

# Real Estate and Land Use

Sideman & Bancroft's real estate, land use and construction law attorneys counsel a broad range of clients, from individual investors, entrepreneurs, and closely held companies to institutional and international entities involved in the myriad aspects of real estate. Our practice is primarily—though not exclusively—focused on commercial transactions and disputes, including property acquisitions, procurement of land use entitlements, development, construction, leasing, financing, workouts, exchanges, sales, and real estate asset-based corporate transactions, as well as real property taxation issues and litigation matters. We also advise individual clients with significant residential real estate holdings.

## AREAS OF CONCENTRATION

### **Purchase and Sale Transactions**

It takes an expert to navigate the intricacies of California real estate transactions. Sideman & Bancroft represents clients involved in the acquisition, sale, or tax-deferred exchange of the entire range of real estate product types: vacant land, office, retail, hospitality, residential, and mixed use buildings and projects. Our attorneys work with institutional investors both nationally and internationally. We counsel U.S. individuals and entities in foreign investment and development transactions. We also represent lenders and borrowers in negotiating, documenting, and closing real property secured financing transactions.

### **Office, Retail and Industrial Leasing**

The Real Estate Group represents clients on both the landlord and the tenant side of leasing transactions. On the landlord side, we develop standard form lease documents for direct use by the client in repeated leasing of large commercial or office properties, shopping centers, and residential apartment buildings. We prepare leases for clients involved in individual transactions, as well. Our attorneys also represent clients as tenants, many of whom lease multiple commercial sites throughout California and other states. Representing a tenant typically involves negotiating and documenting letters of intent, lease documents, tenant improvement packages, and lease guarantees and related documents. Tenant work also includes reviewing title and advising on title insurance, addressing and resolving title problems, and obtaining LEED certification for tenant build-outs. To that end, one of our partners is LEED accredited.

### **Land Use and Entitlements**

Sideman & Bancroft's real estate attorneys have particular expertise in land use issues, including obtaining entitlements for real estate development projects as well as representing individuals and groups to ensure due process by government and elected officials in review and approval of private and public development projects. Our clients include major landowners, developers and investors seeking to maximize value.

**Real Property Taxation**

The Real Estate Group advises clients on potential tax implications for property transactions and proposes alternative deal structures to minimize income, transfer, and real property taxes. Representation on tax matters extends to administrative appeals and litigation, when necessary.

**Real Property Operations**

The firm has extensive experience in preparing agreements among real property owners, including CC&Rs, tenancy-in-common agreements, and reciprocal easement agreements. We also prepare property management agreements for use by owners or property management enterprises, as well as brokerage agreements for use by owners anticipating sale or lease transactions.

**Construction and Construction Contracts**

Sideman & Bancroft works with both owners and contractors in the negotiation and documentation of construction contracts. We also address disputes that arise during construction. One of our attorneys draws upon his background as a licensed civil engineer to counsel clients on these matters.

**Real Estate Ownership and Development Entities and Litigation**

Our real estate attorneys are experienced in structuring ownership, development, and operating entities for real property projects, including partnerships, limited liability companies, joint ventures, and other strategic alliances. We represent real estate owners, operators, developers, landlords, and tenants in dispute resolution through mediation, arbitration and litigation.