



Ernest A. Love Field
Prescott Municipal Airport
City of Prescott

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DATE: 3-16-2011

TO: All City Aeronautical Storage Facility Rental Agreement Tenants,

CC: File

FROM: Benjamin Vardiman, ACE, Airport Manager

RE: Policy 2011-01 Joint Tenancy of Spouse on Aircraft Storage Facility Rental Agreement

Whereas it has been determined to be in the interest of the users of the City Operated rental facilities at the Prescott Municipal Airport, the following policy is hereby implemented under the authority granted in City Code 2-12-1.

This policy affects the following:

Determination of a Spouse as Joint Tenant to the Agreement and co-owner of the identified aircraft.

Aircraft Storage Facility Rental Agreement

Clause No 5. "SUBLEASE OR ASSIGNMENT. The premises shall not be sublet in whole or in part nor this Rental Agreement assigned or transferred in any manner. Any attempted assignment, subletting or transfer, of any kind, shall immediately terminate this Agreement without further notice."

Clause No.8. A. "Tenant must be the owner or lessee of the aircraft identified in Paragraph 1 above."

Clause No. 8. B. "Tenant, if the owner of the aircraft, shall provide City with a copy of the current FAA Aircraft Registration Certificate and any current local registration certificates (if applicable). Tenant, if the lessee of the aircraft, shall provide City with a copy of the current lease agreement between Tenant and Lessor/Owner of the aircraft. In addition to the foregoing, other evidence of ownership or possessory right may be required by the City before any aircraft may be stored pursuant to this Agreement. Tenant shall provide the City with updated and current copies of the foregoing documents at least annually, or more often if so requested by the Airport Manager."

Clause No 8. K. "Tenant shall not trade, sell or transfer in any manner his or her rented space, unless otherwise specifically permitted pursuant to this Agreement."

POLICY: A Spouse will be allowed to jointly sign the agreement as a "Tenant" subject to the following:

1. The Tenants are legally married at the time the agreement is signed, evidence of which shall be provided upon request.
2. The Tenants must both be listed on the current FAA Aircraft Registration Certificate or aircraft lease. A current copy of which must be provided at the time the agreement is signed.
3. That upon the death or incapacitation of either Tenant, all rights, privileges, obligations, and responsibilities in the agreement of the deceased or incapacitated party will be assumed by the other and that this assumption shall not be considered an assignment or transfer in violation of the agreement.
4. Tenants, who have an agreement in effect with the City of Prescott on the date of adoption of this policy, will execute a new agreement and provide documentation in accordance with this policy and Clause 8. B of the agreement.