



REAL ESTATE

OVERVIEW

Foulston Siefkin real estate attorneys understand both the multidisciplinary and local business nature of real estate transactions. We regularly represent clients in acquisitions and dispositions, financing, development, land use, leasing, restructuring, and environmental matters in Kansas, Missouri, and across the United States. Our real estate attorneys advise and assist capital investors, developers, owners, lenders and other participants in a broad range of industries, including: agribusiness, construction, energy, health and senior care, retail, housing, education, and hotels & hospitality. Our team draws upon our multidisciplinary expertise, experience and local resources to assist our clients in structuring transactions, project organization, navigating local and state regulatory issues, drafting sophisticated documentation, executing negotiation strategies tailored to each transaction and the party involved, and when appropriate, preparing comprehensive litigation or arbitration strategies.

We are one of a select group of Midwest law firms recognized for such a broad spectrum of real estate expertise. Our philosophy of superior client service and our recognized expertise earned our real estate practice and our attorneys high marks for “outstanding” work from publications including Best Lawyers of America, Missouri/Kansas SuperLawyers, Chambers USA, Global Law Experts, and US News & World News Best Law Firms. Our real estate attorneys include members of the American College of Real Estate Lawyers and the American College of Environmental Lawyers.

AREAS OF REPRESENTATION

Our Practice Focus Includes:

- Real Estate Transactions
- Real Estate Development, Planning and Land Use

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ATTORNEYS AT LAW

- Real Estate Finance and Tax
- Real Estate Construction, Engineering and Environmental
- Real Estate Natural Resources

Real Estate Transactions

- Commercial and Residential Leasing
- Purchases and sales of commercial, industrial and agricultural real estate
- Easements, rights of way, and other property interests
- Residential sellers, purchasers, tenants and landlords

Real Estate Development, Planning and Land Use

- Annexation
- Master Planning
- Infrastructure Approvals/Development
- Zoning and Plan Approval
- Commercial and residential condominiums
- Entitlements and Incentives
- Homeowners' and owners' associations
- Subdividing Properties
- Condemnation
- Corporate Property Management Services & Leasing
- Eminent Domain

Real Estate Finance and Tax

- Bankruptcy workouts and restructuring
- Financing
- Foreclosures
- Mortgages
- Retail, office and industrial-space leases
- Purchase options
- State and local taxation
- Syndications
- Taxation of real estate and real estate transactions
- Tax-deferred exchanges ("1031 exchanges")
- Title and title insurance issues
- Mechanic's and other real property liens

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ATTORNEYS AT LAW

Real Estate Construction, Engineering and Environmental

- Construction and design agreements
- Construction litigation and dispute resolution
- Environmental law, including site assessments and liability concerns

Real Estate Natural Resources

- Agricultural
- Oil, gas and other mineral interests
- Water rights
- Wind Farm leases, easements and related agreements

EXPERIENCE

Real Estate Development

- Short term residential property developer's counsel, including leading real estate legal team handling all aspects of new site negotiation, diligence and entitlement, to acquire, construct and operate or franchise more than 150 sites throughout the United States.
- Local Kansas counsel for significant casino company, assisting with a range of site acquisition, development and permitting issues, including laws and use concerns unique to a casino operation, for a proposed \$260 million, 275-acre development.
- Represented developer of approximately 29-acre urban mixed-use multi-building public-private downtown revitalization development in all aspects: development agreements, land contracts, multiple ground leases to support national retailer, offices, national hotel chain and condominiums, subleases, owners associations, financing, platting, permitting, restrictive covenants, easements, parking agreements, and use limitations.
- Counsel to land seller of largest and still-expanding recent commercial development corridor in Garden City, Kansas, including Wal-Mart, Sam's Club, Home Depot, Applebee's, Menard's and hotel sites. Representation included involvement in development, tax, government incentives, platting, zoning, utilities, easement and restrictive covenant issues.
- Exclusive representation of developer of approximately 700-acre mixed-use development. Handled all development aspects, including land contracts, leasing, owners associations, financing, platting, permitting, restrictive covenants, easements, parking agreements, and use limitations.
- Hotel developer's counsel, including leading real estate legal team handling all aspects of new site negotiation, diligence and entitlement, to acquire, construct and operate or franchise more than 150 sites throughout the United States.

Leasing / Landlord Tenants

- Representation of landlord of 131,000 sq. ft. multi-story office building with national and regional tenants, negotiating tenant leasing documents and related documents and issues, including for an 81,000 sq. ft. tenant.

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- Assisted with over 65 transactions – a mix of leasing transactions mostly in large multi-tenant shopping center with complex leases, and site sale/purchases of fee title – across five states for franchisee of national restaurant chain.
- Negotiated client's three industrial leases covering over 1,000,000 square feet.

PUBLICATIONS

ISSUE ALERTS

2020

Coronavirus: What Kansas Multi-Family and Other Residential Landlords Should Know About the Unprecedented Federal Residential Eviction Moratorium Order

Coronavirus: Dealing with a Positive COVID-19 Test – Guidance for Commercial Landlords and Property Managers

Coronavirus: UPDATE on Guidance Regarding Commercial and Residential Evictions and Foreclosures

Coronavirus: Guidance Regarding Commercial and Residential Evictions through May 1, 2020

2014

Why did the Lesser Prairie-Chicken cross the road?

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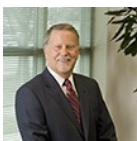
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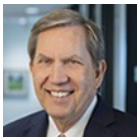
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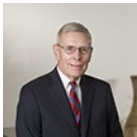
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