

INDUSTRIES

Construction & Design
Public Agencies &
Municipalities
Real Estate

ATTORNEYS

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REAL ESTATE LITIGATION

OVERVIEW

Sherin and Lodgen's Real Estate Litigation Practice has national reach and extraordinary depth of experience. Our seasoned trial lawyers have dedicated their careers to handling the wide variety of increasingly complex issues that arise in the field of real estate. Our team has continually achieved successful results for developers, landowners, contractors, lessors, lessees, and municipal authorities.

Sherin and Lodgen's Real Estate Litigation team brings together a broad knowledge of real estate law and business practice with well-honed skills in litigation and alternative dispute resolution.

CAPABILITIES

Our team has a wide range of experience with the following:

- Adverse possession and easements by prescription
- Application of public procurement statutes to real estate transactions
- Disputes over land purchases (pre- and post- closing)
- Environmental and wetlands disputes
- Lease disputes
- Litigation over real estate arising out of bankruptcy proceedings
- Premises Liability
- Rights of first refusal and first offer
- Real estate tax disputes, including disputes over valuation and exemption from tax
- "Takings" cases, inverse condemnation and eminent domain
- Title, easement, use restriction and property line disputes
- Trespass and nuisance
- Zoning and land use permitting disputes and appeals
- Disputes over application of zoning protections for educational and religious uses
- Disputes over municipal historic district and demolition delay ordinances and bylaws

EXPERIENCE

- Obtained defense judgment against claim for \$4+ million damages arising out of redeveloping a shopping center without required tenant consent.
- Obtained \$1+ million plaintiff's jury verdict for attorney malpractice in connection with buyout of real estate partnership interest.
- Obtained plaintiff's jury verdict setting aside a real estate foreclosure sale.

- Obtained a judgment enforcing a right of first refusal to purchase real estate.
- Obtained bench trial decision in client's favor interpreting a right of first refusal in a commercial lease.
- Obtained bench trial decision in client's favor relocating an easement.
- Obtained bench trial decision in client's favor in a dispute between surveyors as to the true location of a property line.
- Obtained appellate decision invalidating application of local zoning to client's proposed religious use of real estate for a cemetery.
- Landmark decision in Massachusetts with respect to acts constituting a nuisance.
- Obtained judgment allowing abutters to enforce an agricultural preservation restriction.
- Obtained bench trial decision in client's favor in New Hampshire Superior Court on tenant's claim that shopping center construction project breached a recorded deed of declaration and restrictive covenant.
- Obtained bench trial decision on supermarket client's behalf in lease dispute involving purported rent restriction.