

**THIRD AMENDMENT TO THE AIRPORT FIXED BASE OPERATOR'S LEASE AND OPERATING AGREEMENT  
BETWEEN TDM, INC., D/B/A COLGAN AIR SERVICES AND THE CITY OF LA CROSSE**

This Third Amendment to the Airport Fixed Base Operator's Lease and Operating Agreement (the "Agreement") between TDM, Inc., DBA Colgan Air Services (hereinafter called "Lessee"), and the City of La Crosse (hereinafter the "City") for fixed base operation services at the La Crosse Regional Airport (hereinafter the "Airport") beginning January 1, 2016, is entered into this 7<sup>th</sup> day of October, 2021.

**WITNESSETH**

**WHEREAS**, the Aviation Board of the City of La Crosse was authorized to enter into the Agreement with the Lessee by Common Council of La Crosse Resolution 14-1350, and;

**WHEREAS**, Aviation Board item 15-0864 approved the Agreement, and;

**WHEREAS**, said Agreement was previously amended by Common Council of La Crosse Resolutions 17-1387 and 20-0663, and;

**WHEREAS**, the continued business implications resulting from the COVID-19 pandemic has adversely impacted business for the aviation industry, and;

**WHEREAS**, Lessee requested certain relief under the Agreement, and;

**WHEREAS**, Article 41, *Amendment*, of the Agreement requires all amendments to be in writing and executed by both parties;

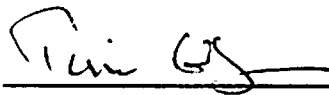
**NOW THEREFORE**, in consideration of the covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged and received, the parties do hereby agree to the following amendments to the Agreement:

1. **ARTICLE 7. IMPROVEMENTS**, Section 7.2 Relocation of the Fuel Farm is hereby amended to read –  
The LESSEE agrees to relocate its fuel farm, at LESSEE'S sole expense, to the new joint use fuel farm no later than June 30, 2024.

**BE IT FURTHER UNDERSTOOD**, that all other terms of the Agreement shall continue in full force and effect.

**IN WITNESS WHEREOF**, the parties hereby set their hands and seals on the day and year first written above.

TDM, Inc.:

Signature: 

Name: Timothy J. Colgan

Title: Chief Executive Officer

City of La Crosse:

Signature: \_\_\_\_\_

Name: Mitch Reynolds

Title: Mayor

Signature: \_\_\_\_\_

Name: Nikki M. Elsen

Title: City Clerk