



Blair E. Lichtenfels

Shareholder

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Denver, Colorado

A real estate attorney with a business perspective, Blair Lichtenfels advises prominent developers and equity investors in connection with redevelopment, urban infill, brownfields, mixed use and transit-oriented developments. Her expertise encompasses entitlement review, securing required land use approvals, acquisition and disposition, planned community and condominium development and formation, providing community outreach advice and advising on public-private partnerships for complex commercial projects including single family residential developments, industrial parks, office buildings, apartments, hotels, retail and mixed-use projects across the country.

Blair has represented several developers of master planned communities – both mixed use and residential – in connection with acquisition, disposition, due diligence, entitlement, community outreach, Title 32 metropolitan district formation and financing and coordination of construction of public improvements.

Blair handles the acquisition, development and sale of various industrial assets for her clients, demonstrating her understanding of their needs through effective, nuanced counsel. Recent projects in the industrial sector include negotiating complex forward purchase contracts on behalf of buyers, developers and sellers, and assisting in the acquisition and entitlement of large regional distribution facilities.

Blair understands the interplay between the public sector and private real estate developers. Blair has negotiated with various urban renewal authorities in Colorado, including the Denver Urban Renewal Authority and Broomfield Urban Renewal Authority, for tax increment and other sources of public financing. Additionally, Blair works with municipalities to secure entitlements permitting her clients' projects to proceed in a timely and cost-efficient manner. Blair has extensive experience structuring and negotiating Public Improvement Fee (PIF) Covenants, allowing her clients to successfully bridge the gap between available public and private financing sources.

Prior business experience gives Blair a well-rounded perspective and the ability to keep her clients' strategic objectives front and center. She brings a positive approach and emphasis on partnership to her work, allowing her to close difficult transactions with minimal conflict.

Blair understands the value of a thorough knowledge of the law, as evidenced by her three year commitment to co-teaching the 10-week course, "Colorado Real Estate Practice," which is widely recognized as the best basic real estate course in Colorado.

Blair co-chairs Brownstein's Condominium and Planned Community Group and coordinates all of the in house training for the Real Estate department.

Previous Experience

- Intern, Denver City Attorney's Office, Municipal Operations Division
- Law Clerk, Apartment Investment and Management Company (AIMCO)
- Merchandiser, Old Navy Division, Gap, Inc.

Practices

Planned Communities

Blair has specialized experience in the creation of small planned communities, which permit her developer clients to convey real property to separate ownership entities prior to commencement of construction, allowing those entities to secure (and bear the risk of) pre-development construction financing. Recent projects include advising Corporex Colorado in connection with two small planned communities: The Art Hotel in Denver, Colorado and the Hyatt Hotel and Conference Center at Fitzsimons Village, in Aurora, Colorado, and represented ZBlock Holdings, LLC in connection with formation of the planned community at Dairy Block.

Public/Private Partnerships

Blair works with prominent Colorado developers on both urban infill redevelopment and new development projects involving public/private partnerships. Her experience in this area includes representation of Continuum Partners' proposed redevelopment of the University of Colorado's 9th Avenue and Colorado Boulevard site. Her work on this project has included feasibility analysis, review of existing entitlements, securing vacation of City-owned public right-of-way, negotiations with the Denver Urban Renewal Authority for tax increment financing (TIF), acquisition and disposition, negotiating and closing construction loans and negotiating the sale of portions of the project to third party vertical developers.

Entitlements

As part of her real estate practice, Blair advises clients regarding strategic development and land use considerations, including identifying appropriate entitlement implementation strategies and implementing appropriate community engagement plans. She has experience drafting and negotiating development agreements, negotiating impact fee credits and subdivision improvement agreements.

Recent projects include counseling Watt Investment Partners in connection with the Littleton Village Project. Blair advised Watt Investment Partners with respect to feasibility analysis for the project, acquisition of the subject property, community outreach and securing new entitlements for the project, public financing (including PIF) strategic considerations, implementation of design guidelines and covenant enforcement, and disposition of the project to single-family builders, multifamily developers and commercial users.

Blair represents the country's largest private hotel developer and operator in connection with two hotel developments in downtown Denver. For each development site, Blair has negotiated with the City of Denver to secure necessary entitlements.

Additionally, she represents several national apartment developers and equity investors in connection with the acquisition of multifamily development projects across the Denver metropolitan area, advising on entitlement suitability and readiness in addition to customary physical due diligence matters.

Representative Matters

- Represented Mill Creek Residential Trust in connection with the acquisition and development of several multi-family projects in Denver, Colorado. Properties are located in central Denver, RINO, LoHi, DU and Capitol Hill areas.
- Represented White Lodging Services in connection with the site acquisition, entitlement, design review and construction financing for a new build Hyatt House/Hyatt Place and a new build AC/Le Meriden in downtown Denver, Colorado.
- The firm is representing ZBlock Holdings LLC in negotiating the financing, the joint venture and the condominium and construction documents, as well as numerous management and property-related agreements, in the redevelopment of an entire city block in lower downtown Denver known as Dairy Block.

