



## REAL ESTATE

The Real Estate Practice group at Burke, Warren, MacKay & Serritella has one of the most robust and experienced real estate law practices in Chicago. Burke Warren's Real Estate group is involved in virtually every aspect of real estate, representing real estate industry professionals as well as clients in other businesses with real estate needs. While offering the specialized talent of a real estate boutique, Burke Warren provides its real estate clients coordinated access to other service specialties such as tax, litigation, zoning and land use, government incentives, and ERISA.

Our diverse client base includes developers, investors, pension funds, governmental entities, not-for-profit entities, and a wide variety of commercial real estate owners and users. Burke Warren's clients are actively involved in buying, selling, leasing, developing, owning, or operating all types of real property, including office, industrial, retail, multifamily, student housing, medical office, vehicle dealership, and golf course properties.

### Real Estate Acquisitions and Dispositions

Our real estate attorneys provide skilled assistance in purchase and sale transactions, on either side of a transaction. We negotiate, document and close transactions, and assist in the structuring of those transactions to avoid unintended tax consequences and help achieve the client's goals. We manage and coordinate the due diligence process from obtaining and reviewing title work and surveys obtaining zoning and land use approvals, reviewing leases and other agreements pertaining to the property to working with our client's team of consultants with respect to environmental and other matters.

### Development

We work with developers throughout the entire development process, from negotiating governmental incentives, land acquisition, obtaining land use and zoning approvals; negotiating design and construction contracts and loan documents; and preparing joint venture agreements to leasing and ultimately

### PROFESSIONALS

Bradley M. Ader  
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Stephen C. Voris  
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### AREAS OF CONCENTRATION

Construction  
Eminent Domain  
Environmental Law  
Hospitality  
Medical Office



selling a project. Burke Warren provides a single source for the legal needs of its developer clients.

### **Leasing**

Our commercial leasing practice is nationally recognized. We represent landlords and tenants in office, industrial, retail, health care, and mixed use projects, with heavy concentration in shopping center leasing and office leasing in central business district and suburban locations.

### **Zoning, Land Use, and Entitlements**

The attorneys in the Real Estate Practice group have handled numerous land use matters in the City of Chicago and the surrounding metropolitan area. We have multiple contacts in various municipalities and counties who can help our clients through the zoning process and assist in obtaining available entitlements to support their projects. We represent clients in obtaining planned development and subdivision approvals. We work with our clients to obtain tax increment financing (TIF), sales tax rebate agreements and other avoidable incentives from local governments in the Chicago metropolitan area as well as outside the State of Illinois.

### **Capital Markets and Joint Ventures**

In collaboration with our tax and corporate attorneys, the real estate attorneys at Burke Warren structure and negotiate joint venture agreements between investors and developers and create investment funds and syndication vehicles for real estate acquisitions and ownership. This work includes the representation of pension funds and collective investment funds in joint ventures with developers and expert handling of the complex tax and ERISA issues that are inherent in those projects.

### **Construction**

Members of the Real Estate group represent owners and contractors in the negotiation of construction and design contracts for a variety of projects. When disputes occur our team is able to represent our clients in other litigated and arbitrated matters.

### **Real Estate Tax Appeals**

Burke Warren's real estate tax practice ensures that our clients pay the minimal amount of property taxes required by law through appealing assessments and identifying other tax-savings opportunities. Our services include reviewing and appealing annual assessments, obtaining property tax exemptions, obtaining state and local property tax incentives, and challenging property tax levies. We have extensive experience representing commercial, industrial, and multifamily residential property owners in Cook County and the surrounding collar counties, as well as nationally. We also offer experienced counsel on the real estate tax aspects of complex purchase and leasing transactions.

### **Experience**

- Represented a private investor in the sale of a \$9 million shopping center in Milwaukee, Wisconsin



- Represented a private investor in the purchase and financing of a \$6 million shopping center in Willowbrook, Illinois
- Represented a technology company in connection with leasing a 25,000 square feet office in a downtown Chicago high-rise
- Represented a publicly traded private label food supplier in a built-to-suit lease agreement for construction of a new freezer building in Ogden, Utah
- Represented a shopping center owner in the sale of an outlot parcel leased to Walgreens in Overland Park, Kansas
- Regularly negotiates and drafts leases, lease amendments, licenses, consents and landlord subordination agreements for one of Chicago's largest industrial real estate owners
- Represented a joint venture consisting of a REIT and private investors in an acquisition of a \$26,000,000 suburban office property in Eden Prairie, Minnesota
- Represented a REIT providing the primary source of equity in a joint venture developing a mixed-use high rise with residential apartments and retail space in Chicago's River West neighborhood
- Represents a national company, with over 40 office/warehouse locations throughout the country, in lease negotiations for new and existing space
- Represented a joint venture consisting of a REIT and private investors in an acquisition of a \$44,000,000 suburban Chicago office property
- Represented a pension fund in its acquisition of a suburban Chicago grocery-anchored shopping center, involving a simultaneous purchase of the fee interest from the landowner (a municipality) and the leasehold interest from the developer
- Represents Chicago's largest residential real estate brokerage company in connection with brokerage compliance, dispute resolution, document drafting, and expansion into other states
- Represented an 8,000-square-foot medical office tenant in the negotiation of a suburban office building lease and design-build agreement
- Regularly represents suburban Chicago office landlords in lease negotiations
- Represented a publicly traded company in the sale of a former food-production facility located within a Superfund site
- Obtaining summary judgment before trial for several real estate brokers who were accused of concealing defects, reducing their liability to zero.
- Represented not-for-profit landlord in drafting and negotiating multiple leases, licenses, and amendments
- Assisted and advised clients on the Property Tax Code and the entities covered under the charitable and school tax exemptions



