

David A. Lurker
Orange County, California
Shareholder

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David Lurker is a Shareholder in the firm's Real Estate Practice Group in Orange County. With over 30 years of legal experience serving the real estate industry, David is a tremendous resource for his clients, since he has been through numerous economic and industry cycles and 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, multi-family, senior housing, churches and non-profits. 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 and foreclosures (lenders and borrowers) Escrow and title matters

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

- Advising and assisting start-ups
- 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

Representative Matters

- **Real Estate Development:** Over his career, David has represented clients from acquisition through development, lease-up 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, condominiums and multifamily projects.
- **Government:** David 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:** David represents residential land sub-dividers and developers, as well as home builders in all facets of land development and homebuilding. 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, David has been involved in the acquisition and development of senior apartments and assisted living facilities throughout the western United

States. David 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:** David 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:** David 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. David has also represented lenders and borrowers in workouts, deeds-in-lieu and foreclosures.
- **Leasing:** David 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:** David has represented multiple churches and two major denominations in connection with their real estate acquisition and development. He has also represented church related non-profits with the sale of Housing and Urban Development (HUD) regulated low income housing projects.
- **Business Operations:** David serves as general counsel for small to mid-size firms addressing a variety of start-up 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.

David 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 and 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.

David 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.

Areas of Practice

Real Estate

Bar Admissions

California

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