



Real Estate Law

Real estate deals often boil down to experience and perseverance. Clients have come to depend on the attorneys of Foster Swift for both of these qualities.

The real estate attorneys of Foster Swift have a broad range of experience successfully handling sophisticated transactions and difficult litigation. Our transactional services include drafting and negotiating purchase agreements, construction contracts, financing and lending documents, as well as resolving title, zoning, utilities, environmental and real estate tax issues.

Our attorneys regularly appear before municipal and state administrative agencies concerning real estate matters. We have been trying cases for over 100 years in state and federal, trial and appellate courts.

Regardless of the type of service, we use a team approach. Matters routinely handled include:

- Land division and subdivision approvals secured under the Michigan Land Division Act
- Construction contract negotiation, including AIA and AGC documents
- PUD and development agreements, and condominium documents
- Environmental due diligence and Brownfield funding agreements
- Industrial exemption certificates
- Rezoning, including conditional rezoning, and easements and restrictive covenants
- Variances, site plan approvals, and special use permits
- Conservation easements and required open space preservation documents
- Troubled real estate, loan sales and purchases
- Representation of developers on projects having significant impact on roads, traffic, flood plains, wetlands, and other protected areas
- Utility and technology agreements
- Construction liens

ATTORNEYS

Shareholder

James F. Anderton, V
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Sara L. Cunningham
Jonathan J. David
Thomas K. Dillon
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Associate

Brandon M. H. Schumacher
Brandon W. Waddell

Paralegal

Ann J. Stevens
Rekela L. Wilson

RELATED PRACTICES

Business Law
Condemnation & Eminent Domain
Financial Institution Law
Foreclosure
Landlord-Tenant



- Title disputes, title examinations, and title insurance claims
- Appeals of Property Tax and Special Assessments, and State tax cases (MBT, sales and use tax) before the Michigan Tax Tribunal, State courts and the Michigan Department of Treasury
- Defense of builders in occupational licensing actions, building code violations, and workmanship issues, and
- Representation of property owners in detachment, annexation, and Act 425 agreements
- Representation of subdivision and condominium associations in restriction and lien enforcement

Real Estate Development

Real Estate Litigation

Our wide range of services, coupled with a passion for personal attention to our clients' needs, have earned the Foster Swift real estate group a reputation for practical, results-oriented value to clients.

Foster Swift has been named a Tier 1 firm in **Real Estate Law** in Lansing by *U.S. News – Best Lawyers®* "Best Law Firms" in 2014, 2017, 2018, 2019, 2020 and 2021.

PUBLICATIONS & ALERTS

Court of Appeals Rules on Partial Lake Access Dispute, Returns Case to Trial Court for Further Proceedings, *Foster Swift Finance, Real Estate & Bankruptcy Law News*, April 25, 2024

Deadline Extended: Marketable Record Title Act Brings New Requirements for Preserving Land Restrictions & Easements, *Finance Real Estate & Bankruptcy Law News E-blast*, April 2, 2024

Important Q&A for Commercial Landlords Whose Tenants Seek Bankruptcy - Part Two, *Foster Swift Finance, Real Estate & Bankruptcy News*, February 5, 2024

Important Q & A for Commercial Tenants Whose Landlords Seek Bankruptcy - Part One, *Foster Swift Finance Real Estate & Bankruptcy News*, November 10, 2023

What are the Different Types of Easements?, *Finance Real Estate & Bankruptcy News*, June 28, 2023

Tips for First-Time Commercial Real Estate Landlords, *Foster Swift Finance Real Estate & Bankruptcy Law News*, April 1, 2022

Commercial Real Estate: Dealing with the Ongoing Impact of COVID-19, *Foster Swift Finance Real Estate & Bankruptcy Law News*, October 5, 2020



Frequently Asked Questions in Commercial Real Estate Law, *Foster Swift Finance Real Estate & Bankruptcy Law News*, February 24, 2020