The project includes Dairy Block, a 6 story, mixed use project with 260,000 square feet of office space, ground floor retail and 170 hotel rooms. The deal required two separate financing/lending deals.

- Representing Continuum Partners in the redevelopment of the former University of Colorado Health Sciences Center 9th and Colorado campus, which will include a horizontal and vertical mix of uses, including residential, office, retail, restaurant, hotel and public space. The firm negotiated the acquisition of the former University of Colorado Health Sciences Center at 9th and Colorado in Denver, which included completing all physical and legal due diligence for the site, providing advice with respect to Continuum's administrative amendment for the GDP encumbering the property, and negotiating with the Denver Urban Renewal Authority for \$47.9 million in TIF funds. We continue to oversee all legal work at the 30 acre project, including the development of both the retail and residential components of the site.
- Advised Dividend Capital Diversified Property Fund and Industrial Property Trust, REITs with industrial and commercial portfolios of properties located in multiple states, on several acquisition and disposition transactions, including negotiation of purchase and sale agreements, forward purchase built to suit transactions, diligence efforts to identify and mitigate potential risks, and overseeing the closing of such transactions.
- Assist Caesars Entertainment Corporation affiliate with deed in lieu of condemnation transaction in Hammond, Indiana.
- Represented Bachelor Gulf Properties LLC and its affiliates in connection with the recapitalization, condo and hotel loan modifications and Ritz Carlton agreements modifications for the Ritz Carlton Bachelor Gulch in Beaver Creek, Colorado.
- Served as land use counsel to the City of Mesa, Arizona regarding the development agreement with First Solar, Inc. Brownstein provided counsel on agreement concerning the redevelopment of up to 263 acres for photovoltaic solar manufacturing facilities.
- Represented a private equity investment firm in its initial platform acquisition of a leading provider of innovative repairs and advanced coatings for the aerospace, industrial gas turbine and oil and gas industries from a private equity fund.
- Represented a publicly-traded, Denver-based real estate investment trust in the negotiation, sale and closing of more than \$163 million in sales of 18 apartment complexes located across the United States.
- Assisted Slaterpaul Architects in acquiring historic real property from the City & County of Denver and with related environmental and rehabilitation tax credit matters.
- Represented a junior mortgage lender in the \$15.5 million acquisition of a senior lender's distressed debt for Lumiere Telluride Hotel, followed by the completion of a deed-in-lieu transaction.
- Represented a publicly-traded, Denver-based real estate investment trust in the negotiation, sale and closing of more than \$208 million in sales of 13 apartment complexes located across the United States.
- Represented a major university in negotiations involving land use and real estate matters for a casino and hotel development.
- Represented a publicly-traded, Denver-based real estate investment trust in the negotiation, sale and closing of more than \$433 million in sales involving 33 apartment complexes located across the United States.

Community

Board of Directors, Denver Center for Arts & Technology

Former Member, Young Guns Committee, Coors Western Art Exhibit and Sale (NWSS)

Founding Member and Co-Chair, KIPP: Colorado Schools Advisory Board

Former Board Member, Emily Griffith Foundation

University of Denver Sturm College of Law, Lawyering Process Mentoring Program

Publications & Presentations

- Denver City Council Implements Legislation Allowing Structures Up To 16 Stories in Rino, Co-author, *Western Real Estate Business*, October 2018
- Denver City Council Approves Zoning Amendments Permitting Construction Up to 16 Stories in RiNo, *Brownstein Client Alert*, February 14, 2018
- Lowering Defect Lawsuit Risks, Co-author, *Construction Today*, August 16, 2017
- Recent Law Changes Affect Condos, Construction Defects, Co-author, *Western Real Estate Business*, August 2017
- Vallagio Ruling Favorable for Condominium and Planned Community Developers, *Brownstein Client Alert*, June 7, 2017
- Colorado State Legislature Finally Passes Construction Defects Reform Legislation, Co-author, *Brownstein Client Alert*, May 15, 2017
- Hotel, Office Projects Return to Downtown Denver with a Flair , Co-Author, *Colorado Real Estate Journal*, June 3, 2015
- City of Lakewood Adopts Ordinance to Encourage Condominium Construction and Reduce Construction Defect Litigation, *Brownstein Client Alert*, October 16, 2014

Education

- J.D., 2007, University of Denver Sturm College of Law, Order of St. Ives
- B.A., 1998, *magna cum laude*, Colgate University

Admissions

- Colorado, 2007

Recognition

Colorado Super Lawyers, Rising Stars, 2016-2017

Law Week Colorado, Up and Coming Lawyers, 2011

General Editor, *University of Denver Law Review*

President, *University of Denver Construction and Real Estate Society*

Membership

American Bar Association

Colorado Bar Association

Colorado Women's Bar Association

Denver Bar Association