

FIRST AMENDMENT
TO
“AIRLINE-AIRPORT USE AND LEASE AGREEMENT”
WITH SPIRIT AIRLINES, INC.

This amendment is entered into this _____ day of _____, 2025, by and between **LEE COUNTY PORT AUTHORITY**, a special district and political subdivision of the State of Florida, with offices at 11000 Terminal Access Road, Suite 8671, Fort Myers, Florida 33913 ("Authority"), and **SPIRIT AIRLINES, INC.**, a Delaware corporation ("Airline").

Background

Authority manages and operates Southwest Florida International Airport, located in Lee County, Florida (the "Airport"). Authority and Airline are parties to an "Airline-Airport Use and Lease Agreement", dated January 18, 2024 (the "Agreement"). The Authority and Airline now desire to amend the Agreement to adjust the space leased by Airline under the Agreement.

NOW THEREFORE, in consideration of the mutual promises herein, the undersigned parties agree to amend the Agreement as follows:

1. Effective upon the "Relocation Date" (defined below), and provided such Relocation Date occurs during the term of this Agreement, the Agreement shall be further amended such that:

- (a) Airline's Operations Space will be increased from 1,098 square feet to 1,130 square feet, as shown on the attached "Revised Exhibit C"; and
- (b) EXHIBIT B will be deleted from the Agreement and replaced with the attached "REVISED EXHIBIT B"; and
- (c) "Exhibit C" will be deleted from the Agreement and replaced with the attached "Revised Exhibit C"; and

- (d) Airline's preferential right to use Gates D2 and D4 will be deleted from this agreement and replaced with Airline's preferential right to use Gates D9 and D11.
- (e) For the purpose of calculation of rents, fees, and any other amounts payable by Airline under the Agreement, the gates and leased areas set forth in the "REVISED EXHIBIT B" shall be used.

The "Relocation Date" means the date on which, as determined by the Authority, Airline's operations space will be relocated to a new, larger space within Concourse D on the first floor of the terminal building. The "Relocation Date" will be set by the Authority (in its sole discretion) and conclusively determined by Authority's written notice to Airline designating such date, and Airline's rent shall be adjusted and prorated accordingly.

- 2. All other provisions of the Agreement remain unchanged and in full force.

[signature page to follow]

IN WITNESS WHEREOF, the parties hereto have subscribed their names on the date first
above written.

SPIRIT AIRLINES, INC.

(Airline)

DocuSigned by:
By: Chip Sandifer
2259DF0930F544C...

Print name: Chip Sandifer

Title: Vice President

Date: 2/5/2025

LEE COUNTY PORT AUTHORITY

By: _____
Chairman or Vice Chairman,
Board of Port Commissioners

Date: _____

Approved As To Form
for the Reliance of the
Lee County Port Authority only:

