

**AMENDMENT TO
AIRLINE-AIRPORT USE AND LEASE AGREEMENT**

This Amendment To Airline-Airport Use And Lease Agreement is entered into by and between the City of San Antonio ("City"), a Texas home-rule municipality, acting by and through its City Manager pursuant to Ordinance No. _____, and _____ (AIRLINE), an entity authorized to do business in Texas, acting by and through its duly authorized officers, both of which may be collectively referred to as "the Parties".

WHEREAS, an Airline-Airport Use And Lease Agreement ("Agreement") was executed between the City and Airline pursuant to Ordinance No. 94625 of September 27, 2001, for a contingent five-year term, terminating on the earlier of September 30, 2006 or the date of beneficial occupancy of Terminal B; and

WHEREAS, in order to accommodate scheduled postponements in the start of the Terminal Expansion Program, the Agreement was extended for a contingent three-year terminating on the earlier of September 30, 2009 or the date of beneficial occupancy of Terminal B; and

WHEREAS, in order to negotiate a new Airline-Airport Use and Lease Agreement, it is necessary to extend the contract term; **NOW THEREFORE**,

In consideration of the terms, covenants, agreements and demises herein contained, and in consideration of other good and valuable consideration, each to the other given, the sufficiency and receipt of which are hereby acknowledged, the Agreement entered into by and between City and Airline pursuant to Ordinance 94625, is amended to extend the term for one (1) year, beginning October 1, 2009 and ending on September 30, 2010, unless sooner terminated under the provisions of the Agreement. All other provisions of the Agreement and all prior amendments thereto are hereby retained in their entirety and remain unchanged.

IN WITNESS WHEREOF, the undersigned have duly executed this Amendment To Airline-Airport Use And Lease Agreement on this the ____ day of _____, 2009.

AIRLINE: _____

CITY OF SAN ANTONIO, TEXAS

By: _____
Signature

Sheryl Sculley, City Manager

Printed Name

Its: _____

APPROVED AS TO FORM:

By: _____
City Attorney