

AMENDMENT TO AIRPORT FRANCHISE AND LICENSE AGREEMENT

This Amendment relates to the Airport Franchise and License Agreement (referred to as the "Agreement"), dated July 19, 2016, as and between the CITY OF FOLEY, an Alabama municipal corporation (referred to as the "Owner,") and Lightning Aviation, Inc., and Fly Foley, LLC (referred to as "Provider"), all of which may be collectively referred to herein as "the parties."

1. Amendment to Parties

The entire Agreement shall be amended to substitute and replace "Lightning Aviation, Inc.", with "Fly Foley, LLC." It is agreed and understood that this amendment fully complies with the obligations set forth in Paragraph 12 of the Agreement.

2. Termination

Paragraph 13(3) is amended to read as follows:

Owner or Provider may terminate this Agreement, with or without cause, upon (90) days written notice to the respective party at any point after the Initial Term.

3. Notice

Paragraph (19) is amended to modify Provider contact as follows:

Fly Foley, LLC
Attention: Mr. Timothy Zoltak
3006 Ashbury Lane
Cantonment, Florida 32533

4. Merger

All other terms and provisions of the Agreement are unmodified and otherwise apply with full force and effect.

IN WITNESS WHEREOF, both parties, individually and/or by and through their duly authorized representatives, have set their hands and seals this ____ day of _____, 2020.

OWNER
City of Foley, Alabama

PROVIDER
Fly Foley, LLC

John E. Konair
Mayor

Timothy Zoltak
Fly Foley, LLC, Manager

State of Alabama
County of Alabama

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that John E. Konair, Mayor, and Kathryn Taylor, City Clerk, who hold the positions of Mayor and City Clerk respectively with the City of Foley, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents on this instrument, they executed the same voluntarily on the day the same bears date with the authority and intend to bind the City of Foley.

GIVEN under my hand this ____ day of _____, 2020

NOTARY PUBLIC
My Commission Expires: _____
(NOTARIAL SEAL)

State of Alabama
County of Alabama

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Timothy Zoltak, Manager for Fly Foley, LLC, whose name is signed to the foregoing instrument and who has provided ID in the form of _____, acknowledged before me on this day that, being informed of the contents on this instrument, they executed the same voluntarily on the day the same bears date with the authority and intend to bind the City of Foley.

GIVEN under my hand this ____ day of _____, 2020

NOTARY PUBLIC
My Commission Expires: _____
(NOTARIAL SEAL)