

# Retail Centers

## Overview

From the first time the retailer drives by a site, through the trials and tribulations of design, entitlement, financing, leasing and construction, to the eventual transfer of that property, Munsch Hardt's Retail Real Estate attorneys serve as passionate counsel and advocates to clients who own, operate, lease, manage, buy and sell retail properties.

Our retail clients are anchor tenants, big box retailers, family-owned businesses, nationally recognized e-retailers, regional and local inline retailers, pad site and end-cap users, grocery chains, restaurants, public and private company retailers, private equity funds, national real estate investment trusts (REITs), investors in NNN and absolute net leases, lenders, shopping centers, developers, mixed-use developers and landlords.

By partnering with the client from conception to disposition, our team helps the client navigate the unique complexities of retail real estate transactions. We negotiate letters of intent, purchase and sale agreements, shopping center and stand-alone leases, ground leases, construction and finance related contracts, and operation and reciprocal easement agreements. We also review title and survey, conduct environmental due diligence and obtain environmental assurances on behalf of our clients while guiding them through entitlement, zoning and land use issues. We routinely assist tenants and landlords in lease negotiations and in the day-to-day operation and management of their retail spaces, including enforcement of rights and remedies under their respective leases.

Munsch Hardt's Retail Real Estate practice is committed to staying atop of the ever-changing retail landscape and, as such, our attorneys are active participants in the International Council of Shopping Centers (ICSC), NAIOP Commercial Real Estate Development Association and serve in numerous leadership positions within The Real Estate Council (TREC).

## Scope of Service

Retail and commercial clients benefit from our broad, deep experience in:

- Purchases and sales (including 1031 Exchanges and Reverse Exchanges)
- Construction contracts (including Architect and General Contractor Agreements)
- Loan documents (including mezzanine financing)
- Entity document negotiation (including joint venture agreements with equity and development partners)
- Leasing of all types of retail space, including shopping center and stand-alone sites
- Easement agreements
- Environmental due diligence
- Entitlement, zoning and land use (including incentive agreements)
- Day-to-day operation and management of retail space
- Acquisition, development and leasing of warehouse, distribution and fulfillment centers

## Experience

## Retail Disposition

Represent a Real Estate Investment Trust (REIT) in sales of shopping centers in Florida, California, Colorado, Missouri, Louisiana, South Carolina and Texas.

## Historic Building Acquisition

Represented a commercial real estate investment and management company in the acquisition of a 113-year-old historic building that will be converted to loft-style office and retail space using historic tax credits, as well as the negotiation of a long term parking lease in the adjacent garage. Our team provided legal representation in the property acquisition and financing, negotiation of the parking garage lease, as well as with structuring the historic tax credits and city incentives.

## Multiple Manufacturing Leases

Represent one of the nation's largest manufacturers, distributors and retailers of tile and flooring materials in leases throughout the United States.

## Retail Center Investment

Represented a real estate investor in the investment in a Class A mixed-use retail lifestyle center, including negotiation of the joint venture agreement with the developer.

## Mixed-Use Development

Represented a developer in a walkable mixed-use urban village in Dallas, Texas consisting of more than 80 retail, restaurant and entertainment tenants within 244,000 leasable square feet and approximately 700 residential units.

## Redevelopment of Grocer Properties

Represented a Texas-based developer in its acquisition, redevelopment and leasing of five vacant Albertson's locations with surrounding in-line retail and pad site developments in the Dallas, Texas metroplex, with an aggregate square footage in excess of 500,000 square feet. Notable lease negotiations included Sunflower Market (and the ultimate sale to Wal-Mart), Big Lots, Tuesday Morning and Chase Bank.

## Practice Leaders



**Michael Krywucki**

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## Related People

Melanie Bates  
Julia Beckman  
Sarah Biemer  
Mark Biskamp  
Theo Bruton  
Joseph Caldwell  
William Cavanaugh  
Greggory Cleveland  
E. David Coligado  
Spencer Diebel  
Jacklyn Dyer  
Ian Fairchild  
Michael Franklin  
Kathleen "Kitty" Henry  
Brandon Ihle  
Michael Krywucki  
Jana Lambro  
Sydney McCaulley  
Andrew McDonald  
Ryan Mitchell  
Selika Ramirez  
Zachary Schneider  
Aryn Self  
Scott Smith  
William Themer  
Frances Tubb  
Glenn Valentine

## Related Practices

Real Estate  
Acquisition & Disposition  
Condemnation & Eminent Domain  
Condominiums  
Industrial Projects  
Leasing & Management  
Multifamily  
Public-Private Partnerships  
Real Estate Finance  
REITs  
Senior Housing  
Zoning & Land Use

## Related Industries

Financial Services  
Construction  
Hospitality  
Real Estate  
Retail