



Paul A. VanWagenen

Partner

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t 843.727.2648



Paul VanWagenen has a broad transactional practice, with a focus on real estate transactions and development, renewable energy projects, financing, workouts and leasing.

Paul represents a number of developers on sustainable or "green" development projects and was the first attorney in South Carolina to earn the credential of LEED® (Leadership in Energy and Environmental Design) Accredited Professional from the Green Building Certification Institute. This accreditation is awarded to professionals demonstrating a thorough understanding of green building practices and principles and the LEED Rating System.

REPRESENTATIVE EXPERIENCE

Real Estate

- Commercial and Residential Development – Advised developers on commercial and residential projects, including drafting homeowners association documents, declaration of covenants and restrictions and condominium master deeds.
- Sustainable Development Projects – Advised developers of condominium, planned community and mixed-use developments seeking LEED and other third-party certifications.
- Purchase Agreements – Drafted and negotiated purchase agreements and related documents on behalf of buyers and sellers for raw and developed real property, including apartment complexes and hospitals.
- Condominium Projects – Advised developers in the formation of horizontal property regimes, including drafting master deeds and bylaws, and advising on property association operational issues.
- Zoning and Entitlements – Advised land owners and developers on development agreements, zoning review and modifications, and entitlement matters.
- Property Tax Sales – Advised lenders and developers on forfeiture and redemption of real property for unpaid property taxes, tax sales, tax deeds, and related title insurance issues.



CHARLESTON OFFICE



PRACTICE AREAS

Real Estate & Commercial Development
Sustainable Building, Communities & Resorts
Renewable Energy
Energy Real Estate



EDUCATION

Georgetown University
JD, 2001
Harvard University
BA, 1997



ADMISSIONS

South Carolina, 2006
District of Columbia, 2002
New York, 2002



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Renewable Energy Projects

- Solar, Wind – Advised developers on corporate, finance, real estate and regulatory issues; drafting ground lease and easement agreements; assist in site due diligence.

Financing

- Distressed Loans – Advised lenders and borrowers in restructuring of distressed loans, including forbearance, modification and deed in lieu of foreclosure and other settlements.
- CMBS Special Servicing – Advised CMBS special servicers in restructuring of distressed commercial real estate loans and disposition of REO.
- Construction, Development, Permanent and Non-Recourse Lending – Drafted and negotiated finance and security documents.
- Purchase and Sale of Distressed Loans.

Leasing

- Represented landlords and tenants on leases and subleases for office, retail, and industrial properties.
- Build-to-Suit Leases – Advised numerous tenants on build to suit leases, work agreements and related documents, including representation of Blackbaud on new corporate headquarters on Daniel Island, S.C.

MEMBERSHIPS

- Charleston Green Committee, Member, Building Subcommittee
- Charleston Trident Home Builders Association, Member
- Urban Land Institute (ULI), Member