



MICHAEL J. KIELY

REAL ESTATE TRANSACTIONS

BIOGRAPHY

Michael J. Kiely is a partner in Liner's Real Estate & Land Use Practice Groups. His legal practice spans all areas of real estate, including finance, development, and land use. Michael has extensive experience representing developers, sellers and buyers, investors and promoters, lenders, and real estate joint ventures, with a particular emphasis on projects involving the intersection of private real estate development and government.

Michael's practice includes a substantial public/private partnership, or P3, emphasis, including governmental facilities development projects, mixed-use and transit-oriented development projects, and public finance, such as infrastructure financing, Prop 1C grants, New Market Tax Credits, Low Income Housing Tax Credits, Renewable Energy Tax Credits, Historic Tax Credits, Section 108 loans, Community Development Block Grants, Economic Development Initiative grants, Brownfield Economic Development Initiative grants, Mello Roos bond financing, and parking, lease, and other types of revenue bonds.

Michael has earned a reputation for being able to pull together the multiple parties, competing government policies, conflicting sets of regulations, and different risk profiles that are inherent in large, complex public/private development projects. His practice also includes prevailing wage issues arising in connection with such projects.

Michael also has substantial experience in land use matters for major projects. Such work has involved complex vertical subdivisions, integrated developments, density shifting, mitigation sharing, settlement of CEQA litigation, and development agreements.

EDUCATION

University of California at Los Angeles, School of Law (J.D.)

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Georgetown University (B.S.)

SPEAKING ENGAGEMENTS & PUBLICATIONS

Articles

- "Redevelopment: Rising From Ashes Or Final Death Rattle?" *Law360* (Oct. 25, 2012)
- "Implications Of Calif.'s Cancellation Of RDAs," *Law360* (Jan. 23, 2012)
- "Bonds Fail To Deliver Economic Punch," *Daily Journal* (April 15, 2010)

Recent Presentations

- Joint Ventures: Structuring Capital Contribution, Waterfall and Other Provisions", Presentation at Green Hasson Janks, Accounting, Los Angeles (November 17, 2016)
- "Structuring Waterfall Provisions in LLC and Partnership Agreements," *Stafford Publications*
- "Equity Joint Ventures: Structuring Capital Contribution, Waterfall and Other Payment Provisions," *Stafford Publications*
- "Structuring Waterfall Provisions in LLC and Partnership Agreements" Stafford Publications, Inc. Continuing Education Webinar (January 26, 2016; March 24, 2106; May 4, 2016; April 2017)
- "Case Study: Azalea in South Gate", Los Angeles Urban Land Institute StimULI Program, April 15, 2015
- "Where's the (Public) Money? Securing Public Incentives and Project Gap Funding in a post RDA World", Los Angeles County Bar Association, (March 18, 2015)
- "Cocktails With Your CEQA Lawyer," Updates on CEQA and the Post-Redevelopment World, San Diego, Calif. (Oct. 30, 2013)
- "Extra Innings in the Public/Private Game - It is Not Over," ICSC Southern California Idea Exchange, Long Beach (Jan. 23, 2013)
- "Keep Up With The Latest CEQA Developments," CEQA Breakfast Briefing, Los Angeles (Sept. 27, 2012)

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- "Redevelopment: Past, Present, and ... Future?" Los Angeles County Bar Association (March 9, 2012)
 - "What Does The End of Redevelopment Mean For You?," Redevelopment Roundtable, Los Angeles (Jan. 12, 2012)
 - "How to Navigate the Shark-Infested Waters of Redevelopment in California," Redevelopment Roundtable, Los Angeles (Sept. 7, 2011)
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NEWS

- August 15, 2017: Best Lawyers in America© 2018: Feldman, Itkin, Kahan, Kiely, Robinson, Stein, Taylor
The Best Lawyers©
 - July 18, 2017: 7 Important Steps To Take Before Selling Your Commercial Property
Bisnow
 - July 18, 2017: Liner LLP Named Among Law Firms with the Best Client Relationships in Real Estate
BTI Consulting
 - January 20, 2017: Liner Super Lawyers 2017
Super Lawyers Magazine
 - June 23, 2016: Liner LLP Secures Los Angeles City Planning Commission Approval
 - November 11, 2014: Dealmakers
Los Angeles Daily Journal
 - August 13, 2014: California's Top 50 Development Lawyers
Los Angeles Daily Journal
 - January 22, 2014: On The Move: Law Firms
The Recorder
 - January 15, 2014: Liner's Expansion Continues: Neuman and Kiely Join From Sheppard Mullin
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RECOGNITION

