Real Estate

OVERVIEW

Attorneys in Eckert Seamans' Real Estate Group have the technical knowledge and practical experience to efficiently and cost-effectively deliver quality legal services across the real estate industry. Firm attorneys are experienced in all aspects of real estate transactions and handle matters on behalf of clients from the structuring of the transaction through closing. Moreover, backed by the full-service resources of the firm, our real estate attorneys deal with all other aspects of modern real estate law, including land use, construction, corporate law, environmental law, tax, hospitality law, securities, bankruptcy, corporate finance, intellectual property, and labor law.

For many years, Eckert Seamans has represented a broad spectrum of commercial, industrial, public, and nonprofit clients in various real estate matters. These clients include buyers and sellers of real estate; construction and permanent lenders such as banks, pension funds, insurance companies, savings and loan associations, credit companies, and nontraditional lenders; building contractors; educational and nonprofit entities; municipalities; local and regional authorities; and owners, developers, and operators of shopping centers, office buildings, industrial plants and parks, transportation facilities, sports facilities, and residential developments. We also represent owners and developers in the energy sector as well as the shale gas industry, assisting clients with leasing and development, purchase, sale, and assignment of oil and gas interests and litigation of competing interests in oil and gas properties.

COMMERCIAL REAL ESTATE

Eckert Seamans represents commercial real estate developers in matters of zoning and subdivision, title and survey, and easements and utilities. We represent developers in the acquisition of real estate for development, which includes purchase agreements and assembly of development parcels, mortgage loan financing and equity investment, and leasing.

Acquisitions and Sales:

- Prepare and negotiate purchase and sales agreements; draft deeds and easements; perform closings; review titles and surveys; perform due diligence; environmental review; organization and financing of real estate partnerships, limited liability companies and other business organizations.

Development and Leasing:

- Represent clients in the development and leasing of business parks and flex space, industrial parks and warehouses, office towers, medical offices, commercial condominium projects, and shopping and retail centers.

Leasing (Landlord and Tenant):

- Represent landlords and tenants in leasing flex space and warehouses, offices, shopping and retail centers.
- Represent landlords and tenants in ground leases for development, sublease, and lease assignments.

RELATED REPRESENTATIVE MATTERS

- Assisted client in the development of a commercial business park in suburban Pittsburgh, including construction and financing of buildings containing more than one-million-square-feet of rentable office and warehouse space.
- Represent clients in the acquisition, construction, and renovation of retail shopping centers, in the leasing of space to both national and local retail tenants, in the financing and refinancing of its properties, and in the ultimate sale of their centers.
- Represented publicly traded developer client to obtain approval of a General Development Plan for a 596 fee simple active adult community located in Monroe Township, Middlesex County, New

Jersey, including extended (12 years) vesting.

- Represented developer in the adaptive re-use of a 100,000 square foot warehouse in Philadelphia into an educational center using new market tax credit financing, including acquisition, loan documentation, zoning variances, and other required governmental approvals.
- Represented client in the acquisition of a Downtown Pittsburgh office tower and in the documentation and filings necessary to convert the property into a commercial condominium structure.
- Assisted a client in obtaining approvals for four warehouse buildings totaling approximately 4,000,000-square-feet of warehouse and office space, on two sites in Cranbury Township, Middlesex County, New Jersey. The client is family owned and owns and manages approximately 6,000,000-square-feet of offices located in central and northern New Jersey.
- Represented clients in the acquisition, renovation and financing of a 620,000 square foot warehouse, distribution and logistics center expected to create more than 500 jobs. Our attorneys assisted the client to obtain necessary governmental approvals and municipal tax abatement under the New Jersey Long Term Tax Exemption Law for this complex project.
- Assisted client in obtaining approval to renovate historic industrial buildings into 190 loft units, 26,637-square-feet of retail and restaurant space, and 86,000-square-feet of commercial offices. Renovation was said to be a "game changer" for the City of Trenton.
- Handled the acquisition and leasing of several office and retail buildings in Pittsburgh's Southside.

RESIDENTIAL DEVELOPMENT & CONSTRUCTION

Eckert Seamans handles numerous residential development challenges for our developer clients, including matters relating to planned community and condominium documentation, site development, zoning and subdivision, and homeowners and condominium associations.

