

Resort Development

Professionals

George J. Bullwinkel

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In Memoriam - Brian Kernaghan

Jeffrey D. Locker

Joseph D. McCullough

Edward G. Menzie

Robert H. Mozingo

Neil C. Robinson

David C. Slough

From the Carolina Coast to the Rocky Mountains, Nexsen Pruet's Resort Development Group has a wealth of experience serving both regional and national developers, institutional lenders, investment banks, capital providers, owners, and operators.

Our project list includes planned communities and resorts, recreation developments, hotels, condominiums, inns, spas and marinas. We have also handled the commercial aspects of resort development.

Our resort development group works closely with other practice areas, such as corporate, securities, tax and environmental, to provide efficient, comprehensive service to our clients.

Several of our group members have more than 25 years experience helping developers turn vision into reality.

Land acquisition and disposition

Buying, selling, or investing in real estate requires extensive planning. We help our clients answer all key planning questions. We will help develop and structure the entity, and then negotiate the purchase contract, conduct due diligence, and assist with the closing. When it's time to sell, our legal team will advise clients on a variety of issues, including how to minimize tax consequences.

Permitting, land use and zoning

A mistake in the permitting process can kill a project. Our attorneys are well known for their experience working with state and federal agencies to obtain the required land use approvals. We advise clients about both developed and undeveloped properties, and can help guide up-front planning to minimize time and costs when seeking governmental approvals. We also have extensive experience with coastal developments.

HUD and state land sales registrations

Our team handles Interstate Land Sales (HUD) registration and exemptions, and registration and exemptions in all states. Our clients experience significant cost savings when we register a project at the same time we

help acquire and develop a project.

Taxation

We also assist our clients with tax planning so they can structure their real estate transactions to maximize tax benefits. The Resort Development Group works closely with Nexsen Pruet's tax lawyers.

Conservation Easements

Our team has been responsible for drafting and implementing some of the earliest and most significant conservation easements in the Southeast. We have helped landowners take advantage of the conservation and tax credit program, and our experience includes coastal and mountain projects.

Financing

We assist our clients with both traditional and state of the art financing. Our finance group has deep experience representing lenders, investors or borrowers.

Some of our projects include:

- **Aspen Glen** — This 938-acre, \$200-million, private country club stretches along the banks of the Roaring Fork River and in the shadow of Colorado's 13,000-foot Mt. Sopris. Aspen Glen includes a Jack Nicklaus golf course and club, tennis center, equestrian center, fly fishing amenities and residential lots. Nexsen Pruet's resort team assisted with the land acquisition, governmental representation, the community documents, covenants and restrictions, club documents permitting and other legal matters.
- **Grande Dunes** — Grande Dunes is a large mixed-use development project in Myrtle Beach, S.C. This massive project stretches from the intra-coastal waterway to the Atlantic Ocean. Nexsen Pruet's resort development group assisted with a variety of legal needs including HUD and state land sales registrations, covenants and restrictions, and club documents. Our Construction Group also assisted with the construction contracts for Grande Dunes and our Intellectual Property Group helped with trademark needs. This project includes two golf courses, several residential neighborhoods, a members club, spa, tennis facility, and fitness center.
- **Kiawah Island** — Kiawah is a 10,000-acre island south of Charleston, S.C. and one of the premier real estate properties in the state. Land sales are strong on the island, with Kiawah's development company reporting \$450 million in sales in one year. Nexsen Pruet assists the island's only development group with all residential and commercial projects. For example, Fresh Fields, a commercial project at the island's entrance gate, includes nearly 100 stores. The island also hosts a private club, two golf courses, and three clubhouses, including a beach.

→ **Palmetto Bluff** — This 20,000-acre, \$2 billion development is located near Hilton Head Island, S.C. The resort project includes a 200 room resort hotel, spa, golf course, club and residential lots. Six thousand acres of the project are protected under a conservation easement. Nexsen Pruet's resort team helped with the easement, along with the land acquisition, land sales registrations, covenants and restrictions, club documents, property owners association formation, hotel management, and lot sale closings.

Experience

Aspen Glen
Palmetto Bluff

Insights

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The Real Estate Purchase Process