- Drafted and negotiated various leases and amendments for restaurants and other tenants for a shopping center developer
- Representing purchasers and sellers in commercial real estate transactions.
- Drafting, preparing and reviewing real estate purchase and sale agreements.
- Representing real estate developers in the sale of newly constructed luxury condominiums and homes in Chicago and surrounding suburbs.
- Negotiating and drafting building billboard leases.
- Representation of a developer in obtaining required entitlements from the Village of Vernon Hills for the redevelopment of an existing office and warehouse mixed-use campus with an approximately 3,500,000 square foot state-of-the-art warehouse and distribution facility for a global retailer.
- Representation of a developer in obtaining entitlements from the City of Chicago for the construction of a 115,000 square foot build-to-suit distribution warehouse for a global retailer.
- Representation of a developer in obtaining Site Plan Review approval from the City of Chicago for a 100,000 square foot state-of-the-art cold storage facility.
- Representation of a developer in obtaining Planned Development approval from the City of Chicago for the construction of an approximately 180,000 square foot Class A warehouse and distribution facility.
- Representation of an industrial developer in the disconnection, annexation, rezoning, planned development, subdivision, and right-of-way vacation to allow for the construction of a 300,000 square foot industrial facility in the Village of Glendale Heights.
- Representation of an industrial developer in obtaining approval by the Illinois State Historic Preservation Office of the demolition of an historic resource to allow for the construction of a new warehouse and distribution facility in the Village of Bensenville.
- Representation of a wholesale meat operator in obtaining a zoning amendment from the City of Chicago to allow for the redevelopment of a 21,000 square foot building with a new warehouse and cold storage facility to supply Chicagoland restaurants.
- Representation of a global package delivery company in obtaining from the City of Chicago planned development zoning, street vacations, and tax increment financing and in structuring a land exchange under IRC Section 1033 as part of a larger community development project.
- Representation of a global retailer in obtaining approval from the Town of Cicero for an approximately 200,000 square foot retail and grocery store.
- Representation of a shopping center owner and operator in the rezoning of an existing shopping center to permit the redevelopment of a portion of the shopping center with a grocery store anchor in the Village of Matteson.
- Representation of a major global retailer in obtaining from the City of Elgin an annexation agreement amendment, rezoning, special use permits, and municipal code modifications for the construction of



a 200,000 square foot retail store.

- Representation of a global retailer in obtaining approval from the Village of Lombard for the redevelopment of a former office site with a new retail wholesale club store.
- Representation of a developer in obtaining a special use permit for the construction of a new gas station and retail store for a global convenience store operator located on a major expressway in the City of Chicago.
- Representation of a national developer and movie theater operator in the redevelopment of a regional shopping center that included an 18-screen multiplex movie theater in the Village of Skokie.
- Representation of an international regional shopping center owner/operator in the redevelopment of a regional shopping mall in the Village of Vernon Hills.
- Representation of a global food and beverage company in obtaining a rezoning and a special use permit from the City of Chicago for the redevelopment of a former culinary college as a commercial kitchen for daily preparation of fresh items to be served at its restaurants.
- Advise a global food and beverage company on the zoning regulations for establishment of a flagship store in the City of Chicago; its second such specialty store in the world.
- Representation of a developer in obtaining developmental variances from the City of Hammond for the redevelopment and re-occupancy of a vacant shopping center.
- Representation of a global owner and operator in obtaining Site Plan Review approval for a hotel redevelopment and expansion in the City of Chicago.
- Representation of a hotel owner and operator in obtaining a zoning opinion letter allowing for the expansion of an existing hotel in the City of Chicago.
- Representation of a hotel/office complex developer in the annexation, zoning, and subdivision of property in the Village of Lombard that contained critical wetlands and threatened and endangered species.
- Represented the landowner and a national extended stay hotel chain in obtaining from the Village of Vernon Hills subdivision approval, a special use permit, and storm water easement to construct a 168-room extended stay hotel.
- Represented a national hotel developer and extended stay hotel chain in obtaining all necessary approvals from the Village of Skokie for a 225-room hotel with a restaurant and an extended stay hotel.
- Representation of a multi-family developer owner and operator to obtain planned unit development approval from the Village of Bloomingdale for the redevelopment of an office headquarters building with a 250-unit luxury apartment complex.
- Representation of a multi-family developer in the amendment of a Site Plan approval ordinance to allow for the deconversion of a 264-unit condominium to apartment use in the Village of Wheeling.



- Represented clients in commercial and residential real estate transactions; negotiated contract terms; drafted closing documents
- Over a five year span acted as the advisor to the Board of Directors of a co-op complex of more than 1,300 residential units.
- Representation of a municipality in the restructuring of entitlements for the construction of a downtown redevelopment project.
- Representation of a multi-family owner and operator in obtaining a special use permit from the City of Chicago to allow for ground floor residential use.
- Provided assistance on a broad variety of legal issues to a resort management company with 1200+ vacation residences located near the Mediterranean coast.
- Representation of a property owner in obtaining release from the City of Chicago of a landmark demolition delay allowing for the addition to an historic landmark.
- Representation of a land developer in the annexation, zoning, and subdivision of a 180-acre mixed-use planned unit development in the City of Yorkville that included negotiation of easements, roadway agreements and a recapture agreement.
- Representation of a developer of a multi-phased residential planned unit development in the City of Wilmington that included negotiation of several easements, a facility planning area map amendment, a recapture agreement, and a flood plain map amendment.
- Represented a private developer in connection with the acquisition, entitlement, annexation and development of a former harness racing track into three industrial buildings consisting of approximately 700,000 square feet
- Represented a private developer in connection with development of e-commerce and speculative warehouses in the Denver and Chicago markets
- Represented a private developer in connection with the development of a cold storage building in the Denver market
- Represented an institutional owner/developer in connection with two residential assemblages and one commercial assemblage for industrial redevelopment purposes in Chicago's northwest suburbs, and in connection with a co-development arrangement with another institutional owner/developer in one of those assemblages
- Represented a private developer in connection with the development of build-to-suit and speculative offices, medical offices, microhospitals, wellness centers, multi-family housing and industrial buildings, including negotiating development agreements and financial incentives with municipalities and negotiating leases and purchase agreements with end users
- Represented a private developer in connection with the sale of a marquee e-commerce warehouse project in the City of Chicago
- Represented a closely held family enterprise on the \$50 million sale of a medical office portfolio to a national investor



