



DALLAS/FORT WORTH INTERNATIONAL AIRPORT
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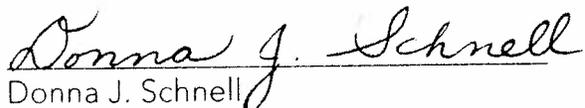
July 16, 2012

STATE OF TEXAS §

COUNTY OF DALLAS §
COUNTY OF TARRANT §

I, Donna J. Schnell, Board Secretary of the Dallas-Fort Worth International Airport Board, do hereby certify that the attached is a true and correct copy of Resolution No. 2012-07-242, approved by the Dallas-Fort Worth International Airport Board of Directors at its Board Meeting held on July 12, 2012.

WITNESS MY HAND AND SEAL OF THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD, this the 16th day of July, 2012.


Donna J. Schnell
Board Secretary



**DALLAS FORT WORTH INTERNATIONAL AIRPORT BOARD
OFFICIAL BOARD ACTION/RESOLUTION**

Date 07/12/2012	Committee Concessions/Commercial Development	Subject Acquisition, or Condemnation if necessary, of the Interest of TGIF/DFW Restaurant Joint Venture in Terminal A	Resolution # 2012-07-242
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Action
In the event that good faith negotiations to purchase the interest described herein are unsuccessful, the Cities of Dallas and Fort Worth are requested to commence proceedings to acquire, by condemnation if necessary, the leasehold interest of TGIF/DFW Restaurant Joint Venture in Lease Agreement No. 238280 by and between The Dallas/Fort Worth International Airport Board and The TGIF/DFW Restaurant Joint Venture insofar as the TGIF restaurant located at Terminal A is concerned for an amount of \$1,729,200, representing its fair market value as determined by a certified appraiser and, therefore, constitutes a bona fide offer required by Section 21.0113(a) and (b)(4) of the Texas Property Code.

Description
Resolution to Acquire by Condemnation, if Necessary, the Interest of TGIF/DFW Restaurant Joint Venture in the Lease Agreement Between Dallas/Fort Worth International Airport Board and TGIF/DFW Restaurant Joint Venture with Respect to the TGI Fridays Restaurant Located in Terminal A, Near Gate 22, 2040 North International Parkway, DFW Airport, Texas 75261.

- This action requests that the Cities of Dallas and Fort Worth commence proceedings to acquire the leasehold interest in Lease Agreement No. 238280 owned by TGIF/DFW Restaurant Joint Venture with respect to the TGIF Friday's restaurant located in Terminal A.
- Judgment or settlement amount and all costs incurred by the Cities on behalf of the Airport Board, including fees for attorneys and experts, as well as court and related costs, will be paid by the Airport Board.
- This action revises the amount recommended at the June 2012 Board meeting from \$3,750,000 to \$1,729,200, because the prior value was based on an assessment of lost profits, which legal counsel has determined are not recoverable in condemnation.

D/M/WBE Information

- N/A – Per the Board's M/WBE Program, not subject to a goal due to the nature of the Board Action.

Contract #	Agreement #	Purchase Order #	Action Amount	Revised Amount	
238280			\$1,729,200	\$1,729,200	
For Information contact		Fund	Project #	External Funding Source	Amount
Paul Tomme 3-5480		Joint Capital Acct			\$1,729,200

Justification

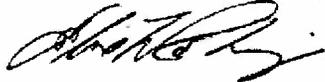
The Cities are requested to find and declare that public convenience and necessity require the acquisition of the leasehold interest held by TGIF/DFW Restaurant Joint Venture in the TGI Friday's restaurant located in Terminal A for the public purpose and use of the Terminal Renewal and Improvement Program ("TRIP"), including a TSA checkpoint to facilitate security screening in that portion of Terminal A. The TSA checkpoint is being constructed as part of the TRIP. TRIP's purpose is to improve and maintain the Airport's efficiency with respect to travel and security. Texas law provides that municipalities may exercise the right of eminent domain for such purpose. See, Section 251.001 and 273.005, Texas Local Government Code. TRIP will result in a major refurbishment and significant reshaping of Terminal A, and other Terminals. The Cities are further requested to find and declare that public convenience and necessity require the acquisition of the leasehold interest held by TGIF/DFW Restaurant Joint Venture for the public purpose and use of maintaining and improving Terminal A, including the reconstruction of portions of the terminal, including that area occupied by TGI Friday's restaurant.

Additional Attachments: **N**

BE IT RESOLVED BY THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD

After finding that public convenience and necessity require such acquisition, and in the event that good faith negotiations to purchase the interest described herein are unsuccessful, the Cities of Dallas and Fort Worth are requested to commence proceedings to acquire, by condemnation if necessary, the leasehold interest of TGIF/DFW Restaurant Joint Venture in Lease Agreement No. 238280 by and between The Dallas/Fort Worth International Airport Board and The TGIF/DFW Restaurant Joint Venture insofar as the TGIF restaurant located at Terminal A is concerned for an amount of \$1,729,200, representing its fair market value as determined by a certified appraiser and, therefore, constitutes a bona fide offer required by Section 21.0113(a) and (b)(4) of the Texas Property Code.

Approved as to Form by



Rodriguez, Elaine
General Counsel
Jun 26, 2012 3:51 pm

Approved as to Funding by



Underwood, Max
VP Finance
Finance
Jun 27, 2012 1:08 pm

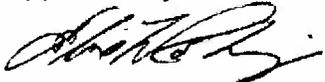
Approved as to M/WBE by



Lee, Tamela
VP Business Diversity & Dev
Business Diversity and
Development
Jun 27, 2012 8:37 am

SIGNATURE REQUIRED FOR APPROVAL

Approved by



Department Head
Legal
Jun 26, 2012 3:33 pm



Chief Executive Officer

Jul 16, 2012 10:25 am

Date