By: _____
Port Authority Attorney

ATTEST:
KEVIN KARNES, CLERK

By: _____
Deputy Clerk

REVISED EXHIBIT B

To

AIRLINE – AIRPORT USE AND LEASE AGREEMENT

With

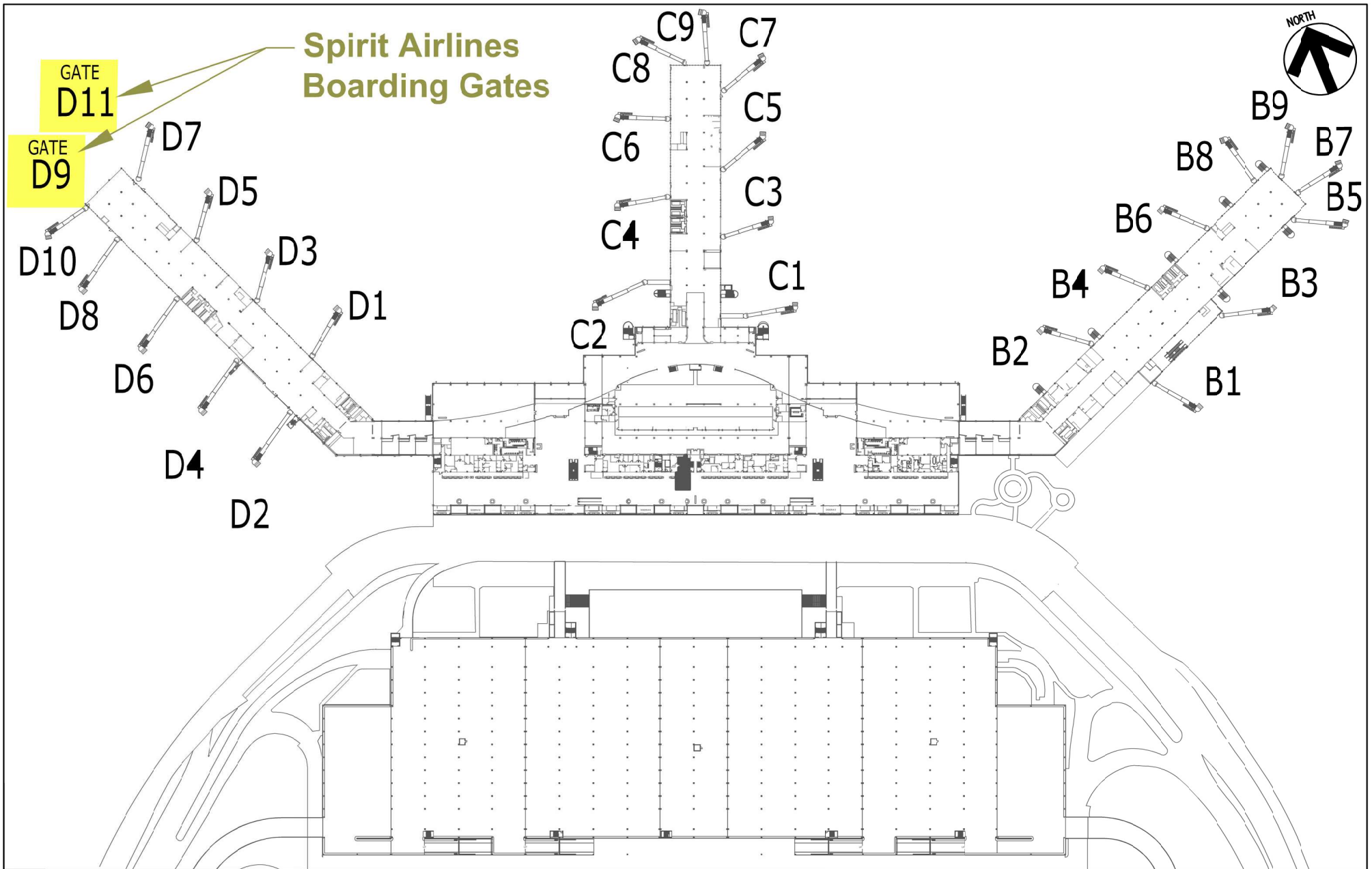
SPIRIT AIRLINES, INC.