RELATED REPRESENTATIVE MATTERS

- Representation of a national home building company in connection with lot development and infrastructure, condominium and planned community matters, homeowners associations, and other residential construction compliance matters.
- Representation of developer in the acquisition, financing, construction and governmental approvals for the new construction of a large-scale, state-of-the art mixed-use residential and commercial project in Philadelphia.
- Assisted client in acquisition and financing of 400-unit residential apartment complex.
- Represented client in the acquisition and renovation of a historic Pittsburgh landmark, converting it into upscale residential apartments with first floor retail shops.

PUBLIC AUTHORITIES & MUNICIPAL INSTITUTIONS

Eckert Seamans represents public transportation authorities, stadium authorities, colleges and universities, municipal authorities, and other public institutions in the acquisition, financing, leasing, management, and operation of public facilities.

RELATED REPRESENTATIVE MATTERS

- Represented a regional transit system authority in the acquisition of land and easements and related rights necessary for expansion of its transit system in a major metropolitan market.
- Represented nonprofit entity in connection with the adaptive re-use of a historic structure into a performing arts center on the Delaware River waterfront, including acquisition of the land, loan documentation, zoning variances, and governmental approvals.
- Represented nonprofit entity in the development and construction of its state-of-the-art offices in North Philadelphia using new market tax credit financing, including acquisition of the land, loan documentation, construction contracts, and necessary governmental approvals.

- Represented a university in Philadelphia with the negotiation of a ground lease to bring a hotel on campus. Also assisted this institutional client to negotiate various construction contracts and leases in other real estate projects.

CORPORATE REAL ESTATE

Real estate law is not just a concern for developers. Many of our clients own or lease real estate for use in connection with their businesses that span numerous industries, including manufacturing, education, and health care. We assist our business clients in the acquisition, finance, leasing and management of their real estate properties.

RELATED REPRESENTATIVE MATTERS

- Assisted a national lumber company with the restructuring and financing of its real estate holdings, including over 300 locations in 38 states.
- Represented a client in the relocation of its business, including negotiation of a lease for the top floor of a Downtown Pittsburgh office tower with parking and other amenities.
- Assisted a wholesaler client in Pittsburgh's historic Strip District in the acquisition of a larger warehouse building in which to expand operations, and to lease its former warehouse building.
- Representation of a national food products client that acquired a competitor and all of its manufacturing assets, including plants and offices located in several states. While Eckert Seamans' merger and acquisition attorneys handled the overall purchase transaction, our real estate attorneys reviewed title and survey, reviewed environmental reports, reviewed and renegotiated existing leases, and closed the purchase of the related real properties.

OIL & GAS DEVELOPERS AND PRODUCERS

Eckert Seamans represents natural gas companies in the development, leasing, acquisition, and sale of oil and gas fields in the Marcellus Shale and Utica Shale regions. Our attorneys have experience in drafting the operative documents for these transactions, including purchase and sale agreements, assignments of leases and wells, and title clearance matters.

RELATED REPRESENTATIVE MATTERS

- Assisted a long-established, family-owned Pennsylvania gas company in the sale of its holdings upstream to companies that intended to develop the Marcellus Shale. Drafted, reviewed, and negotiated gas lease surrenders, releases, and assignments to effectuate the sale. Eckert Seamans also resolved numerous gas lease title disputes and defects, including filing quiet title actions and resolving disputes with landowners.
- Assisted conventional gas developers to sell the deep rights of their oil & gas holdings to a Texas gas company that desired to participate in the Marcellus Shale play. Our representation included drafting the purchase and sale agreement, assignments of leases and related closing documents, and assisting in the resolution of leasehold title issues.
- Assisted a large regional gas company with updating and revising its basic oil and gas lease forms for use in leasing and drilling Utica Shale properties.
- Represented clients in a breach of contract action, in which the clients claimed that the gas developer failed to comply with its agreement to develop Marcellus Shale gas wells. We assisted the client in settling the action favorably, and resolving various other issues between the parties in their ongoing business relationship.
- Defended clients against claims of breach of implied covenant to develop certain oil and gas leases in Pennsylvania and West Virginia. We obtained summary judgment in favor of our clients, prior to a costly trial.