

OUR PRACTICE

Real Estate Finance

Baker Donelson lawyers represent lenders and borrowers in a wide variety of commercial real estate financings, including land acquisition loans, construction loans, financings as part of asset based loans, permanent loans, bond financings, multi-state transactions, and other public and quasi-public financings. We are familiar with an extensive range of assets that include multi-family, office, retail, industrial, timber, farm land, agri-business, nursing home and long term care facilities. We regularly serve as local counsel for multi-state transactions and provide assistance in states across the southeastern United States. Our clients include national, state and community banks, insurance companies, and other institutional lenders. Our firm also has a niche national practice in HUD-Insured Finance, a significant Health Care Bankruptcy and Distress practice, and extensive and diverse experience with financings by Real Estate Investment Trusts (REITs).

Our attorneys handle the full range of real estate based financial transactions and have extensive backgrounds in financial services, tax, corporate, commercial litigation and bankruptcy. Some examples of the services we provide are:

- Structuring real estate loan transactions and addressing specific loan proposal issues;
- Documenting, negotiating and closing complex real estate loan transactions, including direct loans for financial institutions and syndicated loans for the agent bank;
- Serving as local counsel, reviewing loan documents and providing opinions of counsel as to enforceability;
- Representing the lender in court on loan enforcement and work out matters;
- Foreclosing on behalf of the lender; and
- Advocating for the lender's rights in bankruptcy matters.



Representative Matters

- Represented lenders on syndication of revolving and term loans secured by real estate located throughout the U.S.
- Served as counsel to lender on a \$12 million land development loan for mixed commercial and residential property in Tennessee.
- Served as bond counsel in connection with the issuance of \$32 million revenue bonds pertaining to an educational facility located in Shelby County, Tennessee.
- Served as bond counsel in connection with the issuance of \$14 million multifamily housing revenue bonds pertaining to an apartment project in Nashville, Tennessee.
- Assisted lender on construction loans ranging from \$5 million to \$10 million for development of franchised hotels in states throughout the southeast.
- Served as developer counsel to a major drug store chain on numerous acquisitions financed with bank loans throughout the southeast.
- Represented a regional bank in connection with the workout and restructuring of approximately \$75,000,000 in various real estate loans.
- Provided local counsel review and opinion for the refinancing of a \$900 million loan on commercial retail properties located in Florida, Tennessee, and Mississippi.
- Closed a project on behalf of a state housing corporation and state government funded by a housing grant to build an apartment complex with a development cost of \$44.9 million.

- Represented a Memphis-based food company in connection with various financing and real estate matters, including the negotiation of a \$150 million syndicated senior credit facility secured by accounts receivable, inventory, equipment, and real estate, to be used to finance acquisitions and operations.
- Represented a privately-owned real estate development company in various ground lease and build-to-suit lease transactions with its national retail tenant clients.
- Represents a Memphis-based bank on a wide variety of bilateral and syndicated commercial financing transactions, including asset-based loans, construction loans and other loans secured by commercial real estate, loans to finance companies, and loans to bank holding companies.
- Represented a health care finance firm in more than 38 transactions, including more than \$216 million of new financing for health care and multifamily housing facilities across the United States. In addition to new loans, the projects included interest rate reductions, loan assumptions and bridge loans.
- Successfully closed HUD loan project changes of ownership for two large multifamily apartment communities on behalf of a major commercial real estate finance company. The properties were purchased for \$129 million.