- *The Best Lawyers in America*®
 - Land Use and Zoning Law (2018)

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- *Legal 500*, 2010
 - Top Real Estate Deals, *Daily Journal* (2011 and 2014)
 - AV Rated, *Martindale-Hubbell* (the highest rating an attorney can receive for legal quality and ethics)
 - *Southern California Super Lawyers* (2012-2016)
 - Who's Who in Real Estate Law, *Los Angeles Business Journal* (2013)
 - California's Top 50 Development Lawyers, *Los Angeles Daily Journal*(2014)
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COMMUNITY

- Urban Land Institute
 - Los Angeles County Bar Association Real Estate and Land Use Sections
 - International Council of Shopping Centers
 - Member, Los Angeles Chamber of Commerce and United Way of Greater Los Angeles - Home for Good Task Force, Production Housing Sub-Committee (2011-2013)
 - Member, Board of Directors, Executive Committee (2001-2009) Genesis LA Economic Growth Corporation
 - Member, Robinson School PTSA
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REPRESENTATIONS

- Lead counsel for Lowe Enterprises as the developer of a \$380M transit-oriented development in Culver City, including site acquisitions from the City of Culver City, its Successor Agency, and the Metropolitan Transportation Authority, land use entitlements in Culver City and Los Angeles, and CEQA.
- Represented East West Bank in sale of 555 Montgomery, San Francisco, for \$121M.
- Represented investor in purchase and due diligence of a 3-building Sunnyvale campus net leased to Apple for nearly \$300M, with an approximately \$175,000,000 acquisition loan

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REAL ESTATE TRANSACTIONS

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- Lead counsel for LaTerra Development in land acquisition and financing of construction of \$100 million The Line Project in Santa Ana, including equity and debt.
- Lead counsel for JMA Ventures as owner, operator and developer of Homewood Mountain Resort, including debt and equity financing, and land use entitlements in Placer County.
- Lead counsel for Lowe Enterprises as the master developer of the 55-acre San Jose Civic Center including master development agreement negotiations with the County of Santa Clara.
- Represented Forest City as the developer of the \$110M Blossom Plaza transit-oriented development in the Chinatown area of Los Angeles, including a disposition and development agreement for ground leases of City-owned land, a reciprocal easement agreement, ground sublease, Low Income Housing Tax Credit financing, a City HOME Loan, Prop 1C grants, and HUD TOD funding , recognized as "Deal of the Year" by the *Daily Journal* (2014).
- Represented Primestor as the developer in the acquisition of City condemnation parcels and \$12-million infrastructure financing subsidies for development of a \$100-million "big box" retail project in South Gate.
- Represented Lowe Enterprises as the developer of City-owned \$30-million senior facility and transit parking structure in Compton, funded by pre-2011 redevelopment tax allocation bond proceeds, including CEQA compliance, recognized as "Deal of the Year" by the *Daily Journal* (2011).
- Represented ICO Development as the developer in the acquisition, development, environmental review, entitlement, construction, and lease revenue bond financing of a \$110-million Los Angeles County office building in South Los Angeles.
- Represented The Walt Disney Company as the owner/developer in connection with an environmental impact report, statutory development agreement, and owner participation agreement for \$129-million "pay as you go" tax increment infrastructure financing program in connection with a 125-acre/six-million-square-foot corporate campus project in Glendale.
- Represented Kearny Real Estate Company as the developer in an owner participation agreement for a \$39-million tax increment subsidy and a \$12-million Mello Roos bond financing and related land use entitlement and CEQA

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matters, relating to the \$250+ million Los Angeles Air Force Base Redevelopment Project in El Segundo and Hawthorne.

- Represented TrizecHahn [later Trizec Properties] as developer in the acquisition, environmental review, entitlement, development, financing, construction, and sale of the \$650 million Hollywood & Highland project, a major transit-oriented retail/theater/ hotel development in Hollywood, including \$82-million parking revenue bonds and \$42-million certificates of participation.
- Represented Urban Partners as the developer in the acquisition, entitlement, development, financing, construction, and sale of Del Mar Station, a \$175-million 350-unit transit-oriented, mixed-use development in Pasadena, including a commuter rail station and a build-to-suit transit parking facility.
- Represented Bond Companies as the developer in the acquisition, entitlement, development, financing, construction, and sale of Sunset & Vine, a \$100+ million mixed-use residential/retail development in Hollywood, including \$4.5-million tax increment financing.