

Duane Morris®

**Philadelphia's New Zoning Code –
What the Players in the New Zoning Code
Expect Come August 22, 2012**

June 2012

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Outline of Changes to the Philadelphia Zoning Code

General Provisions. § 14-100.

- First comprehensive revision in nearly 50 years, emphasizing balance, clarity, consistency, and the simplicity of a single city-wide process.
- Enacted to guide land use and development of the City of Philadelphia, promoting public health, safety, general welfare, and sustainability.
- The Department of Licenses and Inspection has the power and duty of administering and enforcing the Code. Decisions relating to property issued by any other City governmental body are subject to L&I certification unless otherwise specified. *See* § 14-301.
- The Zoning Board is responsible for granting special exceptions and authorizing zoning variances after referral or refusal by L&I. After opportunity for public notice and public hearing, the Zoning Board can also decide appeals where error is alleged in the enforcement of the Code.

Definitions. § 14-200.

- Includes rules of interpretation and rules of measurement to be observed and applied in adherence to and enforcement of the Code.
- Adds over 200 definitions to former provision § 14-102.

Administration and Procedures. § 14-300.

- Replaces former provision § 14-1700.
- Adds the establishment of the Civic Design Review Committee - § 14-304(5)(a). The Civic Design Review Committee will be composed of two Pennsylvania licensed architect, one Pennsylvania-licensed landscaped architect, one urban design professional, one developer or builder, one person with experience reviewing projects on behalf of civic associations, including a person who previously served or currently serves on a zoning, land use, or similar committee of a Registered Community Organization, and one rotating seat for a representative of a Local Registered Community Organization located in the project area.
- Modifies public hearings before the Zoning Board of Adjustment - § 14-303(14):
 - (e) Any organization or member of the public who attends a public hearing before the Zoning Board shall be permitted to offer testimony individually regardless of whether the organization, individual or person on whose behalf they are offering testimony has standing to appeal the decision by the Zoning Board to the Court of Common Pleas.

(f) Except as provided in § 14-303(14)(g) below, any person may appear in person or by an attorney, and may be accompanied by a family member or translator. Statements by a person's attorney on his behalf shall not be considered as testimony, except where agreed upon by the parties.

(h) The Zoning Board may determine the order of testimony and may establish time limits on testimony in order to allow all interested parties to be heard and may, in its discretion, prevent duplicative testimony.

(i) The Zoning Board may administer oaths and compel the production of documents and the attendance of witnesses, and issue subpoenas for that purpose.

