

**BENCHMARKING GRID
EMPHYTEUTIC LEASE AGREEMENT**

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1.00 INSTRUCTIONS

If this is your first attempt at using one of our benchmarking grids we recommend that you consult document number **0004500** for instructions on how best to use this tool, which can be found in **Chapter 00 - Contractual Process** in the Contract Forms available on our website.

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2.00 BENCHMARKING GRID

BENCHMARK AGREEMENT: E06.200	MATCHING PROVISION(S)	VARIATIONS/OBSERVATIONS ¹
IDENTIFICATION AND PLACE OF EXECUTION		
IDENTIFICATION OF PARTIES:		
THE BARE OWNER		
THE EMPHYTEUTIC LESSEE		
AS INTERVENOR:		
THE SURETY		
RECITALS		
(A) Description of BARE OWNER		
(B) Description of EMPHYTEUTIC LESSEE		
(C) Premises to operate business		

¹ If the clause situated in the Matching Provisions column is deficient in some way (see list of deficiency codes located after list of deficiencies), we recommend placing an asterisk next to that clause number and to record the deficiency in the list of deficiencies that appears at page 33 of this document.

BENCHMARK AGREEMENT: E06.200	MATCHING PROVISION(S)	VARIATIONS/OBSERVATIONS ¹
(D) Necessary Conditions		
(E) Offer to transfer Emphyteusis		
(F) Acceptance of Offer		
(G) Legal instrument		
(H) Mutual agreement		
0.00 INTERPRETATION		
0.01 Definitions		
0.01.01 Activities		
0.01.02 Agreement		
0.01.03 BARE OWNER		
0.01.04 Best Efforts		
0.01.05 Breach		
0.01.06 Change in Control		
0.01.07 Common Areas		
0.01.08 Confidential Information		

BENCHMARK AGREEMENT: E06.200		MATCHING PROVISION(S)	VARIATIONS/OBSERVATIONS ¹
0.01.09	Emphyteusis		
0.01.10	Encumber or Encumbrance		
0.01.11	Event of Default		
0.01.12	Force Majeure		
0.01.13	Full Term		
0.01.14	Fundamental Provisions		
0.01.15	Hazardous Materials		
0.01.16	Immovable		
0.01.17	Improvements		
0.01.18	Initial Term		
0.01.19	Insurance		
0.01.20	Intellectual Property		
0.01.21	Land Taxes		
(a)	Definition		
(b)	Exception		
(c)	Owed Amounts and Payment		
0.01.22	Law		