



Long Term Ground Leases

Dozens and dozens of mobilehome parks have been developed in California using the mechanism of long term ground leases. Many of these projects were developed decades ago and the ground leases are approaching their termination date. Whether you own a fee interest subject to a ground lease, or operate a park pursuant to a ground lease, there are many unique issues that arise in operating a mobile home park when such a lease is in place.

Several of the issues that can be quite knotty are:

- Termination of the lease and which party bears what responsibilities. Specifically, what does the lease say about the condition and repair of the park at termination (end) of the lease?
- What ongoing duties are owed to the landlord, throughout the term of the ground lease (ones above payment and rent)?
- What forms and types of insurance are required?
- Does the ground lease contain any provision for either extending the ground lease or, perhaps, purchasing the underlying fee interest?
- Can and does the lease require a park to be closed at the end of the lease term?

Over the past 5+ years, Hart King has had occasion to represent a significant number of parties in disputes that arose out of ground leases. Please call for a one hour, no cost, review of your ground lease and an analysis of your ground lease benefits and obligations.

Mobilehome Practice Group



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