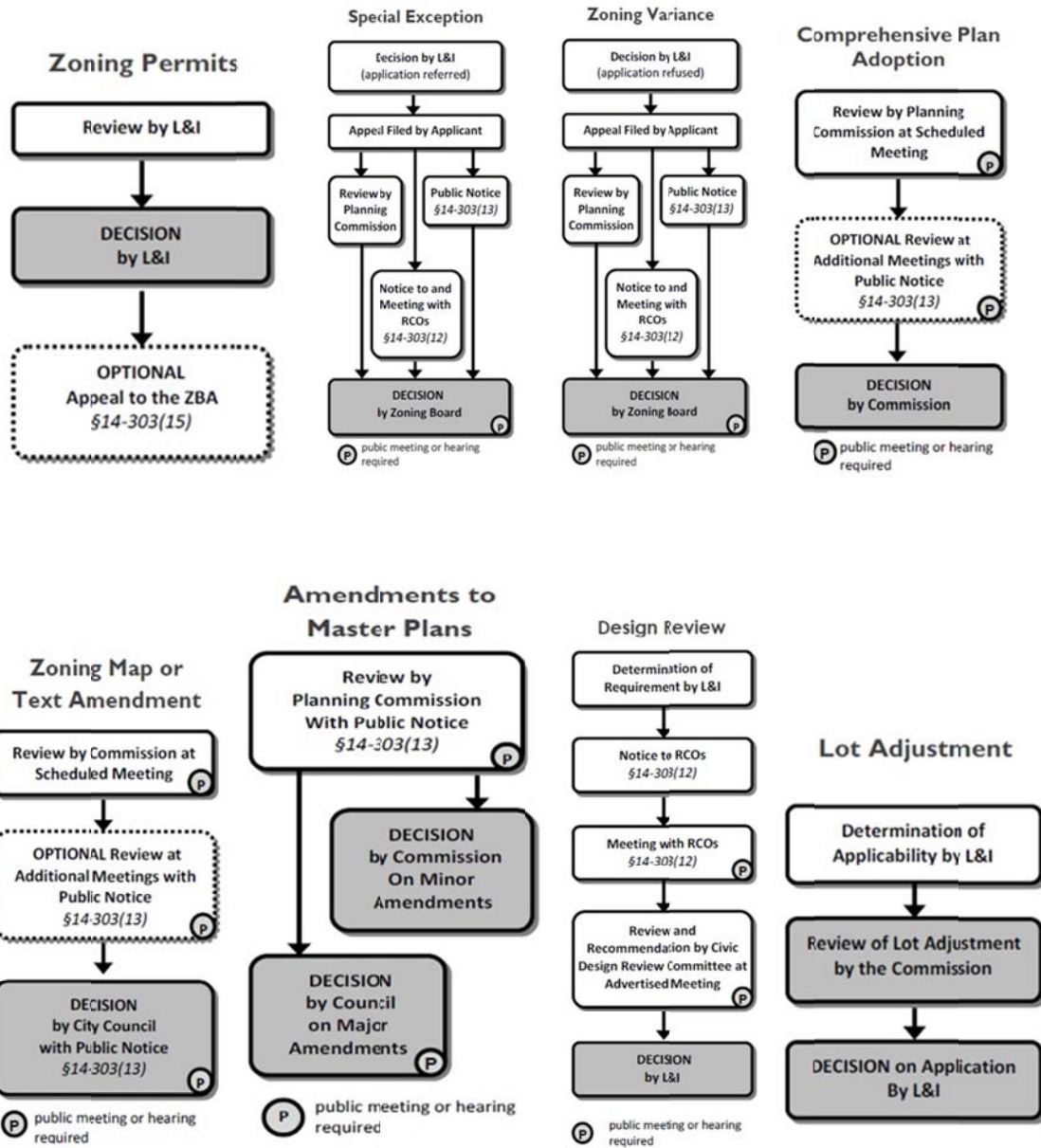
(j) Attorneys representing applicants or objectors, including but not limited to attorneys representing civic groups, will be permitted to cross-examine, present evidence, and request the issuance of subpoenas.

(k) In all public hearings before the Zoning Board, any agency of the City shall have the power to appear and to present facts and information to assist the Zoning Board in reaching a decision.

...

- Adds the requirements for the review of the Civic Design Review Committee and the affected properties. § 14-304(5)(b). Developments on lots within the SP-ENT, SP-PO, and SP-STA districts; building with a primary use in the industrial use category in an Industrial district; and Wireless service facilities will require review of the Civic Design Review Committee. The applicant's property "affects" properties that it shares all or part of a side or rear property line with; is separated from the applicant's property by only an alley or shared driveway; is located on the same blockface and any portion of the property is within 200 ft. of the applicant's property; or is located on the blockface located across a street from the front lot line of the applicant's property and (i) the cartway separating the two properties is less than 100 ft. wide, and (ii) the property or a portion of the property is within 200 ft. of the applicant's property.
- A Special Use Permit will now be known as a Special Exception Approval. § 14-303(7).
- Public Notices are required are outlined in a chart. Public Notice for the ZBA must now be posted for 21 or more days in advance of the ZBA hearing and must be posted again for any hearing continued for 7 days or more. § 14-303(13).

- Supplements text description of duties and powers with a Procedures Summary Table and the following flowcharts:



Base Zoning Districts. § 14-400.

- Replaces former provisions § 14-200 through § 14-1200 and § 14-1500.
- Consolidates, reduces, and simplifies the Residential, Commercial, and Industrial districts, as well as five Special Purpose Districts.

Overlay Zoning Districts. § 14-500.

- Defines and includes maps for 12 areas within the City of Philadelphia with supplemental regulation that supersedes conflicting provisions in the Code. *See* § 14-108(2).
- Reduces and clarifies the 30+ “Special Controls” in former provision § 14-1600.

Use Regulations. § 14-600.

- Addition of this Section refines the District descriptions located in former provisions § 14-200 through § 14-1200 and § 14-1500.
- Provides ten major groupings of land uses with various subcategories, and within those subcategories, specific use types displayed in easy-to-read tables.

Developmental Standards. § 14-700.

- Addition of this Section refines the District descriptions located in former provisions § 14-200 through § 14-1200 and § 14-1500.
- Details dimensional and subdivision standards, as well as regulations pertaining to fencing, outdoor lighting, landscape, and natural resources.

Parking and Loading. § 14-800.

