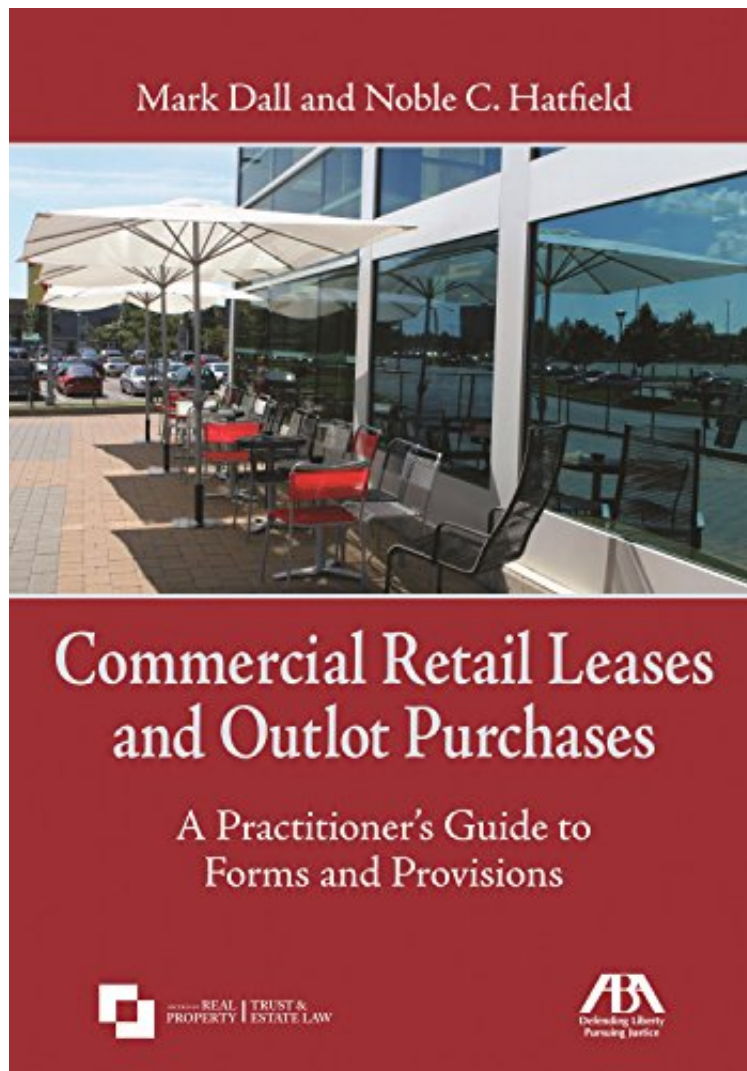


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Commercial Retail Leases and Outlot Purchases: A Practitioner's Guide to Forms and Provisions

Mark Dall, Noble C. Hatfield

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A commercial lease is the law. Unlike other areas of real estate that are subject to major statutory structures, most states have only limited statutory authority on commercial leases. Therefore, to negotiate the best lease for your client, it is essential to anticipate and address upfront any potential disputes that may occur as the lease document itself will determine how the law should be applied. Written by attorneys who each negotiate over 200 leases a year, this is a practical examination of commercial lease negotiations and language. Every lease negotiation encompasses knowledge of and collaboration with several disciplines, including construction, engineering, accounting, and tax. The authors discuss key negotiating topics, and each discussion is followed by valuable sample clauses language that address the issue. Topics address common commercial lease issues, including: The critical pre-opening period, including construction, contingencies, and warranties Leasing and use restrictions Securing lease obligations Priority lien rights Financial issues, including percentage rent, taxes, and insurance Common areas Lease transfers and co-tenancy Mixed-use projects Purchase of outlots Maintenance Each chapter is followed by a conclusion that highlights key issues, plus an appendix with sample language for the most critical issues being negotiated in that aspect of the commercial lease.

About the Author Mark Dall is a real estate lawyer in Indianapolis, IN, residing in Fisher, Indiana. Noble C. Hatfield is a real estate, contract, and transactional lawyer in Indianapolis, IN, and resides in Carmel, IN.