



## Real Estate

Burr & Forman represents real estate developers, buyers, and sellers involved in all aspects of industrial, commercial, and residential real estate. We represent and defend our clients in their development, transaction, and dispute resolution needs throughout the United States.

We work with clients on real estate matters including:

### **Acquisitions & Dispositions**

Our attorneys represent both buyers and sellers in all facets of the acquisition and disposition process including preparation and negotiation of the purchase agreement, review and consultation regarding title documents and title insurance, finance arrangements, due diligence, tax and 1031 consequences, remedies, and other pertinent matters. Our attorneys deal with many types of properties, including retail, industrial, office, hotel and multi-family, distressed, and commercial mortgage-backed securities (CMBS) properties.

### **Condominiums**

Our attorneys represent developers of commercial and residential condominium projects, including preparing and obtaining approval of all condominium documents with the required governmental authority, handling the closing of the sale of individual units, and representing the developer in negotiations with the condominium association. In addition, our team represents condominium associations on a variety of matters.

### PROFESSIONALS

Douglas L. Anderson  
Lindsey R. Arnold  
Adam R. Artigliere  
Jeffrey T. Baker  
Pamela A. Baker  
Matthew W. Barnes  
Jennifer C. Blumenthal  
Durham T. Boney  
Jon "Will" Campbell, Jr.  
John P. Carroll  
Chloe E. Champion  
Ashmin Chowdhury  
Patrick J. Clarke  
Lindsey Drexler Cochran  
William "Chip" Collins, Jr.  
K. Ryan Dardard  
Damon P. Denney  
Andrea Weed Dorgan  
Schuyler K. Espy  
Joseph H. Farrell, III  
Richmond C. Flowers  
Jason R. Gabriel  
Douglas K. Gartenlaub  
Ryan M. Gentry  
Cary S. Griffin  
Lindsay C. Hartman

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## Construction

Our attorneys negotiate construction contracts for almost every conceivable improvement to real estate, including, but not limited to, infrastructure improvements (underground sewer and water, roads, utilities, etc.) and vertical improvements (houses, multifamily, office buildings, shopping centers, hotels, etc.). This includes representation both from the construction perspective and the owner perspective.

## Development

Our attorneys represent developers (both fee and leasehold owners) of commercial properties in connection with land acquisition, entitlements, zoning, title, environmental, mixed-use, and other reciprocal arrangements.

## Joint Venture / Investments

Our team represents both developers/owners and investors (including fund formations, compliance, and other regulatory matters) in connection with choice of entity (including LLCs, Series LLCs, Partnerships, and REITs), capitalization, waterfall, tax consequences, defaults, and exit strategies.

## Leasing

Our attorneys represent both landlords and tenants in residential and commercial leasing, including negotiating leases for significant office space, shopping centers, and free-standing retail stores.

## Litigation

Our team has the capability to cover a wide variety of real estate-related disputes. Our attorneys practice before state and federal courts, as well as administrative agencies, at both the trial and appellate levels. We advise our clients on strategies to avoid or minimize the time and expense associated with litigation, encouraging the resolution of disputes through negotiation, mediation, and arbitration, as appropriate. However, when litigation is in our clients' best interest or simply cannot be avoided, our trial attorneys provide aggressive and effective representation in all phases of the litigation process.

Tully D. Hazell  
William S. Hereford  
C. Tucker Herndon  
Erin C. Hewitt  
Brent D. Hitson  
G. Wilson "Rocky" Horde III  
Paul E. Hotchkiss  
John R. "B.J." Ibach  
Heather A. Jamison  
Austin R. Klein  
Laurence S. Litow  
Randolph R. Lowell  
Mignon Lunsford  
Robert C. Matthews  
Timothy F. May  
Whitney Sport McElroy  
Judith L. McInnis  
William T. McKenzie  
Charla B. Mcklevey  
Daniel S. "Chip" McQueeney, Jr.  
Maia Middleton  
Richard "Stewart" Miller, Jr.  
Gail Livingston Mills  
Dwight L. Mixson  
Matthew J. Modelski  
Rosannie T. "Rosie" Morgan  
Laura W. Murphy  
Walter J. Nester, III  
Brandon T. Norris  
Norman M. Orr  
J. Joseph Owens  
Bhumi A. Patel  
Allison O. Pennington  
Jonathan H. Plott  
Joel A. "Jay" Price, Jr.  
Bret T. Pruehs