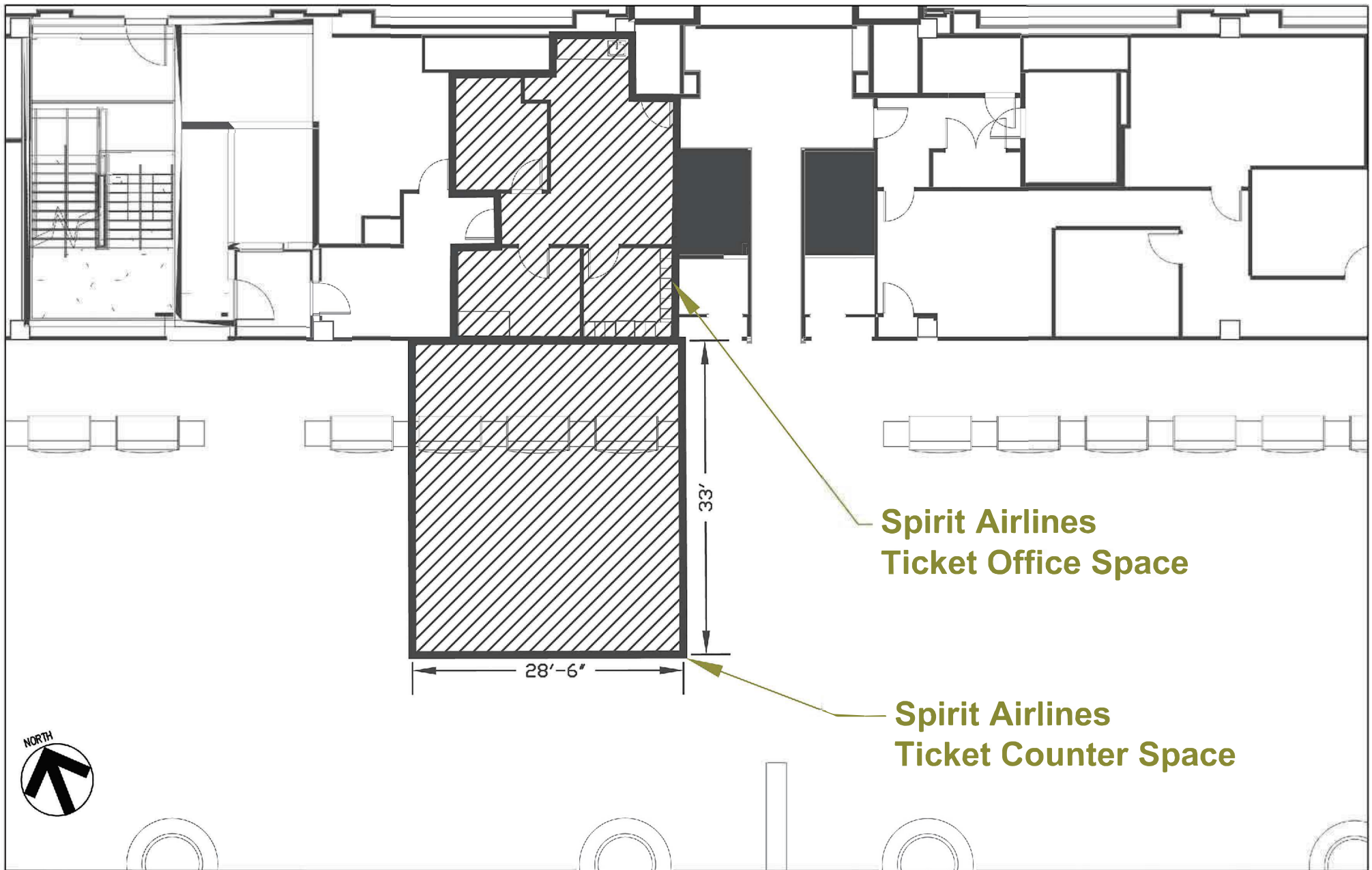
FOR

SOUTHWEST FLORIDA INTERNATIONAL AIRPORT

Airline shall have in the Terminal:

1. the following Preferential Use Premises:
 - (a) Gate Position(s) **D9 and D11** as shown on page 1 of Revised Exhibit C;
 - (b) the 4,095 square foot baggage make-up space (BMU), as shown on page 5 of Revised Exhibit C;
 - (c) 940 square feet of ticket counter space, as shown on page 2 of Revised Exhibit C;
and
2. the following Exclusive Use Premises as shown on Revised Exhibit C:
 - (a) 555 square feet of ticket office space;
 - (b) 318 square feet of baggage service office space;
 - (c) 1,130 square feet of operations space; and
3. the right of joint use with other airlines to use the Baggage Claim Area in the Terminal as shown on Page 5 of attached Revised Exhibit C.