- Replaces former provision § 14-1400 and relevant sections of former provisions § 14-200 through § 14-1200 and § 14-1500.

Signs. § 14-900.

- Replaces former provisions § 14-1604 and § 14-1900.
- Applies to all signs, including those applicable to specific uses. The strictest of any two conflicting regulations applies. In the case of a conflict with sign controls in overlay districts, overlay regulations apply.

Historic Preservation § 14-1000.

- Replaces former provision § 14-2007.

DuaneMorris®

@ A GLANCE

AM LAW 100 SINCE 2001

- > More than 700 lawyers in offices in the U.S., U.K. and Asia
- > Firm has more than doubled in 12 years
- > Over 25% of client business conducted through multiple offices and practices



Lateral growth:
100 PARTNERS joined over past 3 years

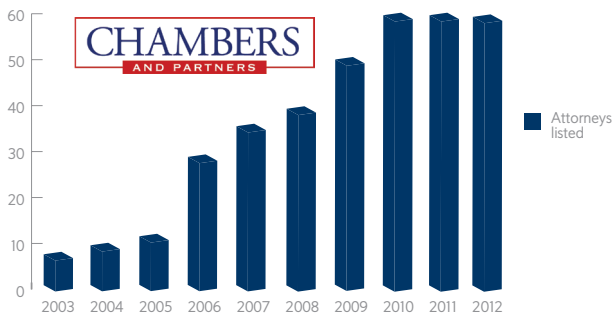
HARVARD BUSINESS SCHOOL

Case study titled "Duane Morris: Balancing Growth and Culture at a Law Firm" was included as part of the Harvard Business School curriculum and made available to business schools around the world for course study.



CHAMBERS USA 2012

- > Ranked among national leaders in Insurance and Construction
- > 59 attorneys receiving 65 citations for excellence
- > 18 practice areas cited for excellence



CHAMBERS ASSOCIATE

Chambers Associate 2011/12 reports, "With its BigLaw resources and friendly feel, associates believe this firm offers 'the best of both worlds.'"

U.S. NEWS-BEST LAWYERS BEST LAW FIRMS 2011-2012

- > Top-tier national rankings in Construction law and litigation, Immigration, Insurance and Patent law
- > 29 nationally ranked practice groups and 34 top-tier regional rankings



LEADER IN BANKRUPTCY LAW



For Q1 2012, *The Deal* ranked Duane Morris #1 by total volume of assets handled in large bankruptcy cases. Also, *The Deal* consistently ranks Duane Morris among the most active bankruptcy practices in the world.

NATIONAL IP RANKINGS

National publications have repeatedly ranked Duane Morris among the leading U.S. law firms handling patents, trademarks, copyrights and related litigation. Rankings include among the:

- > top 10 IP "litigation kings" for Fortune 100 companies by *Corporate Counsel*
- > top trademark firms by *Trademark Insider*, *IP Today* and *IP Law360*



CORPORATE DEALMAKING

Some recent deals involving Duane Morris lawyers include:

GROUPON'S \$950MM offering of Series G preferred stock, representing a lead member of the investor group

CITY OF CHICAGO'S \$850MM bond issue representing an underwriting group of minority-owned investment banks

AUSTRALIAN GRAINCORP LTD.'S \$665MM acquisition of United Malt

ZYNGA GAME NETWORK'S \$500MM late-stage venture capital raise, representing major members of the investor group

CEPHALON'S acquisition of Ception Therapeutics for \$350MM and up to \$500MM in milestone payments, representing Ception

SUNOCO'S \$350MM sale of its polypropylene subsidiary to Brazil petrochemical giant Braskem SA

THE JONES FINANCIAL COMPANIES, parent of Edward Jones, \$320MM revolving line of credit, provided by a multibank syndicate

STRYKER'S acquisition of Orthovita in a \$316MM all-cash tender offer for all outstanding common stock, followed by a second-step merger, representing Orthovita

ATLANTIC INDUSTRIAL'S \$257.2MM sale to Atlantic Holdings, laying groundwork for future growth

AUDIOVOX CORPORATION'S \$166MM acquisition of global high-performance audio-solutions leader Klipsch Group and worldwide subsidiaries

BALFOUR BEATTY CAPITAL GROUP'S \$123MM public-private partnership in a student-accommodation project at Florida Atlantic University

YOUKU.COM'S \$50MM sixth round of funding, of a total \$160MM raised by China's leading Internet video company, representing major investors

Duane Morris is a global growth sponsor of the Association for Corporate Growth, joining with this global organization to champion middle-market private investment.