- Represented a public housing agency in connection with a \$25 million redevelopment of existing low-income housing units, including coordinating with a donation tax credit buyer, assisting in obtaining an Illinois Housing Development Authority grant, negotiating with private and governmental lenders, and becoming one of the first projects to utilize HUD's new RAD program
- Represented a private developer in connection with the RFP and ground leasing of a highly sought-after site from a governmental entity, to be further subleased into several different subdevelopment parcels and developed as a mixed-use hotel, retail, residential, and medical office/laboratory development
- Represented a private developer in connection with obtaining complex City of Chicago zoning and subdivision approvals necessary to construct townhomes and single-family homes on a square-block site
- Represented a family office in connection with a \$300 million relocation of its corporate headquarters
- Represented tenants and institutional landlords in connection with the leasing of several million square feet of office and industrial space
- Coordinated the real estate aspects of a \$600 million equity purchase transaction on behalf of a technology company
- Represented a real estate fund in connection with the sale of 250 acres of land to a publicly traded mining company for use as a silica sand mine, including negotiating complex royalty and security agreements
- Represented a real estate operator in connection with the acquisition of five fully leased River North, mid-rise office buildings and one marque Wacker Drive office tower
- Represented for more than twenty years the owners and managers of numerous major office buildings, primarily in Chicago's central business district and suburbs, with responsibility for leasing and other legal issues
- Represented one of the Chicago area's largest private holding companies in the development of a 260,000 square foot, Class A corporate headquarters building, including property assemblage, negotiation of public incentives and entitlements, as well as construction and design agreements
- Represented a national industrial developer in connection with the development and build-to-suit sale of a 300,000 square foot industrial facility, involving the renegotiation and amendment of a tax increment financing development agreement, modification of park covenants with multiple project owners, and obtainment of all necessary municipal and regulatory approvals in a politically sensitive transaction
- Represented a privately held national development and construction company in the land acquisition, development, and leasing of numerous medical office buildings in the Chicago and Milwaukee areas
- Represented a major privately held food company in the redevelopment and expansion of its Chicago bakery into a 300,000 square foot complex in a synthetic lease transaction which included property



assemblage and city, county, and state incentives and entitlements.

- Represented an out-of-state liquor distribution company in the redevelopment of a shuttered food plant on a Chicago brownfield site, into a new corporate headquarters and state-of-the-art warehouse and distribution facility, including acquisition of property from foreclosing lender and city, county, and state incentives and entitlements and all design and construction agreements
- Represented a publicly traded prescription benefit management company in connection with a variety of real estate transactions over a fifteen year period, including leasing of millions of square feet of buildings and space, both existing and build-to-suit, for mail-order pharmacy and office uses
- Represented a family-owned, Chicago area manufacturing company in the disposition of several suburban buildings and the acquisition of a new 100,000 square foot suburban office/industrial building in a tax-deferred exchange under Section 1031 of the Internal Revenue Code, including governmental incentives, entitlements, regulatory approvals, and financing
- Represented the individual owner of a sixty-six-acre parcel of land in the establishment of a tax exempt organization under Section 501(c)(3) of the Internal Revenue Code and the development of that parcel as a non-profit equestrian center, including organization of the foundation, oversight of rezoning, and preparation of design and development agreements and acting as foundation general counsel
- Represented a family investment company in the acquisition of one of the nation's largest aggregations of farmland over a period of years
- Represented a Chicago-based, private real estate fund in a variety of roles, including private placement documentation for several funds, as well as real estate acquisitions and leasing
- Represented one of the Chicago area's largest family-owned businesses as exclusive real estate counsel for more than twenty years
- Represented one of the Chicago area's largest hospital groups in connection with its medical office needs
- Represented the developer of a brownfield site into a health club/medical office complex, including environmental remediation pursuant to Wisconsin environmental statutes, negotiation and documentation of a municipal TIF redevelopment agreement, and preparation of all facility leases
- Represented a prominent Chicago family in the preparation of private placement materials for a land speculation fund capital raise, as well as subsequent representation of that fund in numerous land acquisitions, development joint ventures, municipal development agreements, and, most recently, the sale of a fund parcel, with retention of ongoing income stream based on the buyer's future mineral extraction
- Represented a national development and construction company in the acquisition, development, and build-to-suit leasing to a major equipment manufacturer of a distribution center in southern Wisconsin, including a tax increment financing development agreement with the local municipality
- Represented a national development company in the build-to-suit sale of an 80,000 square foot office building in Naperville, Illinois, to a dental insurance company coupled with the client's leaseback of





a 20,000 square foot portion of the building

- Represented a real estate joint venture in the acquisition, annexation, development, and ultimate leasing and sale of a 375-acre industrial park in Joliet, Illinois, over a ten-year period
- Represented a publicly traded food company in connection with a variety of real estate transactions nationwide, including leases of regional distribution centers of between 400,000 and 1 million square feet
- Represented a manufacturing company in the separation of its suburban Chicago facility into two buildings in a complex transaction with multiple buyers, including rezoning, re-subdivision, and preparation of new easements, covenants, conditions and restrictions, and related agreements
- Represented a national pension trust on the sale of a large multifamily project in downtown Chicago.
- Represented a national pension trust on the sale of a large development parcel in Edwardsville, Illinois.
- Represented the Archdiocese of Chicago in the sales of various properties in the Chicago area.
- Represented a Chicago-based real estate company in the acquisition of a 21-property industrial portfolio.
- Represented a Chicago-based real estate company in the sale of an industrial property in Joliet, Illinois.
- Represented a Chicago-based real estate company in connection with HUD construction loan for a multifamily development on the north side of Chicago.
- Represented a Canadian manufacturing company on the acquisition of a company and attendant real estate located in Richmond, Illinois.
- Represented a national company on the acquisition of land in Mt. Prospect, Illinois for the development of a data center.
- Represented a national pension trust in the restructuring of a ground lease for a large multifamily project in downtown Chicago.
- Represented an order of Catholic nuns in the transfer of sponsorship of a high school in Chicago and the donation of the school's land and building to an order of Catholic priests.
- Represented a Chicago-based bank in a construction loan for a multifamily development in Naperville, Illinois.
- Represented a Chicago-based family office in the investment in a mixed-use project in Oak Brook, Illinois.
- Represented a national pension trust in the acquisition of the second phase of a Mariano's anchored shopping center in Oak Lawn, Illinois.
- Represented a national pension trust in the sale of an office building in Downers Grove, Illinois for \$125,000,000.00, with the seller providing preferred equity at Closing.