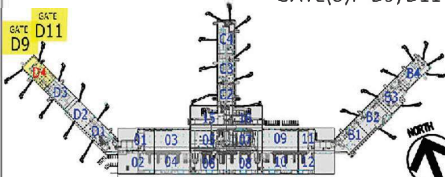




11000 Terminal Access Road,
Suite 8671
Fort Myers, FL 33913
PH# (239) 590-4100

Spirit Airlines

KEY PLAN
MIS



FLOOR: 02
ZONE(S): 06
GATE(S): D9, D11

LEE COUNTY PORT AUTHORITY

Revised Exhibit C

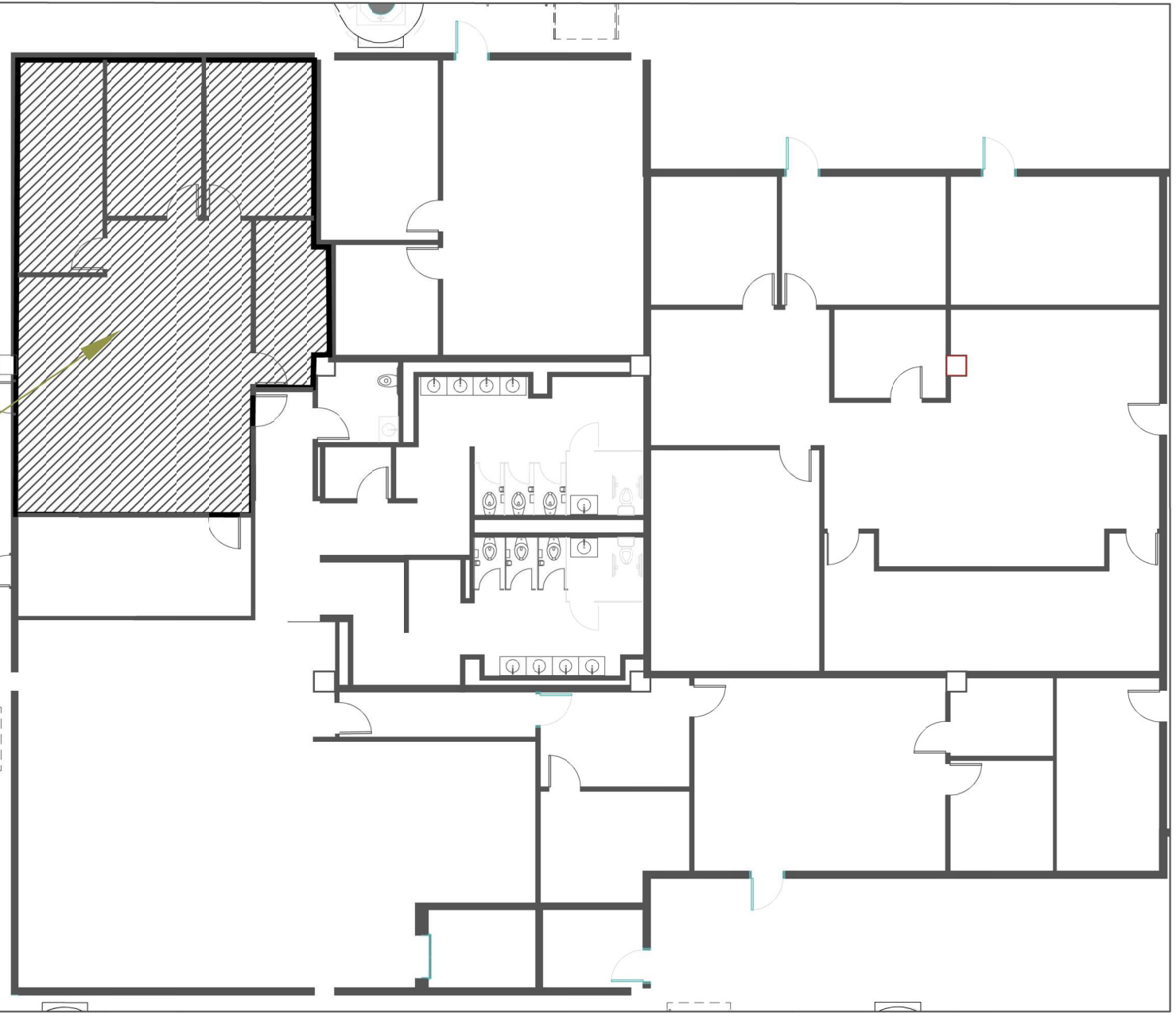
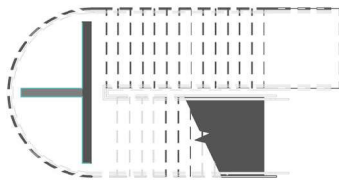
Ticket Office & Ticket Counter Space

DATE: 19 - November - 2024

Page 2 of 5



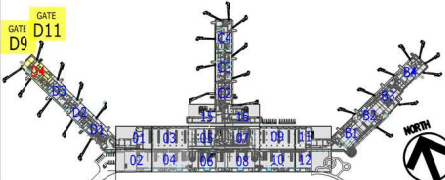
**Spirit Airlines
Operations Space**



11000 Terminal Access Road,
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PH# (239) 590-4100

Spirit Airlines

KEY PLAN
N.T.S.



