

FOR LEASE

2017 Bernard O. Dow
Leasing Institute
UT LAW CLE

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TOPICS COVERED

- 3 Leasehold Lending
- 4 Unanticipated Conditions
- 5 Transfers
- 6 Development
- 7 Surrender

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Landlord:

- Retain ownership of property
- Permits transfer when authority to sell is lacking
- Greater control remains over property
- Provides steady and secure income stream
- Avoids a taxable sale
- Development risk and cost transferred to someone else

Tenant:

- Ability to obtain land without the equity cost
- Obtain land that is otherwise unavailable
- Ability to develop when land in shortage



- Long Term (20-150 years)
- Wide latitude to demolish, improve, redevelop, sublease
- Triple-net
- Strong mortgagee protections
- Compromise ownership rights

Ground Lease Examples

- (A) Office complex leased from university
- (B) Retail complex leased from university
- (C) Single tenant medical facility
- (D) Single tenant retail outparcel
- (E) Single tenant medical facility

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Title search: Key Terms in Ground Leases

Also available as part of the eCourse

[Commercial, Retail, and Ground Leases: Drafting, Negotiating, and Issues to Avoid](#)

First appeared as part of the conference materials for the
2017 Bernard O. Dow Leasing Institute session
"Key Terms in Ground Leases"