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Our team defends clients in several types of real estate litigation matters:

- Contract disputes
- Commercial foreclosures
- Development issues
- Eminent domain
- Quiet title and ownership litigation
- Title insurance claims and defense

## Portfolio Transactions

Our team represents buyers, sellers, and lenders in connection with the acquisition, disposition, and refinancing of multiple commercial properties often in various states.

## Timberlands

Burr represents lenders and borrowers in timberland loan transactions ranging from a few thousand acres in a single state, to hundreds of thousands of acres in multiple states. Our team also represents clients in the purchase and sale of timberlands. These legal services often include other relevant disciplines such as corporate, LLC and partnership organization, timber sale contracts, timber management contracts, easements, and timber deeds.

## Land Use & Zoning

Burr & Forman's environmental team provides advice and services, including litigation, associated with all environmental aspects of business planning, development, and operation. Our attorneys assure compliance with statutory and regulatory requirements and help clients avoid enforcement actions and litigation. We are intimately familiar with the applicable state and federal statutes, regulations, and case law, as well as local and federal enforcement agencies and their personnel throughout our southeastern footprint and beyond.

## Experience

- Burr Helps to Protect Past While Building for the Future  
09.25.2018

R. Marshall Rainey  
Sarah F. Robertson  
John F. Rogers, Jr.  
Robert T. Rosen  
Robert H. Rutherford  
David F. Santos  
Melinda Eubanks Sellers  
Mark S. Sharpe  
Madeleine Maury Downing Sherman  
Bradley C. Skidmore  
Troy K. Smith  
Judah L. Solomon  
Robin C. Stanton  
Scott I. Steady  
Chris R. Strohmenger  
George M. Taylor, III  
M. Scott Thomas  
David J. Tigges  
Kelly E. Waits  
Donald M. Warren  
Callie Sullins Whatley  
Timothy M. Zwerner

## SCOPE OF SERVICES

Commercial Real Estate Finance  
Land Use & Zoning  
Tax Sales

## RELATED AREAS

Commercial Real Estate Finance  
Economic Development  
Environmental  
Tax Sales  
Trusts & Estates Planning

## RELATED INDUSTRIES

Construction & Project Development

# Real Estate

## News

- Burr Recognized as One of the Top Economic Development Firms in the Southern Region  
Firm News, *Southern Business and Development*, 01.31.2024
- Burr's Jay Price Elected to American College of Mortgage Attorneys  
Firm News, 01.24.2024
- Adam Artigliere Selected for Riley Institute's Upstate Diversity Leaders Initiative  
Firm News, 01.22.2024
- Bhumi Patel Included in B2B The Grand Strand's 50 Most Influential  
Firm News, 01.17.2024
- Burr & Forman Welcomes Ryan Dardard to Mobile Office  
Firm News, 01.10.2024

## Events

- ALAS Real Estate Practice Group Conference  
Speaking Engagement, 11.02.2023
- NBI Alabama Real Property Law Seminar  
Speaking Engagement, 08.22.2022
- Moderator, 30th Annual Southeastern Environmental Law & Regulation Conference  
Speaking Engagement, 06.10.2022

## Publications

- Essential Tax Strategies for Property Owners in South Carolina: A Guide to Q4 Tax Mastery  
Article, 12.06.2023
- Biden Administration Encouraging Conversion of Empty Offices into Affordable Housing  
Article, 12.05.2023
- Tax-Advantaged Energy Efficient Retrofits May Decrease Operating Expense and Increase Gross Potential Rent  
Article, 12.04.2023
- Jonathan Eggert and Jennifer Moseley Detail EB-5 and E-2 Visa Programs in Commercial Property Executive  
*Commercial Property Executive*, 11.30.2023
- Developers Prepare to Gain Density and Reduced Wetlands Restrictions After EPA Policy Change  
Article, 09.14.2023