

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Hudson 1701/1706, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 25-11853 (KBO)

(Jointly Administered)

Related Docket No. 344

**ORDER GRANTING DEBTORS' MOTION FOR AN ORDER DETERMINING THAT
PURPORTED GROUND LEASE, IF A TRUE LEASE, IS A LEASE OF RESIDENTIAL
REAL PROPERTY UNDER SECTION 365 OF THE BANKRUPTCY CODE**

Upon the motion (the “**Motion**”)² of the above-captioned Debtors, for entry of an order determining that the purported ground lease between the Debtors and 356W58 Ground Lessor LLC dated May 4, 2022 (the “**Purported Ground Lease**”), if deemed a true lease, constitutes a lease of residential real property and not nonresidential real property under Section 365 of the Bankruptcy Code, all as more fully set forth in the Motion; the Court having found that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (ii) venue for these matters is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409, (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b); (iv) notice of the Motion was sufficient under the circumstances, and no further or other notice is required; and (v) a reasonable opportunity to object or be heard regarding the relief requested in the Motion has been afforded to all interested persons; the Court having determined that the relief requested in the Motion is in the best interests of the Debtors, the Debtors’ estates, their creditors and other parties in interest and that the legal and

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are Hudson 1701/1706, LLC (0281) and Hudson 1702, LLC (0190). The Debtors’ headquarters and the mailing address for the Debtors is 11440 San Vicente Boulevard, 2nd Floor, Los Angeles, CA 90045.

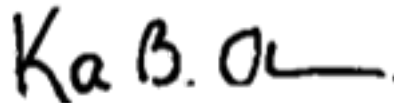
² All capitalized terms not otherwise defined herein shall have the same meanings ascribed to them in the Motion.

factual bases set forth in the Motion establish just cause for the relief granted herein; and it appearing that sufficient notice of the Motion has been given; and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. The Purported Ground Lease regarding the property at 353-361 West 57th Street, if it is a true lease, constitutes a lease of “residential real property,” as that term is used in Section 365(d)(2) of the Bankruptcy Code.
3. If it is a true lease, Section 365(d)(2) of the Bankruptcy Code is applicable to such Purported Ground Lease rather than sections 365(d)(3) and (4) of the Bankruptcy Code.
4. Nothing in this Order shall be deemed to (i) authorize an assumption, rejection or assignment of the Purported Ground Lease, or (ii) determine whether such Purported Ground Lease is an unexpired lease of real property.
5. Nothing in this Order, the Motion, or the Debtors’ actions in connection herewith shall constitute an admission by any party, including the Debtors, the DIP Lender, or the Prepetition Secured Parties, as to whether the Purported Ground Lease is a “lease” for purposes of section 365 of the Bankruptcy Code.
6. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order.
7. The Court shall retain jurisdiction with respect to any matters, claims, rights or disputes arising from or related to this Order.

Dated: April 22nd, 2026
Wilmington, Delaware


KAREN B. OWENS
CHIEF JUDGE