



DONALD M. PEPE

PARTNER

CORPORATE TRANSACTIONS & BUSINESS LAW GROUP
REAL ESTATE LAW GROUP
ENVIRONMENTAL & LAND USE LAW GROUP

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BIOGRAPHY

Donald M. Pepe devotes his practice to all aspects of complex real estate development and real estate transactional work with an emphasis on retail and residential development.

Donald works closely with business executives and in-house counsel to develop strategies for targeting acquisitions, land purchase negotiations, managing and evaluating feasibility studies, representing corporate interests before local, state and federal approval authorities, and securing land use and administrative approvals.

Prior to joining the firm, Mr. Pepe was Division General Counsel of the Nation's largest residential real estate developer with hands-on responsibility for every aspect of the development process from land acquisition through construction contracting and outsales. Mr. Pepe's prior experience means he understands first hand the time constraints and budgetary challenges facing developers and has tailored his practice to provide the skills, advice, efficiency and responsiveness needed to allow clients to comfortably forego the necessity of day-to-day project management and instead focus attention on identifying new development opportunities.

Mr. Pepe has considerable experience **securing development approvals and closing commercial real estate transactions**. Since joining the firm, Mr. Pepe has negotiated and drafted a broad range of agreements pertaining to the acquisition and sale of property, financing and leasing, commercial and residential condominium formation and management, municipal and private development agreements, development grants and incentives, easements and operating agreements - across multiple property types, including office, retail, industrial and residential.

Mr. Pepe also has extensive experience **navigating the New Jersey tax abatement process** including, but not limited to assisting clients in evaluating available programs and guiding them through every step of the application process, including creating and registering qualified entities with the Department of Community Affairs, drafting abatement applications, negotiating financial agreements and project labor agreements, and advising on compliance issues.

Throughout his career, Mr. Pepe has developed relationships

with a number of prominent New Jersey planners, architects, engineers and other development professionals whose practices are complimentary and allow Mr. Pepe to offer a single-contact source for the development needs of the most demanding developer clients.

A brief list of **REPRESENTATIVE MATTERS** includes:

1. representation of a national developer in connection with the leasing and parcel sale of a 57 acre shopping center in Burlington County, NJ involving national big-box retailers;
2. representation of an energy company in connection with the acquisition of property rights necessary to deliver power from the company's power station in New Jersey to a location in New York City;
3. a court appointed trustee in a partnership
4. dissolution action related to the management, leasing and sale of a shopping centers located in Washington State;
5. service as a court appointed trustee in a partnership dissolution action related to the management, leasing and sale of a shopping centers located in Washington State;
6. representation of the seller in connection with a \$72 million acquisition or a regional, indoor shopping mall;
7. representation of a lender with respect to a \$14 million construction loan for the construction of single-family homes in New Jersey;
8. representation of a big-box retailer in three states in connection with the leasing and development of over 3,000,000 square feet of property and the acquisition of land and development of over 1,500,000 square feet of retail space;
9. representation of a residential developer in securing land use approvals for construction of 130 townhouses in Newark, New Jersey;
10. representation of a nationally recognized not-for-profit in acquiring and securing development approvals for the construction of affordable housing throughout the State of New Jersey;

11. representation of a developer in connection with securing a use variance and land use approvals for construction of a retail center with 270,000 square feet of retail and 110,000 square feet of office space; and
12. representation of a developer in connection with securing tax incentives and drafting a PILOT agreement for a thirty (30) year abatement for property taxes in Jersey City.

EDUCATION

- Rutgers University School of Law (JD, *cum laude*, 2001)
- Montclair State University (BA, 1998)

BAR ADMISSIONS

- New Jersey

COURT ADMISSIONS

- U.S. District Court, District of New Jersey

MEMBERSHIPS AND AFFILIATIONS

- New Jersey State Bar Association
- Monmouth County Bar Association
- International Council of Shopping Centers
- New Jersey Builders Association
- Shore Builders Association
- Monmouth Ocean Development Council