

(Supplemental Lease recorded in Ordinance Book 2 and attached to Original of Ordinance No. 102-1957)

CITY COUNCIL OF ERIE

AN ORDINANCE

INTRODUCED BY MAYOR ARTHUR J. GARDNER

Council File No. 10,390.

Official Ordinance No. 102-1957.

An Ordinance authorizing the execution and delivery of a Supplemental Lease to be dated as of September 1, 1957, as a Supplement to a Lease dated as of June 1, 1956, with THE CITY OF ERIE as Lessee, and ERIE MUNICIPAL AIRPORT AUTHORITY as a Lessor; of the Airport owned by said Authority, and the payments of additional rental thereunder, and approving the form of said Supplemental Lease; providing for the execution by the proper officials of the City of all instruments necessary and proper for carrying out the terms of this Ordinance; providing for the repeal of inconsistent ordinances and for the effective date of this Ordinance.

WHEREAS, Erie Municipal Airport Authority (the "Authority") by Lease dated as of June 1, 1956 (the "Lease"), leased to the City of Erie for a term ending December 1, 1970 its airport property (the "Airport") in Willcreek Township, Erie County, Pennsylvania, as described in the Lease; and

WHEREAS, the Lease and the rentals payable thereunder have been pledged with and assigned to The Philadelphia Bank, Trustee,, under a Trust Indenture (the "Indenture") from Authority dated as of June 1, 1956 securing Authority Airport Revenue Bonds of which \$285,000 (originally \$300,000) principal amount of Series of 1956 Bonds are now outstanding; and

WHEREAS, Authority requires additional funds for the construction and acquisition of additions and improvements to the Airport and for that purpose has determined to issue \$400,000 principal amount of Additional Bonds to be dated as of September 1, 1957 (the "1957 Series Bonds") to be secured by the indenture as amended by a supplemental indenture thereto dated as of September 1, 1957 (the "Supplemental Indenture"), and the issue of the additional Bonds is conditioned upon the execution and delivery of a supplemental lease (the "Supplemental Lease") which is required to be pledged under the Indenture;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF ERIE, ERIE COUNTY, PENNSYLVANIA, AND IT IS HEREBY ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME:

Section 1. The proposed action of Erie Municipal Airport Authority to construct additions and improvements to the Erie Airport is hereby approved.

Section 2. The City shall enter into a Supplemental Lease with the Authority as lessor to be dated as of September 1, 1957 as a supplement to the Lease. Said Supplemental Lease and the additional rentals payable thereunder are to be pledged by Authority to the Trustee under the Indenture as amended by the Supplemental Indenture, for the uses and purposes stated in the Indenture and the Supplemental Indenture. The Supplemental Lease extends the term of the Lease from December 1, 1970 to March 1, 1975, provides for additional rentals payable out of the current revenues of the City as set forth in the form of said Supplemental Lease as presented to this meeting, and in all other respects ratifies and confirms all the terms and conditions of the Lease.

Section 3. The form, terms and conditions of the Supplemental Lease to be substantially in final form as presented to this meeting are hereby approved and authorized, and the Mayor and City Clerk of the City are hereby authorized and directed to execute a Supplemental Lease substantially in such form, to affix thereto the seal of the City and to deliver the same to the Authority, and a copy thereof in final form is directed to be placed on file with the City Clerk for inspection at all reasonable times.

Section 4. The proper officers of the City are hereby authorized and directed on behalf of the City to execute any and all papers and documents and to do and cause to be done any and all things necessary and proper for the execution and carrying out of this Ordinance and of the Supplemental Lease.

Section 5. All ordinances and parts of ordinances inconsistent herewith be and the same are hereby repealed.

Section 6. This Ordinance shall become effective immediately upon final passage.

---

We do hereby certify that the above Ordinance was finally passed  
by City Council on August 13th, 1957.

THE CITY OF ERIE

By: Arthur J. Gardner, Mayor.

Attest:

Eugene Graney, City Clerk.

I, Eugene Graney, City Clerk of the City of Erie, Erie County, Pennsylvania, DO HEREBY CERTIFY that the foregoing is a true, correct, complete and conformed copy of an Ordinance unanimously adopted by the Council of the City of Erie at a meeting of such City Council held on August 13th, 1957, at which meeting 5 members of a total of five members of the City Council were present and voted throughout, and that said Ordinance is now in full force and effect as of the date of this certification.

WITNESS my hand and the corporate seal of the City of Erie this 13th day  
of August, 1957.

  
\_\_\_\_\_  
Eugene Graney, City Clerk.

(CITY SEAL)