

## Real Estate

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**We provide counsel to both buyers and sellers in commercial and industrial real estate acquisitions and divestitures concerning contractual, construction, financing, management, tax, and environmental issues associated with such transactions, as well as representation in related litigation.**

### Overview

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Real Estate transactions are complex engagements that involve a variety of legal considerations throughout the purchase or sale of property. They also require an understanding of the industry-specific issues that arise at all stages of the purchase or sale of real property.

Post & Schell's multi-disciplinary Real Estate Practice Group is composed of attorneys from our Commercial Litigation, Construction, Corporate, Environmental, and Tax Practices. As a group, they provide clients with counsel and representation related to the full life-cycle of real estate transactions, including:

#### Corporate and Transactional

- Assistance securing and negotiating terms of financing for acquisitions and project development, including equity and debt financing, and negotiation of environmental issues related to financing.
- Drafting and negotiating Purchase & Sale Agreements, loan documents, and other contracts.

#### Commercial Litigation and Construction

- Construction-related issues that arise before, during, and after the transaction, including mechanics' liens, contractor agreements and contracts, and code compliance.
- Counsel related to subdivision and land development disputes, zoning issues, land use, civil rights litigation, highway occupancy permit issues, fair housing issues, and eminent domain litigation.
- Representation in litigation related to real estate transactions, including mediations and arbitrations.

#### Environmental

- Pre-acquisition environmental diligence and risk assessment.
- Selection of third-party consultants and development of scopes-of-work tailored to the needs of particular transactions.
- Drafting and negotiating environmental reps and warranties, covenants and indemnities in Purchase & Sale Agreements and loan documents.
- Evaluation of environmental permitting, auditing, and compliance, including stormwater permitting, sewage facilities approval, wetlands mitigation, tank removal, hazardous substances remediation, and related issues.
- Brownfield remediation and redevelopment counseling and funding assistance.
- Structure and negotiation of specialized environmental insurance products to address and mitigate risk.

#### Tax

- Counsel on federal, state, and local tax concerns related to the transaction, including tax structure and litigation avoidance.

#### Our clients include

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- Commercial landlords and tenants
- Individual real estate investors, owners, sellers, and buyers

- Private equity and venture capital firms
- Real estate development companies
- Real estate investment trusts (REITs)

**Client industries**

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- Construction
- Commercial transportation
- Energy and alternative energy
- Healthcare
- Hospitality
- Higher education
- Manufacturing
- Multi-family residential
- Private equity/venture capital
- Public utilities
- Retail

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