

## Checklist – Leasing Real Property TO 3<sup>rd</sup> Party

### Please provide the following information:

1. An unsigned copy of the proposed lease must be provided in advance. A signed copy must be sent after closing. The “legal” name as appears on the corporate charter must be used. Governor signs lease as President and Administrator as Secretary of the corporation. The following clauses should be considered:
  - a) Address to be leased
  - b) Term
  - c) Rent
  - d) Use
  - e) Maintenance
  - f) Common area charges
  - g) Termination clause
  - h) Insurance
  - i) Default clause
  - j) Notices
  - k) Holding over
  - l) Surrender
  - m) Assignment
  - n) Subletting
  - o) Indemnification
  - p) Signs
  - q) Bankruptcy
  - r) Foreclosure
  - s) Estoppel Certificate
  - t) Right to enter
  - u) Parking
  - v) Option to purchase
  - w) Early termination
  - x) Moose International clause (***The clause below must be in lease!***)

**“It is understood and agreed by and between the parties hereto that Moose International, Inc., located at Mooseheart, County of Kane, State of Illinois, assumes no liability which might be incurred by either party to this Agreement during the term of said Agreement. The Parties to this Agreement shall indemnify and hold Moose International, Inc., an Indiana not-for-profit corporation, harmless from and against any claim, loss or damages, including reasonable attorney’s fees, in all disputes related to this Agreement”**

2. Lessee shall obtain General Liability insurance, including Fire Legal Liability insurance, naming the Moose Lodge as additional insured in an amount no less than \$1,000,000.00. In some instances, the lodge may be required to obtain a separate “landlord” policy.
3. An insurance certificate showing Moose Lodge and Moose International as an additional insured is required. A copy of this certificate must be included with the Lease Property Resolution. If lease is to a private individual, lease should specify the individual is responsible for his own personal property.
4. A dated copy of Special Meeting Notice sent to membership explaining the specifics of the vote to be taken during the special meeting as required by the General Laws.
5. A copy of the special meeting minutes, signed by Administrator and Governor.
6. Original “**Lease Property Resolution**” (completed with signatures, date & seal).

**The purpose of the General Governor’s office is to ensure compliance with the General Laws of the fraternity. It is neither expressed nor implied that the General Governor’s office renders legal advice. It is strongly recommended the lodge retain local counsel to advise the lodge on all legal matters.**

April 2011