

## Real Estate

### Real Estate Straight Talk That Gets Deals Done

Commercial real estate deals are among the most complex transactions any business can undertake. The mix of financial, regulatory and operational issues is unique for each project in every geographic area. With more than 60 real estate lawyers, Andrews Kurth has the strength to provide legal assistance for closing the full gamut of commercial real estate transactions. Our practice background includes:

- Real Estate Projects and Clients
- Real Estate Finance including CMBS
- Real Estate Energy Infrastructure
- Real Estate Litigation and Disputes

Andrews Kurth represents corporate owners, institutional lenders, equity investors/pension advisors, commercial developers and landlords on national and international projects, from sports stadiums to corporate headquarters and international hotel chains.

Retail and office leasing is a particular practice strength and we frequently counsel landlords of office complexes with over one million square feet.

### Commercial Real Estate Projects and Clients

We represent clients in financing, buying, selling, developing and leasing property and have considerable experience in corporate facilities management. We helped to facilitate development and investment projects throughout North America, including:

- **Houston Sports Authority**—Represented the Houston Sports Authority in the development of Reliant Stadium, Minute Maid Park and the Toyota Center.
- **International Hotel**—Advised Canada's largest hotel operator in the purchase of a Vancouver hotel, World Trade Office and convention center, with financing from banks in Japan and Germany.
- **Hotel Public Finance**—Counseled Hilton Hotels Corporation in developing and operating a 450-room facility in connection with the public tax-exempt bond financing of Omaha's convention center.
- **Office Complex**—Guided the developer in the acquisition, development and management of a 1.2 million square foot office complex in Denver.
- **Tech Center**—Represented the developer of a 1.5 million square foot technical center for Federal Express in Collierville, Tennessee.
- **Corporate Headquarters**—Advised major corporate clients, including Chevron Phillips Chemical Co. and Chicago Bridge & Iron Co., in developing corporate headquarters facilities in The Woodlands, Texas.
- **Municipal Counsel**—Worked with the City of Houston in constructing the Hobby Center for the Performing Arts.

Our major real estate clients include:

- AEW Capital Management
- Archon Group, L.P.
- CIGNA Investments, Inc.
- Citigroup Global Markets
- CW Capital
- Fortune Brands Inc.
- GE Capital
- Hilton Hotels Corporation
- ING Clarion Partners

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- Invesco Realty Advisors
- JPMorgan Chase Bank
- L. J. Melody
- Lincoln Property Company
- McCord Development
- New York State Employees Common Retirement Fund and New York State Teachers' Retirement System
- Royal Bank of Canada
- State of Michigan Retirement Systems
- TRIZEC Properties, Inc.
- Wells Fargo

With comprehensive firm-wide resources in banking, construction, environmental, securitization and tax law, we work to ensure a smooth process from start to finish. When related issues in land use, joint ventures, restructuring, foreclosures and bankruptcy arise, our lawyers promptly address and resolve these concerns and keep transitions on track.

### **Real Estate Finance**

Transactions in today's market also involve complex creditor relationships, and our attorneys regularly navigate the intercreditor agreement maze. From historic buildings in Manhattan to self-storage facilities in San Diego, we have represented lenders and investors at each level of the capital structure in transactions in all 50 states including:

- First lien mortgage
- A/B notes and mezzanine financing transactions
- Floating and fixed rate loans
- Preferred equity
- Construction loans
- Conduit lending platforms

### ***Commercial Mortgage Backed Securitizations (CMBS)***

Andrews Kurth is among the few national law firms that actively represents clients in all segments of the CMBS industry. We represent clients in their fusing the origination, securitization and servicing lines of business.

In our role as counsel to loan servicers, we represent master, primary and special servicers in connection with all facets of CMBS issues. Our experience includes:

- Loan assumptions
- Collateral releases
- Defeasance transactions
- Complex special servicing workouts, modifications and foreclosures
- Pooling and servicing agreements
- Real Estate Mortgage Investment Conduits (REMICs)

### **Real Estate Energy Infrastructure**

We provide integral legal assistance to clients who are acquiring, financing or developing oil and gas, pipeline or electric generating facilities throughout the United States. Our lawyers respond to real estate concerns every phase of the process, from resolving platting and zoning issues to handling environmental and permitting matters. We also regularly negotiate

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and draft:

- Purchase and sale agreements
- Option agreements
- Ground leases, including those with Industrial Development Bonds
- Easement agreements, for water, electricity, drainage, access and gas
- Water supply agreements
- Construction agreements for water treatment facilities, pipelines and water wells
- Deeds of conveyance
- Electrical and gas interconnection agreements
- Drill site and other surface use agreements

### **Real Estate Litigation and Disputes**

When real estate disputes occur, our trial lawyers have experience in representing all key players—from developers and lenders, including insurance companies, pension funds and servicers, to property owners, brokers and tenants. We understand strategies that work in claims concerning:

- Breach of lending commitments
- Lender liability
- Property owner and occupier liability claims
- Construction defect and warranty claims
- Landlord/tenant claims
- Foreclosure disputes

Clients can benefit from the full resources of our Litigation practice group and the advocacy of lawyers skilled in efficient and effective dispute resolution and risk management.