www.duanemorris.com

**TOP
5
LAW
FIRM**
in terms of
peer-rated
lawyers

MARTINDALE-HUBBELL

- > Top-ten most-searched for firm on *martindale.com*
- > Top-five law firm in terms of AV-rated lawyers (its highest rating)



CONNECTIONS & ALUMNI

- > 9,897 contacts in our database have "General Counsel" in their titles
- > 10,584 contacts in our database are CEOs
- > 86 Duane Morris alumni are Corporate General Counsel

**91,122
CONTACTS**
regularly receive firm
alerts, articles, invitations
and other marketing
materials

DIVERSITY & INCLUSION

- > Duane Morris is considered a pioneer in law firm diversity efforts
- > Among the first to name a Chief Diversity Officer
- > Annual firmwide Diversity & Inclusion Retreat and targeted business development efforts

"GREEN" LAW FIRM

> **ACTIVE RENEWABLE ENERGY
AND SUSTAINABILITY PRACTICE**

- > Several Duane Morris lawyers accredited by the U.S. Green Building Council as LEED (Leadership in Energy and Environmental Design) professionals
- > Member: American Council On Renewable Energy (ACORE)
- > San Francisco office is LEED certified, and Las Vegas office is LEED Silver certified/part of a downtown revitalization effort



WOMEN'S INITIATIVE

- > *Working Mother*, *Women 3.0* and *Philadelphia* magazines have all recognized Duane Morris as one of the best law firms for women
- > Lawyers Club of San Diego 2010 Equality Survey citations for high percentage of female partners and lawyers, as well as firmwide policies that are friendly for parents and families
- > Pennsylvania Bar Association 2010 Honor Roll of Legal Organizations Welcoming Women Professionals
- > Women's Initiative actively fosters and expands business contacts and opportunities to enhance professional development



CISCO'S LITIGATION COUNSEL OF THE YEAR



Cisco Systems, a leading global provider of networking products and services, designated Duane Morris as winner of its Litigation Counsel of the Year Award for 2011 as a result of Duane Morris' work for Cisco on patent litigation matters.

COURTROOM & NEGOTIATING TABLE

Some recent litigations handled by Duane Morris include:



Defended **WRIGHT MEDICAL TECHNOLOGY** against nine-figure damages claim in patent infringement case

For **HOSPITAL & HEALTHSYSTEM ASSOCIATION OF PA**, won decisions to restore \$808MM in state funding to malpractice insurance fund

Serve as regional trial and coordinating counsel for **FORD MOTOR COMPANY** for products liability matters

Defended **PA DEPARTMENT OF GENERAL SERVICES** against challenges in regard to almost \$1B in prison construction/expansion projects

Represented foreign national in **MULTI-JURISDICTION, CROSS-BORDER DEPARTMENT OF JUSTICE INVESTIGATION** allegedly involving over \$100MM in illegal securities sales

TOP STAFF

- > American Lawyer Media's Marketing the Law Firm 50 survey: Top five in five out of seven years, including being named #1 in the nation
- > *Law Technology News* "IT Director of the Year"
- > 2010 IPRO Hall of Fame for technological innovation

**UPPER ECHELON
of law firms in terms of
UTILIZING
TECHNOLOGY**

OFFICE LOCATIONS & REACH



UNITED STATES

- Atlanta
- Baltimore
- Boca Raton
- Boston
- Cherry Hill
- Chicago
- Houston
- Lake Tahoe
- Las Vegas
- Los Angeles
- Miami
- Newark
- New York
- Philadelphia
- Pittsburgh
- San Diego
- San Francisco
- Washington, D.C.
- Wilmington

INTERNATIONAL

- London
- Singapore
- Hanoi
- Ho Chi Minh City

- > Joint venture in Singapore with Selvam LLC
- > Alliance with Mexico City's Miranda & Estavillo S.C.
- > Leadership positions with international networks of independent law firms

Real Estate Practice

Duane Morris has a national and regional practice providing extensive skills and experience in virtually all real estate and development matters. We represent clients in a broad range of sophisticated and complex real estate transactions and offer a full range of services related to the purchase, sale, leasing, development, financing, joint venture, syndication, securitization, use and management of real property and real estate portfolios. Our representations include work relating to lease agreements, financing and loan documents, restructurings and workouts, condemnation, eminent domain, valuation and tax issues, purchase and sale agreement negotiations, real estate development and real estate portfolio management.

