

FROM PROJECT CONCEPTION THROUGH DEVELOPMENT: THE EXPERIENCE YOU NEED

REAL ESTATE, DEVELOPMENT & WATER LAW



BROWNING KALECZYC
BERRY & HOVEN

ATTORNEYS

ABOUT US



The rediscovery of Montana is fueling new residential, commercial, and infrastructure development, all requiring conversion of land to new uses. Real estate development and water law requires technical expertise and dedication. Rely upon BKBH to advise you in the earliest stages of your planning so that you may proceed with confidence.

Our experienced Real Estate Development legal team draws upon the expertise of several firm practice groups to provide value added services to: landowners and developers seeking to develop raw land or expand current projects; individuals and companies seeking to buy or sell residential, commercial, recreational, and farm and ranch lands; construction and real estate professionals, engineers, and property managers, and real estate investors looking to properly document and secure the financing of a project.

We also understand that nearly all land uses require a reliable source of water. Water law in Montana is complicated and under continuing review by the governing authorities. Allow our experienced Water Law legal team to assist with the identification, acquisition, permitting, and adjudication of water rights for all types of development and land transactions.

We also assist our clients with other complexities associated with real estate transactions and development including site evaluation, due diligence and acquisition, zoning and permitting, entity formation, and financing documentation and other matters. Our team maintains close relationships with the local planning and building departments and several other key governmental agencies to make the development as seamless as possible.

OUR TEAM



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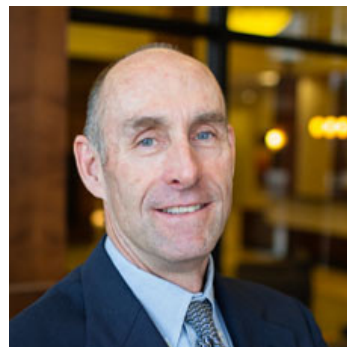
KIMBERLY BEATTY



TROY BENTSON



MARK ETCHART



JOHN TIETZ

HOW WE HELP

REAL ESTATE & DEVELOPMENT

- Buy/Sell Agreements
- Deeds & Title Transfers
- Leases
- Construction & Subcontract Agreements
- Covenants & Declarations
- Easements & Access Agreements
- Subdivision Applications
- Condominium Creation
- Plat Amendments
- Boundary Adjustments
- Zoning Issues
- Landlord Tenant Law
- Construction Lien Issues
- Quiet Title & Declaratory Judgment Action

FINANCING

- Creation and re-structuring of all types of business entities in connection with real estate ownership and development, including corporations, limited liability companies, partnerships and joint ventures
- Counseling Homeowner's Associations

ENTITY SERVICES

- Handling debt and equity financing
- Advice and counsel regarding the structuring financing arrangements, mortgage transactions and deeds of trust and other secured transactions
- Mortgage Foreclosures and loan work-outs

WATER LAW

- Permitting New Water Rights
- Changing Existing Water Rights
- Identification, Acquisition & Transfer of Existing Water Rights
- Water Rights Leases & Temporary Changes
- Water Rights Adjudication
- Water Distribution Controversies
- Due Diligence

OTHER SERVICES

- Strategic planning for integrated project permitting
- Site acquisition and permitting due diligence
- Local zoning relief and permitting
- State and federal permitting
- Subdivision control
- Environmental permitting and review
- Wetlands permitting and compliance
- Historic permitting and compliance
- Hazardous materials remediation, cost recovery and liability management
- Conservation restriction compliance and creation
- Condominium creation
- Complex site related issues, including declarations, covenants, conditions, restrictions and easements
- Specialized tax treatment

COMPLEX PROJECTS

Large-scale projects often involve numerous legal facets that must be carefully managed. We work with clients as a key external team member to identify the critical legal matters that must be addressed, and to determine the likely timing of matters such as project approvals so that project management can be facilitated. We are adept at the numerous legal matters associated with large-scale complex projects, including water and sewer district and association formation, the formation of special purpose acquisition vehicles and LLCs, operating and intercompany management agreements, financing arrangements and security matters, and opinion letters.





Your Trusted Montana Legal Team

OUR OFFICES

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