

Services & Industries

Real Estate Development

Our Real Estate Transactions practice is among the largest in Central Florida, representing domestic and foreign individuals, corporations, partnerships, limited liability companies, Real Estate Investment Trusts (REITs), and other entities in a wide variety of complex real estate matters. The practice grew rapidly over the years to keep pace with the tremendous growth that has occurred in the real estate economy. As the economy changed, so did the practice.

Our real estate attorneys are familiar with virtually every type of commercial real estate transaction. We provide technical and practical advice to our clients in connection with the acquisition or sale of commercial real estate of all types, including vacant land, shopping centers (including regional malls), office buildings, industrial/warehouse facilities, apartment projects, entertainment complexes, restaurants, single family residential subdivisions, hotels and motels, and agricultural land, as well as golf courses and other resort related developments. We assist our clients in negotiating contracts for purchase and sale, performing due diligence as required, negotiating transfer documents and finalizing the closing of the transaction. We provide counsel to our clients as to alternative structures for any proposed transaction so as to minimize closing costs, federal or state income taxes and, to the fullest extent possible, potential liability to third parties. In addition, we assist our clients in connection with obtaining any necessary consents or approvals required for a particular transaction from third parties, including state or local governmental authorities. We also counsel our clients with respect to any federal, state or local governmental reporting/disclosure requirements that may be necessary in connection with any particular transaction.

Our real estate attorneys have also developed extensive experience in representing clients whose real estate interests extend throughout Florida and in other states throughout the country. We handle and coordinate the due diligence and legal counsel needs on commercial real estate transactions throughout the country for these clients based in the Central Florida area, such as a nationally known retail development REIT and its affiliated companies or national lenders. Finally, many of our real estate attorneys spend a great deal of their time working as local Florida counsel on specific commercial real estate transactions of all types and sizes for clients that are based outside of the Central Florida area, often working with the client making its first commercial real estate acquisition within Florida. These attorneys have learned how to effectively and productively work with either in house counsel and/or outside historical counsel of such companies to achieve a successful and cost efficient closing of its commercial real estate transaction.

Throughout our history, the firm has concentrated a significant portion of its real estate practice on the representation of real estate developers in all aspects of their business including acquisition/sale, finance (including tax exempt financing), permitting, zoning and land use, leasing (including leasing of multi-tenant buildings as well as "build-to-suit" ground leases), management and tax planning. On larger scale or multi-phase

developments, we provide legal counsel and advice to our clients as to subdivision of the project and planning for the future financing and sale of individual parcels, financing of infrastructure, allocation of development rights and entitlements among parcels, addressing issues as to maintenance of common areas and common facilities (including sharing of such maintenance costs among property owners) and implementation of methods to assure high quality standards are maintained throughout the development.

Attorneys in the firm have broad experience in the area of commercial real estate finance. Years of working in the traditional real estate lending field have resulted in our lawyers being able to thoroughly address underwriting questions, draft loan commitments, prepare loan documentation, perform due diligence reviews and close loans for banks, thrifts, life insurance companies, other financial institutions and REITs. Attorneys in the firm have experience with respect to real estate acquisition loans, commercial or residential lot development loans, shopping centers, office buildings, hotels, restaurants and other single-user retail loans, "synthetic lease" transactions, single family home construction loans, as well as permanent loan commitments and tri-party agreements. Our attorneys also have significant experience in connection with "conduit" loans and their specialized issues and requirements. The firm has kept pace with the shift in the real estate market away from traditional lending and toward equity investments as the source of financing. Attorneys in the firm advise owners/developers as well as investors (whether individuals, entities or institutions) in connection with structuring, documentation and implementation of equity participation in real estate projects. The firm's lawyers routinely work on traditional forms of equity investment such as partnerships and joint ventures, newer equity investment vehicles such as limited liability companies, and have experience in other less traditional methods such as sale/leasebacks.

The firm attorneys have a long history of representing international clients who own/develop/manage commercial real estate in Central Florida. We provide our general real estate transaction-related services to them, but are also able to counsel them with respect to their special needs in international taxation, governmental reporting/disclosures and choice of entity.

Lowndes, Drosdick, Doster, Kantor & Reed is an authorized agent for all of the major national title insurance underwriters. We routinely act as issuing agent with respect to any title insurance policies required by our clients in their real estate transactions, whether in connection with a purchase or sale of property, or as may be required in connection with financing. Experience has shown that our clients consistently benefit from the firm acting as issuing title agent on a transaction. Not only does the client receive quality and efficiency in the delivery of the necessary title insurance, but also the assurance that our firm will handle all details of the closing, including recording of documents and disbursement of funds.