With experience in many real estate market cycles, we understand the challenges in both the up-cycles and downturns and have the depth and experience necessary to advise clients on a broad range of sophisticated issues. Our experience includes handling the routine issues involved in real estate matters, as well as determining solutions to complex and seemingly unsolvable dilemmas that require solid working relationships within the industry and a high level of understanding of the nuances of deals, regulations, profitability, leverage and liability protection. We place primary emphasis on finding practical and creative solutions to facilitate our clients' business objectives and closing transactions both advantageously and efficiently.

We represent some of the largest developers, many with signature brands, investors, lenders and real estate-oriented companies. Our clients include a wide variety of investors, property owners, residential and commercial developers, homebuilders, asset management firms, private equity firms, manufacturing and industrial companies, retailers, banks and other financial institutions, title companies, pension funds, real estate investment trusts, construction companies and contractors, insurance companies, hotel operators and public agencies. The work of the Duane Morris Real Estate Practice Group involves properties throughout the United States and abroad.

The reputation of the Duane Morris Real Estate Practice Group is built on a profound understanding of the real estate industry and how real estate businesses function. Our attorneys have a broad background in the real estate industry and have worked as registered architects, licensed mortgage brokers, certified public accountants, property appraisers and licensed real estate agents. Several Duane Morris attorneys are members of, actively involved in, and hold leadership positions in Urban Land Institute, International Council of Shopping Centers, NAIOP, community development corporations and various national and local homebuilders' and real estate professional associations and trade organizations, many of the same organizations in which our clients are involved. In addition, Duane Morris real estate attorneys include those recognized in *Chambers USA*, hold the distinguished CRE professional designation from The Counselors of Real Estate, and are Accredited Professionals under the LEED (Leadership in Energy and Environmental Design) Green Building Rating System.

Real estate transactions and projects often include other areas of the law. As a full-service firm, Duane Morris brings together the resources and experience needed by clients, giving them access to skills and resources in practice areas, such as corporate, construction, tax, securities and bankruptcy, and with attorneys whose practices overlap with other disciplines but who routinely devote substantial attention to real property matters. The firm's team approach enables clients to take advantage of additional legal resources in related areas, resulting in seamless, value-added, high-quality representation.

Range of Services

With a comprehensive understanding of all phases of the market cycle, the Duane Morris Real Estate Practice Group covers a broad range of complex commercial real estate practice areas. Our principal areas of practice include:

- Real Estate Development
- Acquisitions and Dispositions
- Financing
- Leasing
- Construction
- Environmental Matters and Sustainable Development
- Eminent Domain, Condemnation and Property Valuation
- Public/Private Partnerships
- Joint Ventures
- Real Estate Investment Management
- Hospitality and Gaming Industry
- Distressed Real Estate
- Zoning and Land Use
- Condominium and Homeowners Association Documentation and Registration
- Affordable Housing
- Transportation-Oriented and Smart Growth Projects
- Western Region Real Estate

Real Estate Development

Our lawyers routinely represent both residential and commercial developers in a broad spectrum of property types, including condominiums, planned residential communities, mixed use projects, apartments, shopping centers and retail buildings, office buildings, industrial and warehouse facilities, entertainment facilities, hotels and resort facilities and healthcare facilities. Our clients include some of the largest residential real estate developers that we assist with newly constructed projects ranging from small subdivisions to major planned residential communities, mixed use and transportation-oriented development. We provide full-service counsel for development, construction and re-development of real estate projects and represent clients through the entire development process, from site evaluation, due diligence and acquisition and financing of the property to structuring, zoning, permitting, development, construction and sale or lease of the finished product. In addition, we have experience in negotiating and creating joint ventures between property owners, developers and investors to facilitate property development.

Acquisitions and Dispositions

Duane Morris represents real estate owners, investors, developers and others in the purchase, sale, exchange and disposition of real property assets, including multi-asset portfolios throughout the United States. Such representations include due diligence, analyzing and effectively negotiating the acquisition and disposition of real property for commercial, residential, industrial, warehouse, manufacturing and other uses. In addition to negotiating the purchase and sale of real property, we offer tax and other advice regarding the structure of ownership entities and transactions in order to maximize benefits through the selection of appropriate ownership and investment vehicles.

