



Ward and Smith, P.A.'s Real Estate Development Practice Group provides advice and counsel to commercial and residential real estate developers, landowners, investors, and institutions in connection with real estate development projects of all types and sizes throughout the southeastern United States. Our services include: developer entity structure and formation; development financing; tax planning; zoning and land use planning; environmental regulatory compliance and permitting; and preparation of land acquisition and sales contracts, design contracts, and construction and development contracts. Additionally, we prepare commercial and retail leases; condominium and subdivision documents for residential, commercial, and marina slip projects; and property owner association documents. Our attorneys appear in administrative courts on behalf of clients in disputes with federal, state, and local regulatory agencies. In the event of a contractual dispute or an appeal of an administrative action, our attorneys also represent clients in the trial and appellate courts.

Real estate development in North Carolina often requires legal representation before state and local agencies on zoning and land use regulations that pose many complications for developers due to their numerous technical rules and special practices. We counsel clients as they navigate through the maze of restrictions placed on developers and landowners by governmental entities. Our attorneys appear frequently before planning boards; boards of adjustment; city councils; county commissioners; and other local agencies on a variety of issues including subdivision of property, zoning approval and appeals, special and conditional use permits, variances, approvals of development plans, negotiation of development agreements, environmental matters, and taxation.

Rapidly changing real estate market conditions over the last decade have created entirely new challenges for our clients. We assist real estate developers and lenders alike in working through those challenges as they try to weather the storm and keep projects viable during trying economic times. We have significant experience in evaluating incomplete and distressed development projects and consulting and advising our clients based on their interests in those projects. Those clients include potential bulk purchasers and successor developers, the original developers, and lenders analyzing options related to their collateral.

The growth of wireless technology has resulted in a significant increase in the construction of wireless communication towers and facilities. Our attorneys know and understand federal, state, and local regulations pertaining to the location and construction of such facilities and have experience in obtaining special use permits and other regulatory approvals while dealing effectively with any opposition.

North Carolina is known for its many historic districts. Our attorneys have the specialized knowledge of development requirements in historic districts that enables us to represent clients successfully before local historic preservation commissions, where our attention to detail serves to help our clients navigate through the maze of historic property rules and regulations.

Attorneys within the Real Estate Development Practice Group work closely with the attorneys in our Business, Community Associations, Construction, Environmental, Litigation, and Zoning and Land Use Planning Practice Groups. Our knowledge of the applicable bodies of law affecting these matters, coupled with our years of related experience, allows us to efficiently and effectively counsel our clients regarding other areas of law related to real estate development.