

Real Estate Litigation

When real estate-related disputes occur, owners and developers of real property rely on Stinson's nationally recognized real estate attorneys to help them achieve resolution. *Midwest Real Estate News* ranked Stinson third on the list of the "2023 Best of the Best" in real estate law, with 3,561 completed real estate transactions throughout the Midwest.

We protect the private property rights of owners of real estate and other stakeholders. We protect those rights by obtaining land use approvals, enforcing development rights, and litigating land use disputes with government agencies or neighboring owners, if necessary. We fight to obtain "just compensation" for our clients if the government takes their property by eminent domain, or imposes overly harsh regulations. We reduce our client's real estate taxes when local assessors try to set "fair market values" that are far too high. And, we enforce the legal rights and remedies of every real estate stakeholder, including banks and other lienholders, buyers and sellers of real estate, and landlords and tenants.

CAPABILITIES

We offer extensive experience resolving real estate disputes through negotiation, mediation, arbitration or litigation. We have successfully resolved a full range of real estate issues including landlord-tenant disputes, lease negotiation, enforcement, termination, eviction and collection; mortgage, contract-for-deed and mechanic's lien foreclosures; construction disputes; purchase agreement and option agreement disputes; title clearance; title insurance coverage; and land use matters.

In addition, our real estate litigators have extensive experience with condemnation and eminent domain matters. We have represented property owners, businesses and public agencies throughout the region in all facets of eminent domain issues affecting their properties, ranging in value from tens of thousands of dollars to millions of dollars.

Finally, our real estate litigators enforce the rights of financial institutions with security interests in real estate. Our representation of financial institutions extends to lenders' participation agreements, which often contribute to large commercial real estate lending. Commercial real estate litigation often requires establishing and managing receiverships during litigation. In recent years, our team has administered receivership matters for office buildings, hotels, restaurants, apartment complexes, residential development and manufacturing enterprises.

Real Estate Litigation

- Condemnation and eminent domain
- Inverse condemnation and taking claims
- Property tax protests
- Land use regulations
- Improper impact fees and exactions
- Zoning disputes
- Mortgage foreclosures
- Access issues
- Subdivision and development issues
- Special assessment appeals
- Lease disputes
- Unlawful detainer
- Contract cancellation
- Title disputes
- Easements and covenants
- Purchase and sale disputes

EXPERIENCE

We assisted clients in the following real property disputes:

- Minnesota Twins Ballpark. We represented Hennepin County in assembly of the land for the new ballpark in downtown Minneapolis, including condemnation of most of the land required. The case is the largest single parcel condemnation case in Minnesota history.
- Represented numerous owners of real estate adversely affected by the construction of the Hiawatha, Central Corridor and Southwest light rail lines to obtain compensation for the taking of real estate and construction interferences to their businesses.
- Obtained summary judgment and award of damages in U.S. District Court for Kansas for eviction of CVS (tenant), resulting from breach of lease.
- Represented national home improvement big box retailer in obtaining millions of dollars in real estate tax relief for Minnesota retail stores.
- Simon Properties. We successfully defended a shopping center owner against a million-dollar mechanic's lien claim for unique and specialized tenant improvements in a regional mall.

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- Provided assistance to bank in workout of credit facility involving a multifamily project where several million dollars of mechanic's liens had been filed, necessitating a potential foreclosure that would have taken approximately one year. We were able to convince more than 100 creditors that it was in their best interest to accept a small distribution now in exchange for the release of the liens, so the project could proceed. Additionally, the owner agreed to a quit claim deed of its interest in the property in exchange for the releases from their creditors.

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TEAM

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RELATED CAPABILITIES

Real Estate & Public Finance

Business Litigation

Distressed Commercial Real Estate

NEWS

Jessica Knox Selected to ABA Forum on Construction Law Diversity Fellowship

03.19.2024

Ryan Sugden Offers Guidance for Challenging Permit Fees in *Colorado Real Estate Journal*

03.14.2024

Super Lawyers' 2024 Colorado Lists Features Three Stinson Attorneys

03.01.2024

Stinson Associate Selected to FOCUS St. Louis Spring 2024 Cohort of Emerging Leaders

02.07.2024

Six Attorneys Elected to Partnership at Stinson in 2024

01.09.2024

Stinson Recognized as a Top Real Estate Law Firm in Best of the Best Rankings

12.27.2023

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Real Estate Litigation

Barry Haith Named to Inaugural Construction Law POWER List

12.18.2023

Best Lawyers® Recognizes Stinson in "Best Law Firms" Report

11.02.2023

Arrival of Cummings and Silverstein in Stinson's Tampa Office Featured by *Law360*

08.07.2023

Stinson Growing Tampa Office with Addition of Litigators, Brian Cummings and Murray Silverstein

07.31.2023

Stinson Attorneys Selected to LCLD 2023 Fellows and Pathfinder Programs

03.06.2023

Three Denver Attorneys from Stinson Recognized by *Super Lawyers* in 2023 Top Lists

03.03.2023

Gillespie Elected to Partnership Two Years After Joining Stinson in Denver

02.22.2023

Stinson #3 in *Midwest Real Estate News*' Best of the Best 2022 Rankings

01.03.2023

Stinson Team Recognized with Transaction of the Year Award by MN Chapter of Turnaround Management Association

12.21.2022

U.S. News, Best Lawyers® Recognizes Stinson in "Best Law Firms" Report

11.03.2022

Best Lawyers in America© Names Nine Stinson Attorneys as "Lawyer of the Year"

08.18.2022

Sugden Selected to Denver Leadership Foundation Program

07.22.2022

MSBA Construction Law Section Elects Jessica Knox as New Council Member

07.01.2022

Sugden Uses Recent Court Decisions to Show Why Good Contracts Matter in Construction Projects

06.16.2022

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Stinson Serves as Lead Counsel to Maxus Properties in Sale of Multifamily Complexes

03.29.2022

Stinson Attorneys Named to 2022 Colorado *Super Lawyers* and Rising Stars

03.10.2022

Stinson Establishes Infrastructure Task Force to Support Clients

03.08.2022

Midwest Real Estate News Ranks Stinson in "Best of the Best 2021"

12.03.2021

Stinson Recognized Among the Top National Law Firms in 2022 Best Law Firms Ranking

11.05.2021

Ryan Sugden Details Stalling Colorado Floodplain Map Updates in *Colorado Real Estate Journal*

10.21.2021

Ryan Sugden Publishes on Cedar Point Ruling in *Law360* Article

07.09.2021

Jarrold Kieffer Authors Property Tax Article for KC Chamber of Commerce

03.26.2021

Scott Mueller, Keegan Shea Address Post-Confirmation Foreclosure Claims in ABA Article

03.11.2021

Stinson Recognized Among Top National Firms in 2021 Best Law Firms Ranking

11.05.2020

Stinson Ranks Among Top Firms in *Midwest Real Estate News'* 2020 Best of the Best Rankings

10.12.2020

Stinson Attorneys Named to *Benchmark Litigation's* 2020 40 & Under Hot List

07.21.2020

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