



REAL PROPERTY LAW SECTION

For St. Pete's Sake: Michigan Lawyers Talking Real Estate March 2 – 4, 2017

Loews Don CeSar, St. Pete Beach, Florida

Program Chair:

Dawn M. Patterson, First American Title National Commercial Services

THURSDAY, March 2, 2017

6:30 p.m. | Registration

6:30 – 7:30 p.m. | Welcoming Reception

FRIDAY, March 3, 2017

7:30 – 8:00 a.m. | Continental Breakfast

8:00 a.m. – Noon

“Florida Construction Law Considerations from Owner’s and Lender’s Perspectives”

Alexa Guevara, McDonald Hopkins

“Purchase Agreements – Comparison of the Florida’s FAR/BAR Form Purchase Agreement and Common Michigan Purchase Agreement Provisions”

Patrick A. Karbowski, McDonald Hopkins

Raul Valero, McDonald Hopkins

“From My Dream Location Vacation Property to My Worst Litigation Nightmare”

Stephen King, King & King, PLLC

“Estate Planning Tips for Out-of-State Owners of Florida Real Estate”

April D. Hill, Hill Law Group, PA

6:30 – 7:30 p.m. | Reception

SATURDAY, March 4, 2017

7:30 – 8:00 a.m. | Continental Breakfast

8:00 – 11:00 a.m.

“Florida Law Tips for Out-of-State Buyers, Lenders & Their Counsel”

Gary M. Kaleita, Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

“Florida Condominium Pitfalls and Opportunities for Lenders and Investors”

Successor Developer Liabilities, the Distressed Condominium Relief Act
and Terminating Failing Condo Regimes (*and What Happened to My Lien?*)

Alex Dobrev, Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

Michigan Legislative/Case Law Update

Ronald Reynolds, The Murray Law Group

FinCEN Money Laundering Prevention Efforts

Roundtable review and discussion of the latest United States Department of Treasury
Financial Crime Enforcement Network’s Geographic Targeting Order

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FACULTY

Program Coordinator



Dawn M. Patterson, Program Chair, is National Counsel for First American National Commercial Services in Troy, Michigan. Prior to this position, she worked with Agency and Direct

Operations serving as underwriting counsel for commercial and residential transactions. Her experience includes appointments as State and Regional Counsel for another title insurer and serving as Michigan Division Manager for an IRC Section 1031 qualified intermediary. She has been a frequent speaker on title issues. Dawn's publications include "Title Insurance: 2006 ALTA Owner's Policy Continues Coverage for Post-Policy Transfers of Real Estate to Insured's Trust", 494 Laches 9 (2007), "Title Insurance: Post Policy Transfers of Real Estate to a Trust", 481 Laches 13 (2006), "Explore the Benefits of Consideration of IRC Sections 121 & 1031 Before the Seller of Real Estate Reaches the Closing Table", 32 Mich Real Prop Rev 150 (2004), "New Legislation Impacts Tax Treatment of Principal Residence Converted from a 1031 Replacement Property", 32 Mich Real Prop Rev 221 (2004) and a co-authorship entitled "Michigan Eliminates Witness Requirement", 29 Mich Real Prop

Rev 75 (2002). Dawn is a council member of the State Bar of Michigan Real Property Law Section and the Chair of the RPLS Winter Conference 2017. She has previously served as Chair of the Education Committee of the Michigan Land Title Association, Chair of the Real Estate Committee of the Oakland County Bar Association, Co-Program Coordinator for the State Bar of Michigan Real Property Law Section 2008 & 2009 Summer Conferences and as a Board Member of the Incorporated Society of Irish American Lawyers. She holds a Residential Builder License and a Real Estate Associate Broker License. Dawn may be contacted at dmpatterson@firstam.com or 248-458-7211.

Friday, March 3, 2017



Alexa Guevara, McDonald Hopkins PLC in West Palm Beach, Florida, has experience representing: (a) private and institutional lenders in workout negotiations and forbearance arrangements, loan purchase and sale transactions, and mezzanine and permanent financing transactions for the acquisition, construction, development and refinancing of real estate projects;



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(b) developers of commercial, residential, retail and equestrian projects in financing, leasing, sale/leaseback, acquisition, workout and development transactions, including drafting property owner association documents, declarations of covenants, restrictions and easements, negotiating agreements with governmental authorities, and addressing construction lien law, ILSA, and land use issues; and (c) equestrian and other agricultural clients in addressing development, permitting and agricultural classification eligibility issues, as well as the formation of a polo club. Alexa also has represented developers and non-profit organizations in projects financed with historic and new market tax credits.



April D. Hill is the founder of Hill Law Group, PA. The firm opened in 2002, and is devoted to the field of elder law. April earned her Law degree from Stetson University College, in St. Petersburg, in 1997 and has a B.A. in Social Work.

She is a Board Certified Specialist in Elder Law, certified by both the Florida Bar and the National Elder Law Foundation, and is also a member of The Council of Advanced Practitioners (CAP) for National Academy of Elder Law Attorneys. As a US military veteran, she continues to speak at several continuing

legal education programs in her field and is a former adjunct professor at Stetson where she taught courses in elder law.

Prior to opening Hill Law Group, PA, she was employed by the Thirteenth Judicial Circuit Court where she played a key role in the establishment of the Elder Justice Center; a unique court program designed to help elderly individuals gain access into the court system. The program, with its operations manual and procedures, has been a model for similar programs around the U.S. In her community service, April is the immediate Past-Chair for the Board of PARC, a local organization that serves individuals with developmental disabilities; an active supporter of the Florida Gulf Coast Chapter of the Alzheimer's Association; and a member of the National Academy of Elder Law Attorneys, where she serves on the Practice Success Section Steering Committee.