- Represented a Chicago-based investor/developer in a sale/leaseback of an office building in Rosemont, Illinois including the sale of an adjoining parking structure to the Village of Rosemont.
- Represented a Chicago-based bank in an acquisition loan for a Marriott Hotel in Chicago.
- Represented a family office in connection with the sale of 16 nursing homes in Wisconsin and Michigan.
- Represented a Chicago based investor in the acquisition of a downtown office building and the joint venture and mortgage loan financing related thereto.
- Represented a religious order in the sale of a significant real estate asset on the northwest side of Chicago.
- Represented an investment fund in the joint venture acquisition of a multi-family housing project in Las Vegas, Nevada.
- Represented a national pension trust in the acquisition of a two-building industrial/warehouse portfolio in Waukegan, Illinois.
- Represented a Chicago-based development company in the acquisition of land in downtown Milwaukee, Wisconsin for the development of a nationally-branded hotel.
- Represented the Chicago Park District in connection with the re-development of Soldier Field with respect to construction and development matters.
- Represented a national pension trust in the acquisition and development of 400+ acres of land in Edwardsville, Illinois.
- Represented a national pension trust in the sale of an office building in suburban Cincinnati, Ohio and the restructuring of government incentives in connection with the sale.
- Represented a pension fund in connection with the joint venture acquisition, development, and sale of a Class-A office building in Salt Lake City, Utah.
- Represented a national pension trust in the joint venture development of a two-phase, multi-family development in downtown Minneapolis, Minnesota.
- Represented a publicly held, regional bank in implementing its branch expansion program in Illinois and Northwest Indiana through the development of more than eighty bank branch locations in ground lease, space lease, build-to-suit, and land purchase transactions
- Represented a shopping center developer in acquiring, redeveloping, leasing, and managing more than forty community shopping centers comprising more than 7 million square feet of retail space throughout the Midwest and Mid-Atlantic states, including:
  - negotiation of a \$5 million tax increment financing (TIF) subsidy to support redevelopment of a 300,000 square foot supermarket-anchored center in southwest suburban Chicago
  - negotiation of a \$10 million combined TIF/Community Improvement District subsidy to support redevelopment of a 210,000 square foot supermarket-anchored center in Kansas City, Missouri



- negotiation of a \$10 million combined TIF/Community Improvement District subsidy to support redevelopment of a 177,000 square foot supermarket-anchored center in Shawnee, Kansas
- redevelopment of a 550,000 square foot supermarket-anchored center in Indianapolis, Indiana, which included negotiation of a land exchange to relocate a church that owned and occupied five acres in the middle of the shopping center
- redevelopment of a 292,000 square foot supermarket-anchored center in Cicero, New York, supported by a \$5 million New York State Empire Zone subsidy
- Negotiated several joint venture agreements between developers and various investment funds for redevelopment of several shopping center portfolios
- Formulated and authored more than fifteen private placement securities offerings to raise debt and equity funding for numerous real estate projects throughout the United States
- Formulated and authored a private placement securities offering for units in a blind investment fund formed to accumulate an investment portfolio of Illinois farmland
- Represented a steel processor in negotiating build-to-suit leases for its Michigan (155,000 square foot) and Illinois (54,000 square foot) processing centers
- Represented a publicly held bank in the negotiation of its 154,000 square foot headquarters lease in a Chicago office tower
- Represented a technology company in the renegotiation of its 73,000 square foot headquarters lease in a Chicago office tower
- Represented a private trading firm in the negotiation of its 32,000 square foot headquarters lease in a Chicago office tower
- Represented Fortune 500 public company in the communications and security products and electrical and electronic wire and cable industries in a variety of corporate and real estate matters
- Represented a large Chicago-based metal stamping, fabrication, and assembly company in a general counsel role on variety of corporate- and real-estate-related matters, which included: the formation of a Hong Kong subsidiary and the preparation and negotiation of a manufacturing and distribution agreement with a Chinese manufacturing company; multiple small- to mid-sized asset acquisitions; the negotiation of supply and warranty agreements with Navistar, Visteon, and other automotive and other manufacturers; and other general corporate, employment, and real estate counseling matters
- Represented Chicago-based international supplier of CPR and health care training products in general counsel role on variety of corporate and real estate matters, which included: the formation of subsidiaries in Mexico and Brazil; preparation and negotiation of distributorship agreements, employee handbooks, and other employment matters; and other general corporate counseling
- Represented a Chicago-based distillery in connection with certain capital raises, leasing, and other general corporate and real estate matters
- Represented a Chicago-based real estate fund in investments in and acquisitions of public storage facilities, their corporate restructuring and equity recapitalization, and other general corporate



matters

- Represented a large Illinois-based independent, real estate brokerage firm in connection with its general corporate and real estate matters, including advising on and handling of strategic investments by owners of brokerage firm, restructuring real estate and other investments, and real estate acquisitions and dispositions
- Represented a large Chicago-based, long-term industrial real estate investor in all of its industrial leasing transactions and matters in Illinois and Texas
- Represented Fortune 500 public company in the heavy construction equipment industry with its acquisition of commercial real estate in Norcross, Georgia, and other real estate matters
- Represented supplier to private-label and food services industries in its acquisition of commercial real estate in San Antonio, Texas, and other real estate matters
- Represented a financial institution in the purchase of distressed debt and commercial real estate loans
- Represented start-up ventures in various commercial enterprises engaged primarily in software development and licensing, real estate development and leasing, manufacturing and distribution of products, various service-related activities, and various manufacturing activities
- Representation of a senior housing owner and operator in the annexation and rezoning of a memory care senior housing facility in Glen Ellyn.
- Representation of a hospice provider in obtaining rezoning, subdivision, and special use permits from the Village of Glenview for the construction of its office headquarters.
- Representation of a senior housing owner/operator in obtaining entitlements from the Village of Glenview for the development of a 178-unit continuing care retirement community and negotiation of a development agreement with impact fee reductions and waivers.
- Represented a developer/operator of assisted living facilities in rezoning and creating a planned unit development for an assisted living/active adult/medical office campus in the Village of Carol Stream. Also negotiated waiver of school impact fees and negotiated and drafted a conservation easement for on-site wetlands protection.
- Representation of a global retailer in obtaining governmental incentives from the Town of Cicero for an approximately 200,000 square foot retail and grocery store.
- Representation of a tool manufacturer in obtaining EDGE tax credits from the state of Illinois for a plant expansion in the City of Rockford.
- Representation of a developer in obtaining a Cook County Class 6B property tax incentive for a 100,000 square foot cold storage facility in the City of Chicago.
- Representation of an industrial developer in obtaining from the Village of Glendale Heights a \$7,000,000 TIF with a tax free and taxable note to assist with the development of a new industrial facility.