Important Agricultural Property Tax Exemptions and Incentives You Should be Taking Advantage of in 2020, *Foster Swift Agricultural Law News*, January 23, 2020

Beyond the Basics: Drafting Effective Option Provisions in Commercial Lease Agreements, *Foster Swift Finance Real Estate & Bankruptcy Law News*, August 21, 2019

A Transfer Tax Exemption for the Sale of Certain Principal Residences, *Foster Swift Finance, Real Estate & Bankruptcy Law News*, August 20, 2019

Michigan Supreme Court Rules that Building Inspection Fees Must Reasonably Relate to the Costs of Services Provided by a Municipality's Building Department, *Inside 208 Blog, Michigan Municipal League*, August 6, 2019

Opening Pandora's Hotbox: Residential Landlords and Proposal 1, *Foster Swift Finance Real Estate & Bankruptcy Law News*, May 24, 2019

Beyond the Basics: How to Minimize Risk from Tenants when Mortgaging Leased Commercial Property, *Foster Swift Finance Real Estate & Bankruptcy Law News*, May 21, 2019

Beyond the Basics: Impact and Enforceability of Jury Waivers and Arbitration Provisions in Commercial Leases, *Foster Swift Finance, Real Estate & Bankruptcy Law News*, February 25, 2019

Beyond the Basics - Commercial Leases From a Tenant's Perspective, *Foster Swift Finance Real Estate & Bankruptcy Law News*, November 9, 2018

Detroit Landlords and Enforcement of the City's Inspection Ordinance, *Foster Swift Finance, Real Estate & Bankruptcy Law News*, September 24, 2018

The Dos and Don'ts of Leasing Property Owned by a Municipality, *Foster Swift Municipal Law News*, August 15, 2018

Court Protects Lakefront Landowners From Liability in Recent Injury Case, *Foster Swift Finance Real Estate & Bankruptcy Law News*, June 13, 2018

Governor Signs Bill Adopting the Uniform Commercial Real Estate Receivership Act, *Foster Swift Finance, Real Estate & Bankruptcy Law News E-blast*, February 7, 2018

What Happens When a Landowner Encroaches Upon Public Property?, *Foster Swift Finance, Real Estate & Bankruptcy News*, June 8, 2017

Dower Rights are Abolished in Michigan, *Foster Swift Finance, Real Estate & Bankruptcy News*, February 7, 2017

New Law Expands Property Tax "Uncapping" Exemptions for Family Cottage Transfers, *Foster Swift Finance, Real Estate & Bankruptcy News*, November 25, 2014

Foreclosed Property Purchaser Rights to Inspect Property after Notice, *Foster Swift Finance, Real Estate & Bankruptcy News*, June 12, 2014

New Changes to Michigan Foreclosure Law, *Foster Swift Banking, Finance & Real Estate E-News*, August 12, 2013



NEWS

Dora Brantley Receives "Excellence in Defense" Award, *Michigan Defense Trial Counsel*, March 21, 2024

Foster Swift Elects EC Officers for 2024, *Ingham County Legal News*, February 21, 2024

Preparing Women Business Leaders for 2024 Legal Challenges, *Meltwater Newswire*, February 20, 2024

Foster Swift Attorneys Named 2024 Best Lawyers in America, *Best Lawyers in America*, August 17, 2023

Four Lansing Attorneys Named Best Lawyers® 2024 "Lawyer of the Year", *Best Lawyers in America*, August 17, 2023

Real Estate Attorney Roragen Joins Lansing Firm, *Ingham County Legal News*, July 10, 2023

Titus Announced as "Go-To Lawyer" in Commercial Real Estate, *Michigan Lawyers Weekly*, June 20, 2023

Fortune 500 Defense Litigator Joins Foster Swift, *Detroit Legal News*, June 1, 2023

Hamor Named an "Up and Coming Lawyer" by Michigan Lawyers Weekly, *Michigan Lawyers Weekly*, February 15, 2023

Foster Swift Elects Three New Shareholders, *Ingham County Legal News*, January 30, 2023

