



## J. Theodore Smith

PARTNER

### Columbus

52 East Gay Street  
Columbus, Ohio 43215

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### Practice Areas

Real Estate

Real Estate Finance

Tax and Economic Development  
Incentives

### Education

University of Illinois College of  
Law, J.D., *magna cum laude*, 1998

*University of Illinois Law Review*,  
Associate Administrative Editor,  
1997-1998

Purdue University, B.S.C.E., 1992

### Bar & Court Admissions

Ohio

*Admitted to practice law only in  
the states listed above.*

### Industries

Agriculture

Cannabis, Hemp and CBD

Construction

Restaurants, Food and Beverage

Ted is a partner in the Vorys Columbus office and a member of the finance, energy and real estate group. Ted practices in general real estate development, and has specific experience in construction and design contracts, condominium law, real estate acquisition and sales, real estate covenants and restrictions, leasing, liens, evictions and real estate secured finance. He also works closely with the firm's economic development incentives attorneys to structure and implement the real estate transaction elements of incentives projects.

Ted is also a licensed title agent, affiliated with Chicago Title Insurance Company.

Ted received his J.D. *magna cum laude* from the University of Illinois College of Law where he served as a member and associate administrative editor of the *University of Illinois Law Review*. He received his B.S. from Purdue University where he was a member of Chi Epsilon, Civil Engineering honorary, and of Sigma Chi Fraternity.

### Representative Transactions:

- Represented developer in the acquisition and redevelopment of a city block containing 7+ early 1900's era buildings as a mixed-use, residential, retail and office development, including implementation of a commercial condominium regime
- Represented cosmetics retailer in leasing and tenant improvement matters
- Represented developer in development of a multi-phase, mixed-use office/retail/residential center, using TIF funds for construction of public improvements, including a parking facility
- Represented multiple retailers and eCommerce companies in the leasing of warehouse and distribution facilities
- Represented lender in making retail facility-secured loans, negotiating loan documents with facility owners, and negotiating estoppels and SNDAs with tenants
- Represented multiple developers with regard to the creation of multiple mixed-use retail/commercial/residential condominiums

Retail and Consumer Products

- Represented shoe retailer in negotiation of construction contract for flagship store
- Represented developer in the acquisition of an \$89MM construction loan for the development of a mixed-use retail/office/restaurant center
- Represented developer in acquisition of a \$100+MM permanent loan facility for a mixed-use retail/office/restaurant center
- Represented multiple developers in creation of multiple airspace condominiums for purposes of constructing mixed-used projects including public parking garages with retail and/or residential component, using TIF funds for a portion of the construction
- Represented clothing retailer in the development of construction and architect agreements for tenant improvement projects in 25+ countries in Asia, Australia, Europe, North America and South America
- Represented clothing retailer in the negotiation of architect contracts related to flagship store build-out
- Advised clothing retailer in construction litigation and mechanic's lien issues
- Led team analyzing retailer's leases to determine termination and other rights with regard to multiple facilities damaged by a hurricane
- Advised retailer concerning rights under lease within facility destroyed by terrorist act
- Represented a manufacturer in the long-term master lease of a state of the art testing facility

## Honors & Recognitions

*The Best Lawyers in America*, Real Estate Law "Lawyer of the Year," 2024

*The Best Lawyers in America*, Construction Law, 2013-2024; Real Estate Law, 2013-2024

*Columbus CEO*, Best Lawyers, Real Estate Law, 2023

*Chambers and Partners*, Leading Lawyer in Real Estate, 2005-2023

*Ohio Super Lawyers Rising Stars*, Real Estate, 2006 and 2007

## Professional and Community Activities

American College of Real Estate Lawyers, Fellow

Columbus Bar Foundation, Fellow

American Bar Association, Member

Columbus Bar Association, Member

International Council of Shopping Centers, National Law Conference, Member of the Planning Committee, 2018-2020

Co-Presenter at the 2010, 2011, 2012, 2013, 2014 and 2016 International Council of Shopping Centers National Law Conference

International Council of Shopping Centers, Ohio, Kentucky, Indiana, Michigan and Pennsylvania Retail Development & Law Symposium, Member of the Planning Committee, 2010-2018; Co-Chair, 2014 and 2015; Emeritus Status, 2018

Co-Presenter at the 2010, 2011, 2013, 2016 and 2018 International Council of Shopping Centers, Ohio, Kentucky, Indiana, Michigan and Pennsylvania Retail Development & Law Symposiums

Building Industry Association of Central Ohio, Associate Member

NAIOP, Central Ohio Chapter, Member; Chair of Golf Fundraiser Planning Committee, 2013 and 2014

Urban Land Institute (Columbus), Regional Product Council, Member, 2017-2019

Simon Kenton Council, Boy Scouts of America, Planning Committee - Clay Target Classic Fundraiser, Member, 2016-2020

Board of CATCO, Member, 2013-2015

Dublin City Schools Business Advisory Council, 2008-2013

Ohio State Bar Association Real Property Section, Board of Governors Member and Newsletter Editor, 2003-2007

Indian Run United Methodist Church, Dublin, Ohio, Board of Trustees, 2002-2004; President, 2003

The Country Club at Muirfield Village, Board of Directors, 2008-2014; Chair, 2014