- Creation of private placement memorandum, operating agreement, and subscription documents to raise capital for acquiring shopping centers for a privately held real estate investment company.
- Disposition of portfolio of multi-unit apartment buildings with the acquisition of several single tenant properties around the country in a related Section 1031 exchange.
- Acquisition of portfolio of shopping centers in southwestern suburbs of Chicago and the negotiation of CMBS loans and leases with new tenants.
- Negotiated refinance of troubled debt on industrial property on verge of foreclosure.
- Negotiated refinance of shopping centers secured by commercial mortgage backed securities prior to loan maturity.
- Acquisition and financing of the retail portion of a multi-owner, mixed-use property on Michigan Avenue in Chicago, Illinois and negotiation of multiple retail leases for the property.
- Acquisition of an industrial park in Waukegan, Illinois together with the negotiation of one of the major tenant leases for the property.
- Negotiation of a build-to-suit medical office lease in a retail shopping center in Kansas City, Missouri.
- Negotiation of a ground lease for a stand-alone bank branch facility to be developed in a retail shopping center in Smyrna, Georgia.
- Sales of single-tenant and multi-tenant restaurant-anchored buildings in shopping centers in Merrillville, Indiana and Overland Park, Kansas.
- Negotiation of multiple commercial office leases, expansions and major tenant extensions in downtown Chicago, Illinois on behalf of a national landlord.
- Negotiation of a major expansion of an existing plant facility on behalf of a national food provider tenant.
- Renegotiation and redevelopment of a 65,000 square foot supermarket lease in Kansas City, Missouri.
- Negotiation of a retail bank branch lease in an office tower in Chicago, Illinois, together with a sublease of a portion of the space to a national coffee retailer.
- Acquisition, financing, and subsequent sale of a single-tenant office tower in Fort Lauderdale, Florida, including the negotiation of a long-term lease extension.
- Negotiation of multiple retail pharmacy and office leases nationally on behalf of a major health care company.
- Negotiation of several freestanding build-to-suit restaurant leases at shopping centers in Kansas, Missouri, and Illinois, including the reciprocal easement agreements associated with those projects.
- Acquisition and financing of a manufacturing and warehousing facility property in Elmhurst, Illinois.



- Negotiation of a long-term office headquarters lease for a national technology firm in Chicago, Illinois.
- Negotiation of a 50,000 square foot headquarters lease for a manufacturing company.
- Negotiation of multiple office leases nationwide for a software consulting company.
- Veridian Mixed Use Project / Former Motorola Campus - Schaumburg. Represent the owner of 225 acres of the former Motorola factory and office campus in Schaumburg, in obtaining re-zoning, master development approvals, tax increment finance incentives, and other entitlements for its mixed-use residential, office, retail, and entertainment project. Approved plans allow a dense urban-style project, with no height or floor area limits and up to 3.3 million square feet of office, over 200,000 square feet of retail, and over 3,000 multi-family and townhome units.
- Mixed Use Redevelopment of Blighted Area. Represent the owner of land within a northwest suburb's tax increment finance district in its efforts to be designated "master developer" and to obtain municipal approvals for acquisition of additional land within the district for approval of a mixed use planned unit development. The project will include over 500 units of multi-family housing, re-purposing of an existing office building for medical office uses, and retail and hospitality uses.
- Maywood Park Racetrack Redevelopment – Melrose Park. Represented the purchasers and developers of the long-closed Maywood Park horse racing track. Previously located in unincorporated Cook County, the property was annexed into the Village of Melrose Park and zoned to allow a 600,000+ square foot industrial development on the bulk of the property and retail and restaurant uses along the North Avenue frontage.
- Plum Farms – Hoffman Estates. Represented the property owners in obtaining annexation, zoning, and other master development approvals from the Village of Hoffman Estates for the 185-acre "Plum Farms" development. This is a mixed-use project that may include up to 1,500 high-rise apartments, townhomes, and single-family homes in a "traditional neighborhood" setting and will likely include approximately 155,000 square feet of retail and other commercial space.
- Industrial Park – Western Suburbs. Represent a developer of industrial parks, in its efforts to obtain annexation, zoning, and tax increment finance approvals for an approximately 200-acre industrial park in a west suburban community.
- Data Centers – Chicago and Suburbs. Represented several developers, owners, and operators of new data centers, in negotiating annexation, zoning, and incentive approvals in Chicago and the suburbs.
- Senior Care Facilities – Chicago and Suburbs. Represent various national and regional owners and developers of senior housing, including independent living, assisted living, memory care, and skilled nursing facilities (and combined Continuing Care Retirement facilities). These senior living facilities are located in Chicago and the suburbs (including Hinsdale, Glen Ellyn, Glenview, Addison, Lincolnshire, and Naperville) in obtaining necessary annexation, zoning, subdivision, and other development approvals.
- City of Chicago - Red and Purple Line TIF. As special counsel, represented the City of Chicago in the creation of a tax increment financing district that will partially finance the CTA's \$2+ billion "Red and Purple Modernization Program." This is the largest TIF district ever created by the City. It runs



parallel to a north-side portion of the Red Line (one-half mile on each side) and includes 16,704 parcels of land and 3,126 acres.