Patrick A. Karbowski of McDonald Hopkins has more than 29 years of experience practicing business and real estate law. His expertise covers a wide spectrum of complex real estate transactions

and litigation involving real estate sales, acquisitions, development, title insurance, leasing, lending, property taxes, foreclosures,



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and workouts. Patrick also has significant experience in commercial finance, handling real estate based and asset based loans, for both lenders and borrowers. Patrick, a past Chairperson of the Real Property Law Section of the State Bar of Michigan, is a recipient of the C. Robert Wartell Distinguished Service Award for exemplary contributions to the section over an extended period of time. He is an ex officio member of the section's governing council and serves on many of its committees, including as chair of the Pro Bono Committee. Patrick is a Fellow of the American College of Real Estate Lawyers and has been an adjunct professor of law teaching real estate transactions at the Ave Maria School of Law. Patrick is on the real estate advisory board for the Institute of Continuing Legal Education. A frequent author and lecturer on real estate topics for professional and industry organizations, Patrick is listed in The Best Lawyers in America, Chambers USA and Super Lawyers for Real Estate. Patrick is a Leadership Oakland alumnus and has served on the boards of several community organizations.



Stephen King of King & King PLLC, has more than 27 years of comprehensive experience in a variety of legal arenas such as negotiation, civil and criminal

litigation, business law, real property law, family law and conflict resolution. Stephen grew up in the Detroit, Michigan area and earned a BS in Business Administration with a specialization in Finance from Marquette University. He received his law degree from the University of Detroit School of Law. Stephen is trained in Civil Mediation and Alternative Dispute Resolution. His unique skills in the areas of facilitating communication and problem-solving contribute to Stephen's ability to deliver successful results for his clients. He has served on the board and is a past president of the Wexford County Habitat for Humanity, has served on the Rotary Club of Cadillac Board, is a past chairman and board member of the Cadillac Downtown Fund, serves on the Board of the Cadillac Area Chamber of Commerce, Chairman of the CWTA Board of Directors, and is an avid and dedicated supporter of many community and volunteer organizations.



Raul Valero, McDonald Hopkins PLC, West Palm Beach, Florida, is an associate in the firm's business department. He focuses his practice on real estate transactions and commercial finance and lending. Raul has assisted his clients with acquisitions, sales, regulatory compliance, and land use



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and zoning. Raul also handled nationwide complex commercial litigation matters in both the federal and state level. His diverse case load includes contracts, intellectual property, regulatory compliance class actions, and secured transactions.

Saturday, March 4, 2017



Alex Dobrev, Lowndes, Drosdick, Doster, Kantor & Reed, is a Shareholder in the Distressed Real Estate Solutions Group. He also serves as the Vice-Chair of the Condominium & Planned Development Committee of the Florida Bar, as well as its legislative Co-Chair. Since the recession, Alex has focused a substantial portion of his practice on distressed properties acquisitions, operations and dispositions. In the context of "broken" or "fractured" condominium projects in particular, he often works with lenders, bulk investors, and receivers, in order to evaluate and implement exit strategies, including possible unwinding of the condominium regime, while identifying and minimizing potential successor developer liabilities and related risks. In addition, Alex counsels clients regarding Interstate Land Sales Full Disclosure Act (ILSA) compliance matters, including full and partial exemptions from the Act and overall offering structure.



Gary M. Kaleita, Lowndes, Drosdick, Doster, Kantor & Reed, concentrates on real estate development, finance and transactions, condominiums, property owners' associations, commercial leasing, commercial lending, and title insurance. He has handled purchases, sales and financings of numerous commercial and residential projects in Florida, including office, industrial, retail, multi-family, single-family, condominium, resort, hotel and golf course properties. He has prepared and negotiated contracts for sale and purchase, performed due diligence investigations, and handled all aspects of closings, including issuance of title insurance and legal opinions. He has performed tax free exchanges (both forward and reverse) under Section 1031 of the Internal Revenue Code, and has handled closings for housing revenue bond financing transactions with the Florida Housing Finance Corporation and various local housing finance authorities. As lender's counsel, Gary has represented numerous Florida and out-of-state lenders making commercial loans secured by Florida real estate, drafted and negotiated loan documents, coordinated and conducted lenders' due diligence activities, including title and survey review, prepared and negotiated legal opinions, and conducted loan closings.



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He has also worked on the purchase and sale of properties in foreclosure, loan workouts, and the sale of lender-owned real estate assets following foreclosure. In the area of real estate development, Gary has assisted developers in obtaining land use approvals, plat approvals and permits for various developments from a number of jurisdictions in Central Florida, including planned developments (PD's) and Developments of Regional Impact (DRI's). He has drafted and negotiated complex land use documents, including development agreements, cost-sharing agreements, declarations of covenants, conditions, restrictions and easements. He also has experience in mall and shopping center developments, including outparcels, and has assisted developers with the selection, formation and operation of business entities, including commercial and residential property owners associations. He has extensive experience with the formation and operation of both commercial and residential condominiums as well.

He has substantive trial court, appellate court and arbitration experience, and has been appointed a facilitator and arbitrator in complex commercial and real property law cases. Mr. Reynolds is listed in Best Lawyers of America for real estate in 2015, and was selected as one of the Top 100 Lawyers in Michigan and Top 50 Business Lawyers in Michigan by Super Lawyers for a second time in 2014. He is admitted to practice in the United States Supreme Court, the United States Court of Claims, the United States Tax Court, the Sixth Circuit Court of Appeals, the United States District Court in the Eastern District of Michigan, Western District of Michigan, District of Arizona and the Northern District of Texas.



Ronald E. Reynolds, The Murray Law Group, practices in the areas of eminent domain and condemnation law, zoning and land use law, real estate and real property litigation, commercial litigation and labor and employment litigation.