

# Real Estate - Commercial

When buying, selling, leasing or renting real estate, a business faces important decisions, the consequences of which could affect that business for years to come. We counsel our business clients across the full spectrum of commercial real estate concerns assisting them in achieving positive results in all real estate transactions. Our attorneys have expertise in the following areas:

- Selling or Purchasing Real Property:** From ensuring that a deed properly conveys the property it represents, to protecting a business from any potential liabilities of the real property, to investigating whether a new business entity needs to be created in order to hold the property, to negotiating the terms of the sale, our experienced attorneys facilitate smooth and trouble-free transfers of property. In addition, we assist clients in obtaining title insurance and perform settlement services as an agent of First American Title.
- Refinancing a Business' Real Property:** We counsel our clients in all areas of refinancing and skillfully conduct negotiations with their mortgage brokers. We analyze whether or not it will benefit a client's business to refinance any loans secured by their business' real estate and, if so, clarify the value or liability of any differences between the old and new loans.
- Leasing Property as Tenant or Landlord:** We ensure that any rental agreement entered into by our clients fully represents the intended rental arrangement. We clarify any responsibilities, obligations or liabilities a client's business may be exposed to by entering into the lease. And, when necessary, we negotiate the lease itself, creating the most advantageous position possible for our client.
- Condominiums:** We help our clients convert real property into condominiums for business or residential use and assist them in the formation of condominium unit owners' associations. We achieve these goals with a commitment to minimizing our clients' exposure to liability.
- Boundary Disputes:** We negotiate, settle or litigate boundary disputes resulting from surveys, issues of encroachment or use of neighboring property for a specific, limited purpose.
- Tax Assessment Issues:** When a higher assessed value of a property results in higher property taxes, we represent our clients in the appeal of any exaggerated assessed value of their property.
- Condemnation/Eminent Domain:** We protect our client's interests by negotiating or litigating on their behalf to ensure that property is not being taken illegally and that in the event property is taken legally, compensation for such taking is fair.
- Property Tax Exemption for Nonprofit Organizations:** Most nonprofits that own real property are entitled to relief from local property taxes. We guide our nonprofit clients through the process of applying for and receiving such tax exemptions.

## Recent Updates & Recommended Articles from the Lancaster Law Blog:

- A Legal Victory for Farmers (Part 1)**  
*Pennsylvania Courts just announced an important victory for farmers in the case of Branton v. Nicholas Meat, LLC. This case helps farmers that generate and use food processing waste ("FPW"). It also helps any agricultural use that is subject to any sort of state or federal permit.*
- A Legal Victory for Farmers (Part 2)**  
*One of the requirements to be protected under the Right to Farm Act is that an operation must be "lawfully" in operation for more than one year. During the operation of the farms that spread FPW, the DEP issued a couple of notices of violation ("NOV") to the farmers. The NOV's complained of spreading FPW without an approved Nutrient Management Plan, spreading FPW during winter months and spreading within 150 feet of a stream.*
- Property Tax Reassessments – School Districts Increased Their Millage Rates**  
*Lancaster Online recently discussed the property tax rates for the 2018-19 tax year for all Lancaster County school districts. Since your school tax is usually much larger than the municipal and county tax, the increase in the school tax rate is going to account for the majority of the increase in your property taxes. With this information, you can start to determine how your property tax reassessment will affect you.*
- Legal Considerations of Doing Business at Home**  
*If you're planning on operating a business out of your home, you should do your homework and ensure that the type of business you are planning to operate is allowed and that you have taken all of the necessary steps to conduct business there.*

## Attorneys

- Craig V. Russell
- Aaron K. Zeamer
- Aaron S. Marines
- Nichole M. Baer

## Range of Services

- Real Estate Documents:
  - Deeds
  - Deeds in Lieu of Foreclosure
  - Corrective Deeds
  - Deed Restrictions
  - Mortgages

# Real Estate - Commercial

- Leases
- Easements
- Covenants
- Declarations of Condominium
- Assignments of Leases & Rents
- Settlement Services
  - Lien Searches
  - Title Searches
  - HUD-1 Preparation
  - Title Insurance
  - Coordination with Lender
- Landlord/Tenant
  - Lease Negotiations
  - Evictions
  - Litigation
- Foreclosures
- Ejectments
- Actions to Quiet Title
- Tax Assessment Appeals
- Condemnation Defense
- Eminent Domain Defense
- Condominiums
- Condominium Unit Owners' Associations
- Title Insurance

## Related Services

- Business Law
- Title Agency - Lititz Pike Abstracting Co., Inc.

## Helpful Links

- Building Industry Association of Lancaster County
- Lancaster County Association of Realtors