FLOOR: 01
ZONE: D4
GATE(S): D9, D11

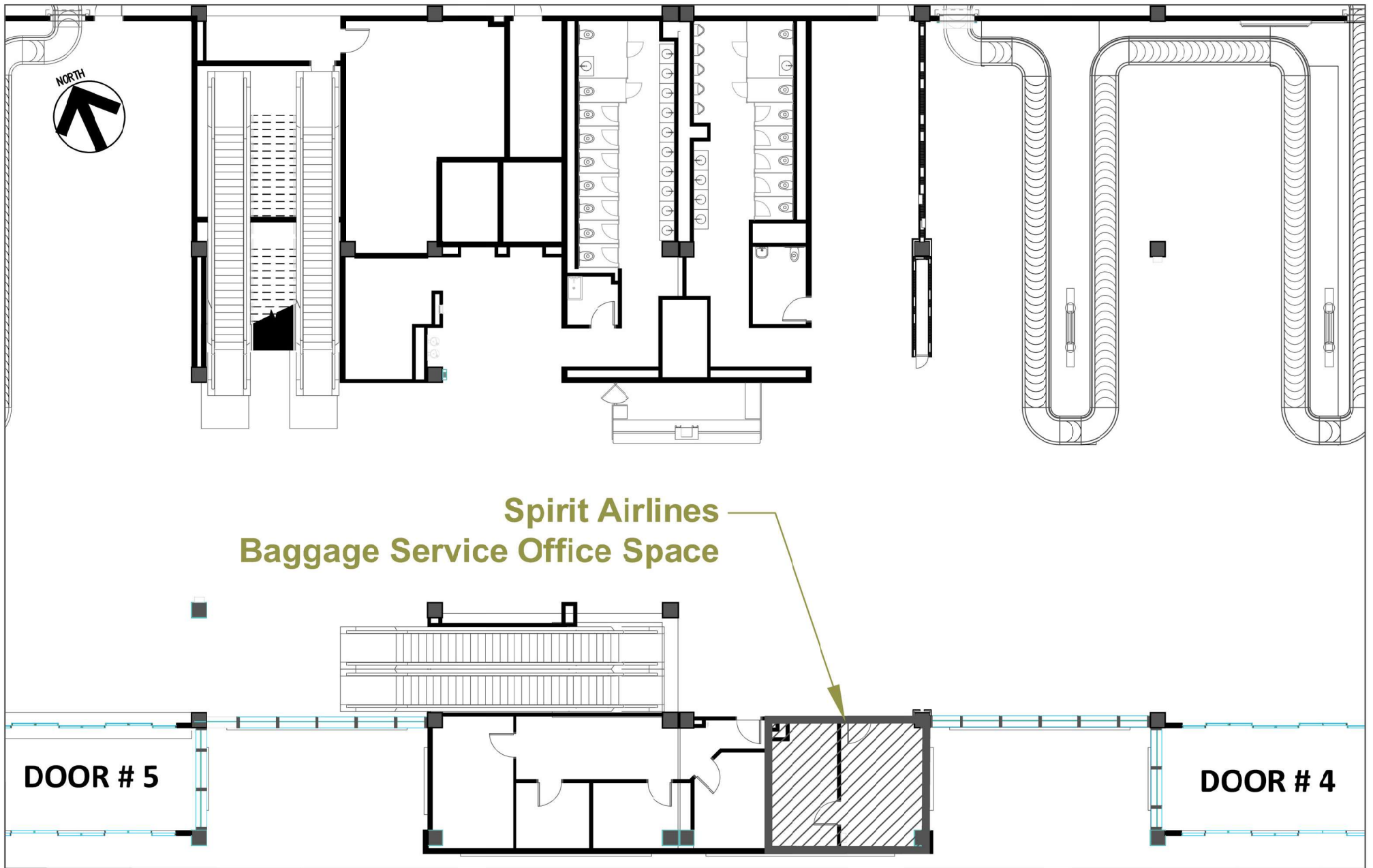
LEE COUNTY PORT AUTHORITY

Revised Exhibit C

Operations Space / Concourse D

DATE: 19 - November - 2024

Page 3 of 5

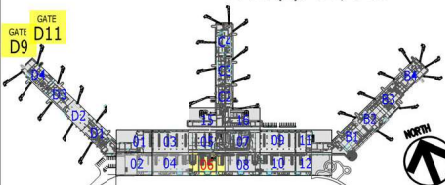


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Spirit Airlines

KEY PLAN
N.T.S.