- City of Chicago - Density Bonus/Neighborhood Opportunity Fund Ordinance. As special counsel, represented the City of Chicago on a pro bono basis to re-draft the density bonus provisions of the City's zoning ordinance. The former ordinance allowed density for compensating, but ill-defined, "amenities." The new ordinance allows an owner within the City's "D" zoning districts to obtain bonuses if their projects are approved as planned developments and they pay for the bonus based on a uniform formula. The bonus payments are used in part to fund the newly created "Neighborhood Opportunity Fund," which funds commercial projects in low income neighborhoods in the city.
- Illinois Medical District - Gateway Project. As special counsel, represented the Illinois Medical District Commission in connection with the planned "Gateway Project," a re-development of a 9.5-acre vacant parcel owned by the Commission in the heart of the Illinois Medical District. The project has an estimated value of \$300 million and is projected to include one million square feet of mixed uses, including laboratory, medical office, retail, hotel, young professional housing, urban agriculture, and parks and other public uses.
- Lake County Forest Preserve District – Land Acquisitions. As general counsel, represent the District in its ongoing land acquisition program. The District owns over 30,000 acres of open space and other public lands and public access improvements. Notable recent acquisitions include the last portion of trail segment necessary to connect the Des Plaines River Trail from Lake-Cook Road to the Illinois-Wisconsin state line and a series of acquisitions to expand the District's Ray Lake Forest Preserve, including the approximately 340-acre Cuneo property.
- Palos Park – Golf Course Annexation Dispute. As special counsel, teamed with litigation partners to successfully represent the Village of Palos Park in an annexation dispute with a neighboring municipality. Cog Hill golf course and two other golf courses in unincorporated Cook County sought annexation of land totaling almost 1,500 acres to Palos Park. A neighboring municipality initiated its own "hostile" annexation attempt, in an effort to thwart Palos Park's annexations. Palos Park prevailed in the circuit court and appellate court proceedings.
- Mundelein - Downtown Redevelopment. As special counsel, represent the Village of Mundelein in its downtown redevelopment efforts, including the creation of tax increment finance districts encompassing over 100 acres. This work included advising the village in the "de-TIF" and "re-TIF" of a portion of that area, to "re-start the clock" on the TIF's statutory time period, helping the village recover time lost to the Great Recession. The work has also included planned unit development ordinances, redevelopment agreements, and re-zoning ordinances for notable projects, including the Cardinal Square multi-family project allowing up to 12 buildings, 541 condominiums/apartments, and 41 townhomes, in buildings up to 7 stories in height.
- Representation of a developer in obtaining a Cook County Class 6B property tax incentive for a 180,000 square foot Class A warehouse and distribution facility.
- Representation of a retail developer in obtaining a \$2,000,000 sales tax rebate from the City of Highland Park for the development of a new automobile dealership.
- Representation of a multi-family developer in obtaining from the Village of Mt. Prospect tax increment financing for a below market rate sale of government owned land for the redevelopment of



a former retail site with a new apartment building.

- Representation of a municipality in the restructuring of tax increment financing for the construction of a downtown redevelopment project.
- Representation of an outlet mall owner and operator in obtaining from the City of Aurora a \$23,000,000 TIF and sales tax rebate to construct a 435,000 square foot outlet mall.
- Representation of a shopping center owner and operator in obtaining from the Village of Streamwood a \$2,500,000 TIF and sales tax rebate to construct a 260,000 square foot retail power center.
- Representation of a global retailer in obtaining from the City of Elgin an \$8,000,000 sales tax rebate and \$1,000,000 impact fee credit to construct a total of 315,000 square feet of retail space.
- Representation of an international regional mall owner and operator in obtaining from the Village of Vernon Hills a \$10,000,000 sales tax rebate for the expansion of a regional mall.
- Representation of a global retailer in obtaining a \$4,300,000 Class 8 property tax incentive for the construction of a 210,000 square foot retail store in the Village of Homewood.
- Representation of a global beverage company in obtaining a \$6,000,000 TIF, a 100% Illinois EDGE Tax Credit, and an LDBP grant for the relocation of its headquarters to the City of Chicago.
- Representation of a food manufacturer in obtaining a 100% Illinois EDGE Tax Credit and ETIP grant for the relocation of its headquarters to the Village of Elk Grove.
- Representation of a global package delivery company in obtaining from the City of Chicago a \$7,000,000 TIF for plant relocation and expansion.
- Representation of a manufacturer in obtaining a 100% Illinois EDGE Tax Credit and ETIP grant to retain the manufacturer in Illinois.
- Representation of a tool manufacturer in obtaining a \$3,000,000 TIF for the construction of a new manufacturing facility.
- Representation of a developer in obtaining from the City of Waukegan a \$3,300,000 TIF for the construction of a 218,000 square foot industrial facility.
- Representation of a life insurance company in the restructuring of a \$12,000,000 TIF.
- Representation of a manufacturer in obtaining an infrastructure grant, 100% income tax exemption, 100% franchise tax exemption, 100% property tax exemption, and 100% sales and use tax exemption on project materials and equipment for a plant expansion.
- Representation of a borrower in a \$107,000,000 multi-state portfolio loan.
- Representation of a lender in an \$18,000,000 multi-lender revenue bond and construction loan facility for an industrial plant expansion.
- Representation of a borrower in a \$42,500,000 securitized CMBS loan secured by 6 apartment buildings and the defeasance of two existing loans.





