



Foster Pepper maintains one of the most active real estate practices in the Pacific Northwest with offices in Seattle and Spokane, Washington. Our collective experience covers the full spectrum of real estate law including real estate transactions and finance, construction, land use and zoning, environmental, and real estate litigation.

Our clients include large and small local and national real estate developers, lenders, real estate investment advisors, fund sponsors, REITs, property managers, real estate agents and others.

We are nationally recognized by the highly regarded *Chambers USA* legal directory, which annually interviews firm clients, as well as receiving recognition as a Seattle Tier 1 practice by the 2019 *U.S. News/Best Lawyers* survey.

AREAS OF FOCUS

Commercial & Real Estate Finance

Our attorneys can draw upon their real estate, banking, insurance coverage, tax, corporate and bankruptcy knowledge and experience to represent lenders and borrowers in real estate financing transactions. We represent banks, insurance companies, non-bank commercial lenders, corporate and institutional owners of real estate, and Native American Tribes in financing of projects including:

- Office, retail and industrial properties
- Multi-family projects
- Hotels and resorts

- Condominiums
- Senior and affordable housing
- Major institutions, including hospitals and universities
- Corporate real estate portfolios
- Timberland and agricultural properties

Our transactions have included traditional single property financings and corporate financings to 63-20 financings and real estate loan portfolio purchase and sale transactions.

Condemnation and Eminent Domain

Through our litigation, municipal government, land use and real estate practices, we have developed the necessary knowledge and experience to manage any property acquisition or condemnation proceeding.

We have represented municipal entities in acquisition projects including arterial street development and expansion, utility corridor development, golf courses, transit stations and rail corridors, convention centers and private utility systems.

Our real estate litigation attorneys have prosecuted and defended inverse condemnation cases, including actions relating to property taking through regulations or failure to issue land use permits, as well as noise and odor complaints.

Condominiums and Homeowners Associations

We have extensive experience in condominium and homeowner association law, representing both owners

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associations and developers of residential, commercial and mixed-use condominium projects.

We understand the unique issues affecting condominium developers and home owners associations and the need for customized documentation that address such projects and associations, balancing the interests of the different uses of these projects.

Distressed Real Estate, Workouts and Bankruptcy

An often uncertain economy requires that we are able to counsel our clients on the challenges of distressed real estate and we have extensive experience with all types of loan workouts and restructurings. Our experience ranges from assets including office buildings, shopping centers, apartment projects and hotels to industrial and warehouse facilities and agricultural property.

Our cross-disciplinary team of attorneys represents buyers, sellers, borrowers, lenders, loan services and institutional investors with issues related to distressed real estate throughout the United States.

Leasing

Foster Pepper is well-known by developers, landlords and tenants for our experience negotiating and drafting real estate leases for local, national and international clients. We represent some of the largest local retail companies in their leases throughout the United States and we regularly serve as local counsel on leasing matters.

Additionally, we represent clients with leases including:

- Office
- Retail and restaurants
- Industrial
- Governmental
- Residential
- Manufacturing
- Hospitals and medical office buildings
- Agricultural property
- Energy and transmission facilities
- Warehouse and distribution facilities

Our attorneys have experience preparing and negotiating ground and space leases, subleases, lease assignments and assumptions, and property management agreements. We also have vast experience with leasehold financing, synthetic leases, sale-leasebacks, leasehold title insurance issue and landlord/tenant disputes including unlawful detainers, work outs, real estate litigation and creditors' rights/bankruptcy matters.

Public/Private Projects

Our experience representing both private and public entities gives Foster Pepper the depth and breadth of knowledge to represent our clients on public/private partnerships. We have represented public and private clients in successfully siting many of the largest and complex, and often controversial, projects throughout the state.

From our experience as bond counsel, we know how projects are financed and what impact finance issues have on project decisions and choices. Our attorneys have an unparalleled record of success in negotiating design and construction contracts for major public works projects. We are keenly familiar with cutting edge insurance law developments that are fundamental to these projects because of the myriad of risk allocation issues interwoven into all aspects of design-build projects.

Our experience includes representation on the following projects:

- Construction of a new state route 520 bridge
- State route 522 Woodinville-to-Monroe toll road
- Tacoma Narrows bridge
- Pacific Place Parking Garage
- Seattle-Tacoma International Airport Third Runway
- CenturyLink Stadium
- Swedish Medical Center expansion
- Harborview Medical Center expansion
- Washington State Convention and Trade Center
- Sound Transit regional light rail system

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Real Estate Litigation

We are regularly called upon to represent parties in litigation regarding real estate and related matters, including the purchase and sale of real property, judicial and non-judicial foreclosures, discrimination in housing and lease disputes. We have represented parties involved in residential landlord-tenant disputes to foreclosures on major commercial properties.

We have represented clients in all levels of state and federal (including bankruptcy) courts, before administrative agencies, and in all forms of alternative dispute resolution, including arbitration and mediation. Our clients include sellers and purchasers, lenders and borrowers, landlords and tenants, and plaintiffs and defendants.

Transactional Real Estate

Our real estate attorneys have experience handling real property transactions throughout the country for local, national and international clients. We have counseled structured, negotiated and closed some of the largest real property transactions in the state and are regularly engaged as local counsel for national and international real estate companies.

In 2013, we counseled Vulcan Real Estate in the largest commercial transaction of the year, a \$1.16 billion sale of property to online retailer Amazon.com in Seattle's South Lake Union neighborhood for its expanded headquarters.