Financing

We advise financial institutions in the structuring, negotiating, documenting and restructuring of their financial products, as well as in their long-term and strategic objectives. We represent some of the largest national, state and foreign banks in their lending programs, as well as numerous life insurance companies. We have extensive experience representing financial institutions in syndicated and participated loans, revolving lines of credit, multistate and multi-site financings, construction financings and letter of credit-backed facilities, including acquisition, development, construction and permanent financings, as well as workouts, forbearances and foreclosures of such products when required. We are often called upon to address regulatory issues on behalf of financial institutions and financial services companies. We also defend them in lender liability claims, including class action lawsuits, as well as regulatory enforcement actions.

Our practice group takes an integrated approach to our clients' needs, providing counsel from teams of real estate, finance, tax and healthcare attorneys located throughout the firm's offices, with experience in all areas of lending, including new development, office, retail, residential, hospitality, assisted living and other healthcare facilities.

Leasing

We have significant involvement with both landlords and tenants in the lease of all types of real estate properties, such as leases for industrial, manufacturing, warehouse, commercial, retail and office uses, as well as ground leases. Our leasing work ranges from small space leases to major lease transactions, and our attorneys frequently address issues, such as tenant and landlord bankruptcies, go-dark provisions and radius restrictions.

Construction

In conjunction with Duane Morris' Construction Group, attorneys in the Duane Morris Real Estate Practice Group represent clients with respect to public and private construction contracts, construction management agreements, design/build agreements, architects' and engineers' contracts for owners, construction companies, and design professionals.

Environmental Matters and Sustainable Development

Duane Morris attorneys regularly work with buyers, sellers and lenders to structure transactions that conform with all federal and state environmental regulations. In addition, we assist clients in obtaining land use and environmental approvals for their projects. In conjunction with the Duane Morris attorneys in the Energy, Environment and Resources Practice Group, we are involved with environmental regulation issues and remediation and environmental clean-up matters which often pose challenging issues in real estate transactions. We have significant involvement with environmental consultants to develop comprehensive plans to manage and finance clean-up and remediation operations.

Duane Morris attorneys are deeply involved in and committed to the renewable energy and conservation markets, and attorneys in the Duane Morris Real Estate Practice Group include Accredited Professionals under

the LEED (Leadership in Energy and Environmental Design) Green Building Rating System. Duane Morris attorneys assist clients seeking to construct and develop “green” and sustainable buildings and advise clients on sustainability issues. Our attorneys assist clients in meeting green building standards and obtaining LEED certification through the U.S. Green Building Counsel.

Eminent Domain, Condemnation, and Property Valuation

Duane Morris eminent domain and land valuation lawyers regularly counsel private property owners, governmental entities and quasi-governmental entities in eminent domain and land valuation matters. Our attorneys are experienced in representing both condemnors and property owners in all phases of eminent domain proceedings and have handled highly complex takings cases involving multiple landowners and major urban projects. Our eminent domain practice includes annexation and land use issues, including the obtaining of re-zonings, variances and conditional use permits.

With our extensive knowledge of and experience in the field of condemnation, Duane Morris frequently handles challenging valuation issues for both developing and improved properties. We are well versed in land use, environmental and government regulatory matters to best serve our clients’ needs throughout the evaluation process. Additionally, we offer tax advice on the financial impact of receiving compensation in an eminent domain proceeding.

Joint Ventures

Duane Morris attorneys represent institutional investors and developers in the formation and operation of joint ventures. The purposes of these joint ventures run the gamut of (i) product types, including office, retail, raw land, multifamily, industrial and hospitality; and (ii) investment types, including core, core-plus, value-added and opportunistic. Their work extends to joint ventures formed to address programmatic acquisitions, acquisitions of scale, renovation and development.

Real Estate Investment Management

For real estate investment managers, our lawyers provide counsel on their deployment of funds allocated to real estate investment. This representation can and does involve any and all of the other core competencies referenced above.

Hospitality and Gaming Industry

A unique subset of the real estate industry, the Duane Morris Real Estate Practice Group has extensive experience in the hospitality and gaming industry. Our attorneys handle all of the real estate and contractual aspects of development, management and ownership and provide legal services for hotel owners, operators and managers, casinos, restaurants and other entertainment venues.

Distressed Real Estate

Duane Morris attorneys from the Real Estate, Business Reorganization and Financial Restructuring Practice Groups as well as the Banking and Financial Services Group provide a multidisciplinary approach and the experience, resources and skills necessary for clients to develop creative solutions, identify creative opportunities and navigate emerging issues during periods of economic and financial uncertainty. With their vast experience in commercial real estate, finance, creditor rights and bankruptcy, Duane Morris attorneys assist owners, developers, investors, lenders, sellers and buyers with the acquisition, disposition, restructuring, development and financing of troubled properties and loans. Representations include negotiating and structuring complex real estate transactions, including the purchase and sale of troubled property, assets and loans at both the property level and entity level, counseling borrowers and lenders on foreclosures and deeds in lieu of foreclosure, negotiating debt restructuring, workouts, recapitalizations and forbearance agreements, and developing reorganization and restructuring strategies for troubled properties.

