.30 per square foot will be added to Nor East's rent obligation. Consequently, Nor East's annual rent will increase by \$6,262 – from \$30,931.50 to \$37,198.50. Second, the amendment eliminates a provision in the existing lease which precludes Nor East from offering third-party flight training. I ask that you please place this item on your agenda and that you approve the amendment to the lease.

Thank you for your consideration,

Jonathan F. Mitchell
Mayor

OJM/bar

Attachment

AMENDMENT TO LEASE

By and Between

**NEW BEDFORD REGIONAL
AIRPORT COMMISSION**

And

NOR EAST AVIATION SERVICES, INC.

AMENDED and Approved by NBRAC on

LEASE AMENDMENT

THIS LEASE AMENDMENT (hereinafter "Amendment") entered on the ____ day of _____, 20____, by and between the City of New Bedford through its Regional Airport Commission, (hereinafter "LESSOR"), a Massachusetts Municipal Corporation having an office at 1569 Airport Road, New Bedford, Massachusetts 02746, and Nor East Aviation Services, Inc. (hereinafter "LESSEE"), a corporation in the state of Massachusetts, evidences the following:

WHEREAS in March 2007, LESSOR and LESSEE entered into a five-year lease with a series of five five-year renewal options;

WHEREAS in December 2014, LESSOR and LESSEE amended the original lease, decreasing the square footage of the leased property from 124,684 square feet to 103,105 square feet;

WHEREAS NOW the parties seek to amend the existing lease, to increase the total square footage of the leased property from 103,105 to 123,995 square feet, an increase of 20,080 square feet;

WHEREAS NOW the parties agree that future rent paid from LESSEE to LESSOR will increase in proportion to the increased square footage; and

WHEREAS NOW the parties agree to allow LESSEE to use the leased property to provide third party flight instruction;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the existing lease as follows:

In section 1.1 of the existing lease, the phrase "103,105 square feet" shall be stricken and the phrase "123,995 square feet" will be inserted in its place;

In section 1.1 of the existing lease, the statement "provided training is conducted directly by LESSEE" shall be stricken;

In Exhibit A, attached to the existing lease, the phrase "103,105 square feet more or less" shall be stricken and the phrase "123,995 square feet more or less" shall be inserted in its place;

Exhibit B, attached to the existing lease, shall be stricken in its entirety and a new Exhibit B, which is attached to this Amendment, will be inserted in its place.

In all other respects the existing lease shall remain unchanged and in full force and effect as originally written.

IN WITNESS HEREOF, the City of New Bedford has caused its corporate seal to be affixed hereto and these presents to be signed by Mayor Jon Mitchell and Carlos DaCunha, Chair of the New Bedford Airport Commission, and by Nor East Aviation Services, Inc. by its President, Richard Araujo, this _____ day of _____, 20 ____.

NOR EAST AVIATION SERVICES, Inc.

CITY OF NEW BEDFORD

By: _____
Richard Araujo

By: _____
Mayor Jon Mitchell

Date: _____

Date: _____

Approved as to Form and Legality:

NEW BEDFORD REGIONAL
AIRPORT COMMISSION

By: _____
Owen Murphy
Assistant City Solicitor

By: _____
Carlos DaCunha, Chair.
New Bedford Regional Commission

Date: _____

Date: _____

By: _____
Molly Gilfeather, Purchasing Agent

Date: _____

Exhibit B





CITY OF NEW BEDFORD

CITY COUNCIL

December 6, 2022

ORDERED, that the Mayor and the Chairman of the Airport Commission are hereby authorized to enter into and execute a lease amendment between the City of New Bedford and Nor East Aviation Services, Inc., which amendment, a copy of which is attached hereto, (1) increases the square footage of Nor East's existing leased property from 103,105 square feet to 123,995 square feet in exchange for a corresponding rent increase, and (2) permits Nor East to conduct third-party flight training.