

REAL ESTATE LAW

There are a broad array of issues grouped under the term “real estate law”.

The purchase of a home, vacant land or business property will likely generate the necessity of properly drafted purchase agreement. Beyond the basic price and terms of the deal, additional consideration should be given to the state of title, property taxes and who pays them, the costs and responsibilities for title insurance and/or surveys, home inspections and environmental surveys if appropriate.

Once the purchase agreement has been signed and preliminary matters have been completed and contingencies removed, a closing will require a deed or a land contract, a closing statement and other related documents.

Once the land is owned, there may be additional problems such as boundary line disputes, encroaching driveways, or claims by neighbors to easements across the property.

Often if a change in the use of the property is contemplated, proper consideration of zoning and planning regulatory matters is essential. A review of the proposed use of the property in relation to the applicable zoning ordinance is a first step. Beyond that, the specific development may require site plan approval, a special use permit, or a variance.

If a dispute arises between the property owner and the contractor (whether residential or commercial), issues relative to a construction contract and/or a mechanic’s lien enforcement action may arise requiring an appropriate response.

Developers may need assistance in platting a new subdivision or creating a site condominium. Planned Unit Developments (P.U.D.’s) require careful drafting and local government approval and oversight.