We assist lenders in protecting the value of their real estate collateral. We regularly work with lenders to restructure debt, stabilize troubled projects with court-appointed receivers and negotiate and consummate deed-in-lieu of foreclosure recoveries for troubled properties.

Our experience also includes:

- Completing foreclosures and execution proceedings
- Assisting in the interim management and sale of recovered real estate collateral
- Pursuing the recovery of real estate collateral in borrower-initiated bankruptcy cases
- Securing and preserving time-sensitive land use approvals for troubled developments
- Assisting in the construction, marketing and leasing of troubled real estate projects that are in receivership or are already repossessed by the lender

In addition, clients that are seeking to capitalize and take advantage of distressed situations and investment opportunities rely on our experience to identify the advantages and opportunities that distressed properties may provide.

Representative Matters

- Represented the lender in restructuring a \$167,000,000 loan involving mortgages on forty-three nursing homes in twelve states.
- Represented the purchaser of equity interests in a \$82,000,000 project in Alexandria, Virginia.
- Represented Las Vegas Sands Corporation in connection with the obtaining of a casino permit and entitlements for construction of \$900,000,000 hotel/casino and retail center in Bethlehem, Pennsylvania. The site, the former Bethlehem Steel Corporation site, is the largest brownfield site in the eastern part of the United States.
- Representation of primary equity syndicator in \$70,000,000 acquisition of interests in 460,000 square foot regional East Coast retail outlet shopping center. Structured acquisition to avoid transfer tax exposure on acquisition. Created ground lease and distribution loan structure to facility primary and mezzanine level securitized acquisition financing and meet commercial mortgage-backed securities rating bureau standards.
- Represent Canadian commercial real estate developer in the \$35,000,000 acquisition of a major retail project from Hamburg-based private equity fund and the resale to ING Clarion.
- Represented Cogen Technologies in obtaining the planning board and zoning board approvals for a 154MW, \$150,000,000 co-generation plant in Camden, New Jersey.
- Represented Pennrose Properties in obtaining all of their planning board and zoning board approvals for the \$120,000,000 Baldwin's Run Hope VI housing development in Camden, New Jersey.
- Representing the Gloucester County Improvement Authority as special counsel for the \$150,000,000 courthouse renovation and expansion project.
- Acted as counsel to Fortune 500 investment banking company on numerous transactions, performing a wide range of tasks related to syndicated lending, secured lending, construction lending and revolving credit facilities ranging from \$150,000,000 to \$600,000,000.

- Acted as counsel to Fortune 100 lender in transactions that substituted syndicated real estate-backed revolving lines of credit for an unsecured revolving lines of credit with different terms. Revolving line of credit had a range of \$250,000,000 to \$400,000,000.
- Represented a hotel chain in the sale of four hotels in a combined transaction in excess of \$325,000,000 where our client retained operation and management for 25 years.
- Handled real estate matters associated with complex \$135,000,000 debt refinancing by client engaged in natural gas production and distribution in Central Valley of California; matter involved particularly complex title insurance and easement issues.
- Participated in the \$780,000,000 refinancing of the Sears Tower in Chicago.
- Participated in the \$140,000,000 refinancing of a hotel in Times Square, New York, the mortgage of which encumbered ground lease, developments rights lease and fee ownership interests covering the property, together with \$130,000,000 in layered mezzanine financing.
- Participated in the \$100,000,000 acquisition and construction mortgage financing of a proposed 50 story mixed-use new building in midtown Manhattan, which included the purchase of 63,422 square feet of development rights and an inclusionary housing zoning bonus of 31,272 square feet, together with \$64,575,000 in layered mezzanine financing.
- Acted as counsel for a state university-related organization in development of \$160,000,000 proton research and treatment center that utilizes a linear accelerator to produce protons for targeted radiation treatments for cancer patients. Complex development involved a ground lease, project development agreements and project financing issues and solutions.

For More Information

For additional information, please contact Marc D. Brookman at 215.979.1300 or any of the practice members referenced on www.duanemorris.com.