Foster Swift Listed in "Best Law Firms" 2023, *Best Lawyers "Best Law Firms"*, November 3, 2022

Foster Swift Attorneys Named 2023 Best Lawyers in America®, *Best Lawyers in America*, August 18, 2022

Foster Swift Selects Hogan as Finance Practice Leader, July 29, 2022

Grand Rapids Attorneys Listed as 2022 Top Lawyers, November 17, 2021

Foster Swift Listed in "Best Law Firms" 2022, *Best Lawyers in America*, November 5, 2021

Foster Swift Attorneys Named to 2022 Best Lawyers in America®, August 19, 2021

16 Attorneys Selected to 2021 Michigan Super Lawyers and "Rising Stars", *Michigan Super Lawyers*, August 13, 2021

Nine Attorneys Listed as Top Lawyers 2020, *Grand Rapids Magazine*, December 11, 2020

Resource Published to Help Organizations Link to Trending Legal Issues, *Foster Swift Business & Tax Law News*, November 17, 2020

Foster Swift Listed in "Best Law Firms" 2021, *Best Lawyers*, November 5, 2020

Amanda Martin Joins Foster Swift, *Detroit Legal News*, September 30, 2020

Foster Swift Attorneys Named to 2021 Best Lawyers in America®, August 20, 2020

Vredenburg Named Litigation Practice Group Co-Leader, March 26, 2020

Eight Foster Swift Attorneys Included in GR Magazine Top Lawyers 2019, *Grand Rapids Magazine*, December 2, 2019

Foster Swift Listed in Best Lawyers® "Best Law Firms" 2020, November 1, 2019

Collins and Smith Named to SBM Ag Law Council, *Foster Swift Agricultural Law News*, October 4, 2019

Honor CU Welcomes Three New Associate Board Directors, *Honor Credit Union*, July 1, 2019

Firm Elects Executive Committee Members for 2019, *Michigan Lawyers Weekly*, March 7, 2019



Foster Swift Rated Tier 1 in 27 Practice Areas in Best Lawyers® "Best Law Firms", November 1, 2018

Six Foster Swift Attorneys Named Best Lawyers® 2019 "Lawyer of the Year", August 15, 2018

Foster Swift Elects Executive Committee Members for 2018, February 13, 2018

Attorney Russell Appointed as Litigation Practice Group Co-Leader, January 29, 2018

Three Foster Swift Attorneys Named to dbusiness 2016 Top Lawyers, November 9, 2015

Jonathan David awarded Honorable Mention in Michigan Bar Journal Short-Story Contest, August 3, 2015

EVENTS

Commercial Real Estate Concerns in the new COVID Environment, *Foster Swift*, September 9, 2020

What Condo Unit Owners and Buyers Need to Know, *Foster Swift 2nd Wednesday Morning Break*, August 12, 2020

Sheriff's Deeds, *Michigan Association of Register of Deeds; Annual Summer Conference*, September 17, 2019

Digging into the Issues of Holding Real Estate in Trust, *59th Annual Probate & Estate Planning Institute*, May 2019

Discovery Guidelines and Case Management Tips, *Institute for Paralegal Education (IPE): Divorce Cases From Start to Finish for Paralegals*, May 21, 2019

Discovery Guidelines and Case Management Tips, *Institute for Paralegal Education (IPE): Divorce Cases From Start to Finish for Paralegals*, May 16, 2019

It shouldn't Be This Hard to Clean Up That Property, *Michigan Township's Association Annual Conference & Expo*, April 11, 2017

Commercial Real Estate Broker's Lien Act, *In-house education seminars for commercial real estate brokers*, November 2010

Remedies and Lender Liability, *In-house educational seminar for commercial real estate lender*, June 2010

Real Estate Seminars - ICLE Moderator, 2009

Land Division and Related Development Issues, *In-house educational seminar for commercial real estate brokerage firm*, February 2007

Law for the Real Estate Professional, October 2002