GATE
D9



FLOOR: 01
ZONE: 06
GATE(S): D9, D11

LEE COUNTY PORT AUTHORITY

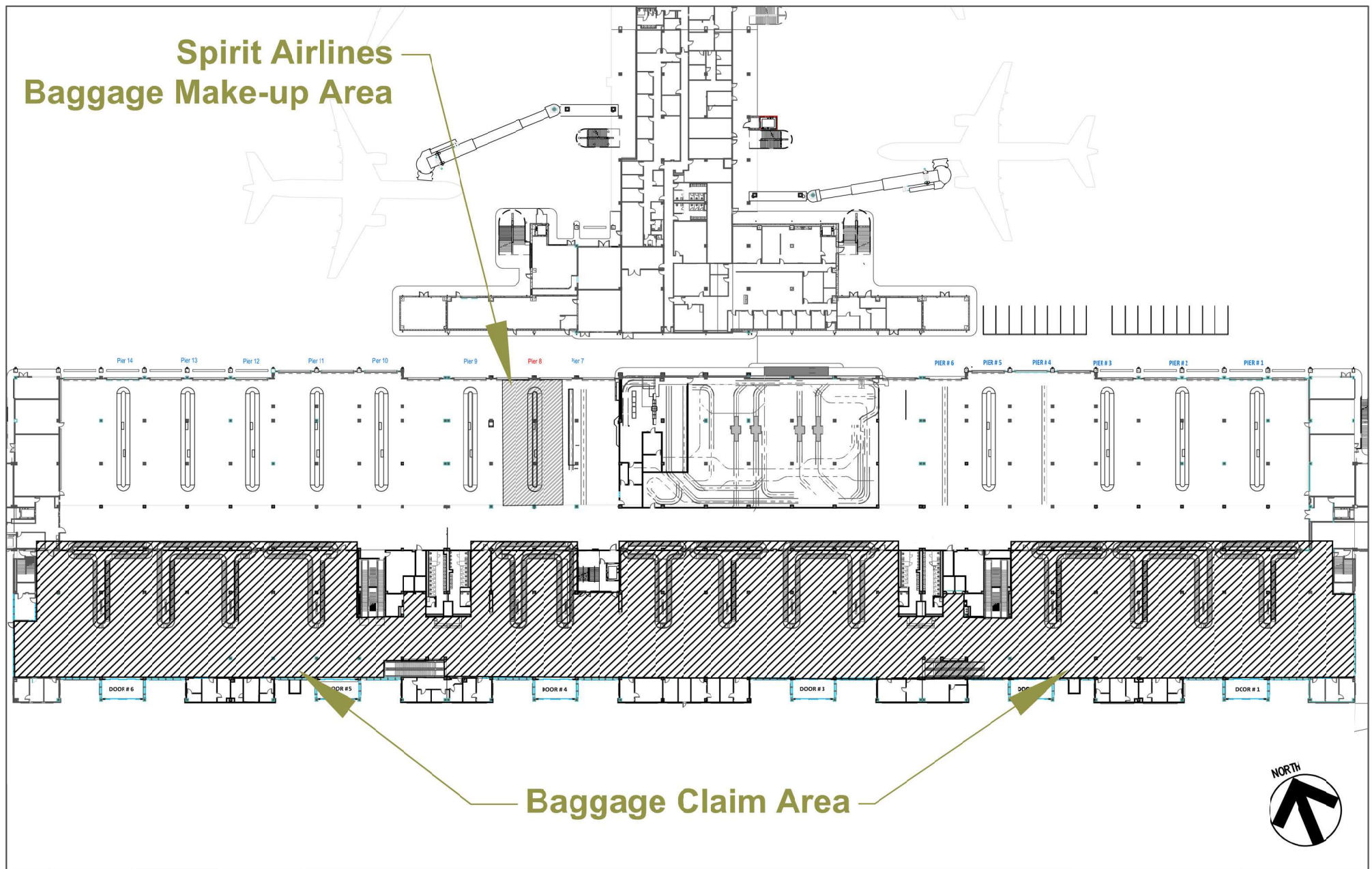
Revised Exhibit C

Baggage Service Office Space

DATE: 19 - November - 2024

Page 4 of 5

Spirit Airlines Baggage Make-up Area



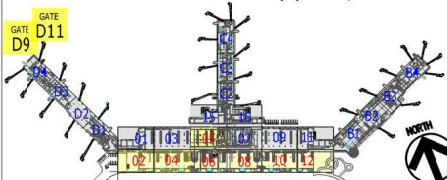
Baggage Claim Area



11000 Terminal Access Road,
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PH# (239) 590-4100

Spirit Airlines

KEY PLAN
N.T.S.



FLOOR: 01
ZONE(S): D2, D4
GATE(S): D9, D11

LEE COUNTY PORT AUTHORITY

Revised Exhibit C

Baggage Claim - Lower Level

DATE: 19 - November - 2024

Page 5 of 5