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number of exhibits 34 received document entitled appendix to appellant and cross respondent brief

as it currently operates the commercial real estate construction industry is a disaster full of built in waste seventy percent of all projects end over budget and late the buildingsmart alliance estimates that up to fifty percent of the process is consumed in waste almost every project includes massive hidden taxes in the form of delays cost overruns poor quality and work that has to be redone building new structures is a fragmented adversarial process that commonly results in dissatisfied customers and frequently ends in disappointment bitterness and even litigation the industry must change for its own good and that of its customers but while the industry has tried to reform itself it can t do it alone real change can only come from business owners and executives who refuse to continue paying for a dysfunctional system and demand a new way of doing business the commercial real estate revolution is a bold manifesto for change from the mindshift consortium a group of top commercial real estate industry leaders who are fed up with a system that simply doesn t work the book explains how business leaders can implement nine principles for any project that will dramatically cut costs end delays create better buildings and force the industry into real reform the commercial real estate revolution offers a radically new way of doing business a beginning to end trust based methodology that transforms the building process from top to bottom based on unifying principles and a common framework that meets the needs of all stakeholders this new system can reform and remake commercial construction into an industry we re proud to be a part of if you re one of the millions of hardcore cynics who work in commercial construction you probably think this sounds like pie in the sky but this is no magic bullet it s a call for real reform if you re an industry professional who s sick of letting down clients or an owner who s sick of cost overruns and endless delays the commercial real estate revolution offers a blueprint for fixing a broken industry

this book presents the essential concepts principles and tools for the analysis of commercial real estate from an investment perspective integrating relevant aspects of urban and financial economics it bridges the gap between mainstream finance and the current cutting edge of professional real estate practice with a look at asset market inefficiency and illiquidity after tax analysis for various types of investors tax exempt institutions and private investment other chapter topics include periodic returns measurement risk analysis asset valuation investment analysis leverage capital structure portfolio theory and option valuation theory

in the fast changing world of commercial real estate terms like and fair rental value and and net lease and or and duty of good faithand can mean many different things depending on the circumstances of the deal so when negotiating and drafting complex leasing agreements it and s imperative you know what these provisions can mean have alternate provisions readily available and know when and how to use them properly commercial real estate leases preparation negotiation and forms fifth edition can make it easier written by nationally recognized real estate attorney mark senn this highly acclaimed guide explains the legal principles behind each lease provision in clear user friendly terms offers balanced discussion of the practical applications of the law from the landlord tenant and the lender perspectives where applicable provides specific examples of alternate clauses that address each partyand s precise needs logically organized to follow the typical commercial real estate lease each chapter takes you clause by clause through all of the issues you need to understand in order to represent

clients effectively in commercial real estate transactions including rentand fixed market and percentage operating expenses options to expand buy or extend space measurementand and resulting economics subordination non disturbance and attornment agreements drafting exclusive provisions understanding insurance provisions tax provisions and federal income tax consequences use issues condemnation commercial real estate leases preparation negotiation and forms fifth edition includes a free companion cd rom containing all of the leasing forms discussed in the guide

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