

## David A. Lurker

Orange County, California  
Shareholder

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### **Areas of Practice & Industry Specialties**

Real Estate; Commercial Lease Law; Land Use; Community Development Finance Law; Title Insurance & Escrow



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With over 35 years of legal experience serving the real estate industry, David A. Lurker is a tremendous asset for his clients. Having experienced numerous economic and industry cycles, he knows how to help guide clients in effective deal structuring.

Mr. Lurker represents owners, developers, investors, contractors, landlords, tenants, property managers and lenders in planning, negotiating and implementing transactions that involve purchases and sales, development, leasing, and construction of all types of projects, including retail, office, industrial, residential, multifamily, senior housing, and churches and nonprofits. He has extensive expertise in:

- Acquisitions and dispositions
- Land use, entitlement and subdivision matters
- Zoning and local government compliance
- Negotiation and documentation of construction and permanent loans (borrowers and lenders)
- Construction disputes
- Ground leases, office leases, industrial leases and retail leases
- Property management
- Workouts, deeds in lieu, foreclosures, (lenders and borrowers) escrow and title matters

Over the years, Mr. Lurker has developed a highly valued corporate transactions practice working with small to midsize companies across a broad range of industries, with a substantial portion of these in the real estate industry. These services include:

- Advising and assisting startups
- Forming business entities, including corporations, limited liability companies, and partnerships
- Maintaining corporate formalities and other general corporate matters
- Contract review
- Insurance matters
- Litigation advice and direction

Mr. Lurker has been actively involved in a number of trade organizations, including the Associated General Contractors (Legal Advisory Committee). He is a member of the California Bar Association, Real Estate Law Section, the Orange County Bar Association, and has lectured for the Orange County Section of the American Planning Association. He supports and is involved in a number of civic, political, and community organizations. He has also served on the Board of Directors of a Christian School and a local Church Board.

### **Representative Matters**

- Real Estate Development: Over his career, Mr. Lurker has represented clients from acquisition through development, leaseup, and sale of virtually every type of project including high rise office towers, regional shopping centers, big box retail stores, industrial and warehouse projects, churches, multi-family housing, senior housing and residential development including single family, condominium, and multi-family

projects.

- **Government:** Mr. Lurker has been actively involved in reviewing local government land use, entitlement, and subdivision matters. He has also represented owners in zoning and local government compliance issues. He has extensive experience in representing owners and developers in redevelopment projects.
- **Residential Development:** Mr. Lurker represents residential land sub-dividers and developers, as well as home builders in all facets of land development and home building. This includes acquisition, entitlements, construction, easements, covenants, conditions & restrictions, construction contracts, and sales, including Bureau of Real Estate compliance and processing.
- **Senior Housing:** In the senior housing area, Mr. Lurker has been involved in the acquisition and development of senior apartments and assisted living facilities throughout the western United States. He has represented a senior housing group from formation to acquisition of a large portfolio with the ultimate sale of the portfolio to a large national senior housing operator.
- **Construction:** Mr. Lurker has represented multiple construction companies in their corporate and operational needs. He has extensive experience with construction disputes and has overseen litigation of mechanic's liens all the way to the California Supreme Court. He has been recognized as a "Top Rated Lawyer in Construction Law" by *American Lawyer Media* and *Martindale Hubbell*. He has also overseen compliance disputes with the California State Contractors License Board.
- **Financing & Restructuring:** Mr. Lurker helps to secure, negotiate and document construction and permanent loans on behalf of borrowers and lenders. These range from \$100M land acquisition and development loans to refinancings of office and retail projects. He has also represented lenders and borrowers in workouts, deeds in lieu and foreclosures.
- **Leasing:** Mr. Lurker has represented landlords and tenants in virtually every form of leasing including complicated ground leases, office leases, industrial leases, major retail leases, and retail space leases. He actively represents major retailers with development with their long term ground leases.
- **Church and Non Profits:** Mr. Lurker has represented multiple churches and two major denominations in connection with their real estate acquisition and development. He has also represented church related nonprofits with the sale of Housing and Urban Development (HUD) regulated low income housing projects.
- **Business Operations:** Mr. Lurker serves as general counsel for small to midsize firms addressing a variety of startup and day to day needs, including contract review, insurance matters, litigation advice and direction, maintaining corporate formalities and other general corporate matters for corporations, limited liability companies, and partnerships.

## **Education**

Mr. Lurker earned his J.D., with *Distinction*, at the McGeorge School of Law, University of the Pacific. He earned his B.A., *magna cum laude*, from California State University at Long Beach.

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## **Bar Admissions**

- California