- Representation of a borrower in a \$35,000,000 construction loan secured by a build-to-suit cold storage facility.
- Representation of a borrower in a \$6,000,000 acquisition loan secured by an industrial distribution facility.
- Representation of a borrower in a \$5,000,000 letter of credit facility and annual amendments to the loan facility.
- Representation of a borrower in a \$23,000,000 construction loan for the development and construction of a 300,000 square foot industrial facility.
- Representation of a borrower in a \$58,000,000 multi-state portfolio loan secured by seven industrial facilities.
- Representation of a borrower in a \$28,000,000 construction loan to finance the construction of a 540,000 square foot industrial facility.
- Representation of a borrower in a \$5,000,000 land loan and amendment to the loan facility.
- Representation of a borrower in a \$75,000,000 multi-state portfolio loan secured by twelve industrial facilities.
- Representation of a borrower in a \$76,000,000 multi-state portfolio loan secured by thirteen industrial facilities.
- Representation of a borrower in a reorganization and \$8,000,000 refinancing for an industrial chemical distribution facility.
- Representation of a multi-family developer in an \$11,000,000 acquisition loan and \$83,000,000 construction loan for the construction of a 340-unit apartment complex.
- Representation of a multi-family developer in a \$24,000,000 construction loan for the construction of a six story, 195 bed student housing facility.
- Representation of a multi-family developer in a \$10,000,000 acquisition and construction loan and a \$52,000,000 HUD 221(d)(4) construction loan for the construction of a 72-unit apartment building.
- Representation of a borrower in a \$17,000,000 construction loan to finance the construction of a 97-unit multi-family apartment building.
- Representation of a regional mall owner and operator in a \$100,000,000 refinance loan.
- Representation of a tenant in common borrower in a \$5,000,000 acquisition loan to finance the acquisition of a senior memory care facility.
- Representation of a lender in a \$3,000,000 refinance loan secured by a retail shopping center.
- Representation of a lender in a \$5,000,000 refinance loan secured by an industrial facility.
- Representation of a lender in a \$6,000,000 refinance loan secured by a structured parking garage.



- Representation of a lender in an \$8,000,000 acquisition loan secured by a full-service hotel.
- Representation of a lender in a \$6,000,000 acquisition loan secured by a multi-family apartment building.
- Representation of a lender in a \$9,500,000 land loan secured by a fully entitled development parcel.
- Representation of a large national lender in negotiating and documenting large secured construction loans and acquisition loans in Illinois.
- Representation of a national retail REIT in the negotiation and documentation of secured loans.
- Representation of a regional student housing developer, owner, and operator in the negotiation and documentation of secured loans.
- Represented a Chicago-based shopping center developer in the acquisition and financing of a shopping center in Kansas City, Missouri.
- Representing investors in the acquisition of medical office buildings in multi-million dollar purchase and sale leaseback transactions in multiple jurisdictions nationwide
- Representation of a borrower in a \$10,000,000 revolving line of credit facility and amendments to the loan facility.
- Represented a Chicago-based investor/developer in a sale/leaseback of an office building in Rosemont, Illinois including the sale of an adjoining parking structure to the Village of Rosemont.
- Represented motor vehicle dealer in sale of \$8 million property located in Oak Lawn, Illinois
- Represented motor vehicle dealer in sale of \$5 million property located in Peoria, Illinois
- Represented private investor in the sale of \$6 million office building located in Chicago's Streeterville neighborhood
- Represented motor vehicle dealer in acquisition of redevelopment site in Lincolnwood, Illinois
- Represented private investor in sale of 3-property affordable housing portfolio located in Chicago, Illinois
- Represented motor vehicle dealer in acquisition of dealership property located in Michigan City, Indiana
- Represented private investor in the purchase of a 207 unit multi-family portfolio located near Rockford, Illinois
- Represented motor vehicle dealer in the purchase of \$11 million dealership property located in Schaumburg, Illinois
- Represented private investor in acquisition of \$4 million office building located in Northbrook, Illinois
- Represented motor vehicle dealer in sale of \$4 million property located in Sandwich, Illinois



- Represented motor vehicle dealership in ground lease for property located in Northbrook, Illinois
- Successfully tried case obtaining unpaid commissions owed to real estate agent
- Mixed Use Redevelopment of Suburban Regional Mall. Represented the owner and developer of a 1,000,000+ square foot regional shopping mall in the Chicago Metropolitan Area. We assisted the client in obtaining \$27 million in tax increment financing and sales tax rebate approvals. The redevelopment would replace a closed department store anchor with more than 300 luxury apartments, high-end retail stores, renowned restaurants, fitness options, and outdoor entertainment space.
- Represented Chicago-based real estate fund in a variety of real investment transactions and other corporate, real estate, and restructuring transactions including investments in commercial real estate developments in Illinois and Arizona
- Represented a religious organization on the acquisition and subsequent sale of a former Catholic high school property in suburban Chicago.
- Represented a Chicago-based developer in an \$83,000,000 loan with an insurance company secured by a portfolio of ten industrial properties in Illinois and Texas.
- Represented a Chicago-based developer in an \$83,000,000 loan with an insurance company secured by a portfolio of ten industrial properties in Illinois and Texas.

## Insights

### NEWS

Burke Warren Partners Matt Norton and Rachel Wanroy Secure a Momentous Win for The Lake County Forest Preserve

News, [September 18, 2023](#)

Burke Warren Partner Karen Kavanagh Mack Guest Speaker for The Chicago Chapter Appraisal Institute Event.

[August 21, 2023](#)

Burke Warren a Proud Sponsor of Chicago Volunteer Legal Service Vino + Gogh 2023 Event

News, [June 27, 2023](#)

Burke Warren a Proud Supporter of The American Red Cross of Greater Chicago 2023 Heroes Breakfast

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Burke Warren Proud to Participate in the Chicago Bar Foundation's 2023 Investing in Justice Campaign

News, [April 20, 2023](#)

Burke Warren a Proud Sponsor of the Chicago Hope Academy 2023 Story of Hope Luncheon

News, [April 11, 2023](#)



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Burke Warren a Proud Member Firm of the Chicago Lawyers' Committee for Civil Rights News, [April 4, 2023](#)

Burke Warren a Proud Supporter of the GI Research Foundation 2023 Annual Ball News, [February 20, 2023](#)

Burke Warren a Proud Sponsor of 2023 Better Business Bureau of Chicago Annual Dinner Meeting News, [February 8, 2023](#)

Burke Warren a Proud Sponsor of One Tail at a Time 2023 Houndstooth Ball News, [February 7, 2023](#)

Burke Warren a Proud Sponsor of Boys & Girls Clubs of Chicago 2023 Youth of the Year Competition & Dinner News, [January 20, 2023](#)

Burke Warren Partner John Stephens Named Advisory Board Member of AbstoneLalley, Inc. News, [January 16, 2023](#)

Burke Warren a Proud Supporter of Direct Effect Charities 2022 "Letters to Santa" Program News, [December 15, 2022](#)

Burke Warren Elects Joshua Cauhorn as Director News, [December 12, 2022](#)

Burke Warren Elects Jessica Cox as Shareholder News, [December 12, 2022](#)