The description of the results of any specific case or transaction contained herein does not mean or suggest that similar results can or could be obtained in any other matter. Each legal matter should be considered to be unique and subject to varying results.

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DUANE MORRIS REAL ESTATE ATTORNEYS



Marc D. Brookman [Partner] is the chair of Duane Morris' Real Estate Practice Group. He practices in the areas of real estate development, acquisition and disposition; zoning and land use; common-interest documentation; leasing; and senior housing. His experience includes brownfield, urban and historic redevelopment; transit-oriented, affordable and market-sale housing; and office, retail, healthcare, hotel, casino and mixed-use developments.

Philadelphia | 215.979.1300 | brookman@duanemorris.com



Robert L. Archie, Jr. [Partner] concentrates his practice in the areas of municipal finance, real estate and corporate law for non-profit corporations. He represents cities, political subdivisions, school districts, municipal authorities and underwriters in connection with the issuance of variable and fixed-rate tax-exempt bonds and notes. He counsels clients who are providing goods and services to cities, political subdivisions and agencies, in their responses to request for proposals.

Philadelphia | 215.979.1915 | rlarchie@duanemorris.com



David R. Augustin [Partner] concentrates his practice in the area of real estate law, with particular emphasis on financings and workouts; commercial acquisitions; sales and leasing; retail projects; hotels, including management and franchise agreements; tax-deferred exchanges; and real estate development.

Philadelphia | 215.979.1313 | draugustin@duanemorris.com



David I. Haas [Partner] practices in the areas of real estate development, joint venture structuring, transactions and financing, planned community and condominium development, structure and creation of condominium and homeowners' associations, commercial leases, construction contracts, zoning and land use, as well as real estate loan restructurings, workouts, receiverships, financing and foreclosures.

Philadelphia | 215.979.1302 | dihaas@duanemorris.com



Drew K. Kapur [Partner] focuses his practice on eminent domain and condemnation, relocation assistance and highway-access management and control. He represents private property owners whose property has been taken for transportation rights-of-way and urban redevelopment projects, as well as private and public sector clients in condemnations involving environmentally sensitive properties.

Philadelphia | 215.979.1385 | dkkapur@duanemorris.com



Alan C. Kessler [Partner] practices in the area of commercial litigation with a focus on class actions and other complex litigation, government relations and general counseling. Mr. Kessler represents real estate developers, banks, airlines, healthcare institutions and hospitals and alternative energy companies.

Philadelphia | 215.979.1117 | akessler@duanemorris.com



George J. Kroclicik [Partner] focuses his practice on eminent domain, including just compensation, right to take, relocation assistance and highway access management, as well as land use and land-use litigation, and real estate tax relief matters. He has represented clients before local and county land-use boards and worked on lease litigation matters as well as title disputes.

Philadelphia | 215.979.1386 | gjkroclicik@duanemorris.com



Arthur J. Momjian [Partner] is chair of the firm's Affordable Housing, Community Development, and Syndication Practice Group and focuses his practice in affordable housing and community development, syndication, finance and loan documentation. He represents developers, investors, nonprofit organizations and syndicators nationally in affordable housing projects that utilize federal low-income housing tax credits, federal historic rehabilitation tax credits and state low-income housing tax credits.

Philadelphia | 215.979.1521 | AJMomjian@duanemorris.com



Gregory P. Duffy [Associate] has experience in equity and land sales, acquisitions and dispositions; commercial financing; commercial leasing for national and international businesses; dispositions of multifamily apartment buildings and affordable housing; low-income housing advice, real estate tax litigation; contract litigation; business organization; and corporate governance reviews.

Philadelphia | 215.979.1839 | gpduffy@duanemorris.com



William J. Green [Special Counsel] focuses his practice on corporate transactional and regulatory law, assisting public and emerging companies, private equity and venture funds, and entrepreneurs in all aspects of their businesses. He has acted as lead counsel in mergers and acquisitions, tender offers, venture capital and private equity transactions, private and public securities offerings and compliance.

Philadelphia | 215.979.1259 | WJGreen@duanemorris.com



Michael J. McCalley [Associate] practices in the area of real estate law with concentrations in eminent domain and condemnation, redevelopment, highway access management and control, and relocation assistance. His practice also includes land use and zoning, land-use litigation, real estate tax litigation and contract litigation.

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Jennifer A. Wieclaw [Special Counsel] has experience drafting and negotiating real estate documents, such as commercial leases, assignments of leases, subleases, deeds, estoppel certificates and title documentation; financing documents; acquisition documents; and corporate governance documents.

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