Foster Garvey

Real Estate

Covering the *full spectrum* of real estate law

We maintain one of the most active real estate practices in the Pacific Northwest with offices in Seattle, Portland, New York, Washington, D.C., Spokane and Tulsa.

Our comprehensive experience includes real estate transactions and finance, construction, land use and zoning, environmental, and real estate litigation. Representing financial institutions, developers, REITs, property owners and property managers, our team combines strategic, interdisciplinary expertise to meet the goals of every client, from structuring investments and handling financing to resolving disputes and optimizing project outcomes.

We have extensive experience with all types of properties, including commercial buildings, mixed-use projects, shopping centers, hospitals and medical centers, hotels and resorts, single and multi-family residential development projects, convention centers and more.

Our attorneys are proud to be nationally recognized by the highly regarded Chambers USA legal directory in the Pacific Northwest, which annually interviews firm clients, as well as receiving recognition as a Seattle Tier 1 practice by Best Law Firms.

Transactional Real Estate

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

Leasing

We are 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 Pacific Northwest-based 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 involving diverse property types, including:

- Office
- Retail and restaurants
- Industrial
- Governmental
- Residential

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- 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 issues and landlord/tenant disputes such as unlawful detainers, workouts, real estate litigation, and creditors' rights and bankruptcy matters. Please contact Tom Scott to learn more about our leasing services.

Commercial & Real Estate Finance

Our attorneys draw upon their real estate, banking, insurance coverage, tax, corporate and bankruptcy knowledge and experience to efficiently represent lenders and borrowers in real estate financing transactions. We represent banks, non-bank commercial lenders, corporate and institutional owners of real estate, Native American Tribes and other clients in the 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 work has included transactions in connection with traditional single property financings and corporate financings to 63-20 financings and real estate loan portfolio purchase and sale transactions.

Condemnation & Eminent Domain

Through our Litigation, Public Finance & Municipal Government, Land Use, Planning & Zoning and Real Estate practices, we have developed the necessary knowledge and experience to manage virtually 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 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.

Public-Private Projects

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Our firm's longstanding history representing both private and public entities gives us the depth and breadth of knowledge to represent our clients in public and private partnerships. We have represented public and private clients, successfully siting many of the largest, most complex projects throughout the Pacific Northwest. From our experience as bond counsel, we understand how projects are financed and how decisions and choices are impacted by financing issues. Our attorneys have an unparalleled record of success in negotiating design and construction contracts for major public works projects. We are keenly familiar with emerging insurance law developments, which are fundamental to these projects because of the myriad of risk allocation issues interwoven into all aspects of design-build projects.

Our team's experience includes involvement in the completion of the following major projects:

- Sound Transit regional light rail system (Greater Puget Sound area)
- Construction of a new Washington State Route 520 bridge
- Washington state Route 522 Woodinville-to-Monroe toll road
- Washington state's Tacoma Narrows bridge
- Seattle's Pacific Place Parking Garage (retail center)
- Seattle-Tacoma International Airport Third Runway
- Seattle's CenturyLink Stadium
- Seattle's Swedish Medical Center expansion
- Seattle's Harborview Medical Center expansion
- Seattle's Washington State Convention and Trade Center and related expansion

Real Estate Litigation

Our attorneys 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.

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