Burke Warren Elects Stephen Schuster as Shareholder News, [December 12, 2022](#)

Season's Greetings and Best Wishes for a Happy New Year From Burke Warren! News, [December 6, 2022](#)

Christine Eduardo and Mathew Musipa, Participants in Burke Warren's Fall 2022 3L Minority Internship Program, Accept Offers to Join the Firm News, [December 5, 2022](#)

Burke Warren a Proud Sponsor of Catholic Charities of the Archdiocese of Chicago 2022 Spirit of Saint Nicholas Ball News, [December 2, 2022](#)

Burke Warren Welcomes New Attorney Betsy L. Gates-Alford News, [October 24, 2022](#)

Burke Warren a Proud Sponsor of Metropolitan Family Services Mpower the Night 2022 Event News, [October 14, 2022](#)

Burke Warren a Proud Sponsor of Chicago Children's Museum 2022 Gala News, [September 27, 2022](#)



Burke Warren a Proud Sponsor of After School Matters  
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Burke Warren 2022 3L Minority Internship Program Participant Mathew Musipa Quoted in U of I Blog  
Article Entitled, "Immigration Law Clinic students win two asylum cases"  
News, [September 15, 2022](#)

Burke Warren Selects Christine Eduardo and Mathew Musipa to Participate in the Burke Warren 2022  
3L Minority Internship Program  
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Burke Warren a Proud Sponsor of Chicago Volunteer Legal Services Vino + Van Gogh 2022 Event  
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Burke Warren a Proud Sponsor of 2022 @gives back Golf Classic  
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Burke Warren a Proud Sponsor of 17th Annual Savills Landlord Challenge Charity Golf Event  
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Burke Warren Welcomes New Attorney Connor D. Christie  
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Burke Warren Launch of New Firm Website Coincides with Firm's 30th Anniversary Milestone  
News, [July 28, 2022](#)

Burke Warren Partner John Stephens Quoted in Crain's Chicago Article Entitled, "For Black lawyers,  
roadblocks to partnership persist"  
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Burke Warren Welcomes New Attorney Joseph M. Olen  
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Burke Warren a Proud Supporter of the American Red Cross of Greater Chicago 2022 Heroes Breakfast  
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Burke Warren Proud to Host Association of Corporate Growth Chicago DEI Forum  
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Burke Warren Cited In Chicago Tribune Article Regarding a Pro Bono Case Recently Undertaken by the  
Firm  
News, [May 3, 2022](#)

Burke Warren a Proud Supporter of the GI Research Foundation 2022 Champions for a Cure Ball  
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Burke Warren Serves as Pro Bono Counsel in Federal Lawsuit Charging Advocate Health and Hospitals  
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Burke Warren Welcomes Peter Ivancsits as Its Chief Financial Officer  
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Burke Warren Proud to Participate in the Chicago Bar Foundation's 2022 Investing in Justice Campaign  
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Burke Warren Welcomes New Attorney Andrés Alemán  
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Burke Warren a Proud Member Firm of the Chicago Lawyers' Committee for Civil Rights  
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Burke Warren a Proud Sponsor of Mercy Home for Boys & Girls of Chicago's 2022 Have Mercy! Gala  
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Burke Warren a Proud Sponsor of Lambda Alpha International Ely-Chicago Chapter  
News, [February 7, 2022](#)

Burke Warren a Proud Sponsor of 2022 Entrepreneur and Family Business Council Gala  
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Burke Warren Attorney David Silver Quoted in CulinaryWoman Newsletter Article Entitled, "What Restaurant Investors Want"  
News, [January 16, 2022](#)

Burke Warren Attorney David Silver Interviewed in Crain's Chicago Daily Gist Podcast Segment Entitled, "How New Restaurants Get Started"  
News, [January 5, 2022](#)

Burke Warren Named to Vault's 2022 20 Best Midsize Law Firms to Work For in Chicago  
News, [December 2, 2021](#)

Adrian Atwater and Jolisa Warmack, Participants in Burke Warren's Inaugural 3L Minority Internship Program, Accept Offers to Join The Firm  
News

Burke Warren a Proud Sponsor of Metropolitan Family Services Mpower the Night 2021 Event  
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Burke Warren Welcomes New Attorneys Matthew G. Mrazek and Stephanie I. Urness  
News, [September 7, 2021](#)

Burke Warren Launches Real Estate Brokerage Practice Group  
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Burke Warren Partner Robert Gamrath Profiled in CBA At The Bar Article Entitled, "40 Under Forty: The Dynamic Duo – The Hon. Celia and Rob Gamrath"  
News, [July 15, 2021](#)



Burke Warren a Proud Sponsor of 16th Annual Savills Landlord Challenge Charity Golf Event  
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Burke, Warren, MacKay & Serritella, P.C. Partner Karen Kavanagh Mack Appointed Chair of ISBA  
Environmental Law Section Council  
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Firm Partner Liz Davis Elected To International Legal Network As Regional Representative  
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#### ALERTS

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New Corporate Transparency Act Requires Reporting of Company Owners to FinCEN  
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Real Estate considerations for Religious and Not-for-profit organizations  
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COVID-19 Eviction Protection Ordinance Zips Through Chicago City Council  
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Careful Planning Can Help You Ensure that Your PPP Loan is Forgiven  
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U.S. Treasury Releases CARES Act Loan Application  
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Congress Approves Loans For Real Estate & Hospitality Sectors  
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Governmental and Other Organizations Provide Support to Small Businesses Impacted by COVID-19  
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Navigating Requests for Rent Relief – A Landlord's Guide  
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What Does A Shelter-In-Place Order Mean for Your Construction Project?  
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COVID-19 Related Legal Issues Impacting Commercial Leases  
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Burke Warren Remains Fully Committed to Client Service Through Remote Working Capabilities  
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Tax Alert - Is this the time to accelerate your property tax payment into 2017?  
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HUD Issues New Guidance On Criminal Background Checks  
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When Details Matter: Caveats for Commercial Tenants  
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Chicago Landlord 101: An Introduction to the Residential Landlord Tenant Ordinance  
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Firm Shares Green Lease Knowhow  
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