



## MIXING IT UP: AVOIDING COSTLY MISTAKES IN MIXED-USE LEASES

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### The Goal

- To analyze common issues in commercial leases that are most likely to be affected by the location of the premises in a mixed-use project.
- A particular emphasis will be placed on the impact that a condominium form of governance has on leases.
- To provide sample provisions for use in a lease or in the underlying use documents that may enable the parties to attain better negotiating positions and to make more informed decisions when negotiating leases.

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## The Background

- “New Urbanism”
- Forces Driving Mixed-Use Development
  - Development Constraints
  - Demand
  - The Bottom Line

## What is a “mixed-use development”?



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## Analyzing a mixed-use development

- The physical nature of the development,
- The governance structure, and
- The ownership structure

## **Mixed-Use Developments: The Basics**



## **Mixed-Use Developments: The Basics**

Condominium  
Air-space rights  
Various reciprocal easements  
Covenants and restrictions

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## Title search: Mixing it Up: Avoiding Costly Mistakes in Mixed Use Leases

Also available as part of the eCourse

[Traps in Retail Leasing; Avoiding Mix-Ups in Mixed Use Leases; Peculiar Issues with Industrial and Warehouse Leases; plus On-Campus Medical Office Ground Leases](#)

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"Avoiding Mix-Ups in Mixed Use Leases"