



# Mark S. Meland

**Partner**

**Real Estate, Corporate and Transactional Matters, Condominium, Multi-Family and Mixed-Use Development, Corporate Law**



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## **About Mark S. Meland**

Mark Meland co-founded the firm in 1993. Mark is an accomplished real estate lawyer handling the entire lifecycle of real estate transactions. His broad client base includes entrepreneurs, sponsors, individuals, developers and lenders in commercial and residential transactions. Mark's expansive real estate practice combines complex corporate work into many real estate transactions, including formation of entities, debt-equity structures and joint venture agreements. Mark serves as outside general counsel to corporate clients representing many of them in M&A transactions involving sales and acquisitions of businesses.

Mark prepares condominium, master and other types of documents for residential, commercial and mixed-use projects. This work includes real property sales and

acquisitions, financing transactions and restructurings, bulk condominium sales and acquisitions and condominium terminations, for numerous large and prominent projects.

Mark represents individuals and businesses seeking to obtain capital for corporate and real property transactions. His lender representation includes hard money loans, commercial and residential loan workouts and the financing of real estate acquisition and construction.

Mark's wide ranging practice includes workout and bankruptcy advice and transactions for those negatively affected by the market, seeking to capitalize on the distressed market or acquiring debt or equity positions. He acted as a court appointed Receiver for numerous entities and was an approved Chapter 11 Bankruptcy Trustee for high-profile companies.

His practice further entails examination of title as an agent for numerous title underwriters.

Mark serves as general counsel and participates on boards for numerous businesses and charitable organizations.

## **Education**

- J.D., 1988, Fredric G. Levin College of Law
  - Senior Executive Editor, University of Florida Law Review
  - Legal Research Writing Fellowship Instructor
- B.S., 1983, University of Florida

## **Memberships**

- Member, American Bar Association
- Member, Miami-Dade County Bar Association

### **Awards/Rankings**

- The Best Lawyers in America, 2010-present
- South Florida Super Lawyers 2006-present
- South Florida Legal Guide 2006-present
- Florida Trend's Legal Elite, 2004-present
- AV rated by Martindale-Hubbell
- South Florida Business Journal Heavy Hitters in Real Estate, 2004

### **Publications**

- Author: Note, "Constitutionality of Second Generation State Takeover Statutes – A New Life For State Regulation," 40 Univ. Fla. L.R., 1988.
- Co-Author of "The 50% Rule: A Primer For Real Estate Lawyers," Volume LXVIII, No. 9; The Florida Bar Journal, 1994.

### **Bar Admissions**

- Florida
- Southern District of Florida

### **Community**

- Board of Trustees, Young Musicians Unite

- Board of Trustees, Greater Miami Jewish Federation
- Co-Chair, Miami Beach Board of the American Israel Public Affairs Committee
- Special Master, Miami-Dade County
- Former Board of Trustees, Ransom Everglades School
- Former Board of Trustees, Temple Beth Shalom
- Former Member, City of Miami Beach Planning Board

## Representative Matters

Practice Area	Representative Matters
Real Estate, Corporate	Representation of the Developer of Old Spanish Village in its development of a landmark mixed-use project in Coral Gables, Florida. The project included a master association with numerous condominiums and homeowner associations and other commercial units.
Real Estate, Corporate	Representation of investment group in connection with the acquisition, financing, condominium document preparation and end unit closings for two office building condominium conversions located 1680 Michigan Avenue, Miami Beach, Florida and 11900 Biscayne Boulevard, North Miami, Florida.
Real Estate, Corporate	Representation of the developer of IOS Condominium in its acquisition and development of, and condominium document preparation for IOS on the Bay, a condominium. The representation also included negotiation, closing of an acquisition and construction loan, subsequent modifications and closing of unit sales to the general public.
Real Estate, Corporate	Representation of the Developers of Villages at Dadeland Condominium, Dadeland Capri Condominium, South Bay Plantation Condominium, and Club Caribe Condominium, in the acquisition and condominium conversion and end unit closings of the properties consisting of over 1,140 condominium units in Miami-Dade, Broward and Collier Counties, Florida.
Real Estate, Corporate	Representation of the Developers of The Madison Downtown in the conversion from apartment use to condominium use of a 355-unit project in downtown Miami.
Real Estate, Corporate	Representation of the Angler's Resort, LLC, in connection with the preparation of hotel condominium documents, obtaining construction financing, the cancellation of purchase agreements and negotiation with existing lenders to convert the loan from a condominium development loan to an operating hotel loan.
Real Estate, Corporate	Representation of developer in connection with its acquisition, development and submission of state and federal filings for numerous land acquisitions related to the Soleil Condominium, a

	large mixed-use project to include 288 residential and 11 commercial condominium units and the Vitri Condominium, a mixed-use project of 66 residential and 19 commercial condominium units.
Real Estate, Corporate	Representation of AWAS Aviation Services, Inc. in connection with its lease of its new headquarter space at 801 Brickell Avenue, Miami, Florida.
Real Estate, Corporate	Representation of the bankruptcy court appointed fiduciary of Florida Development Associates, Ltd. in acting as settlement/closing agent for all units at the Bentley Bay Condominium located in Miami Beach, Florida.
Real Estate, Corporate	Represented private investor in connection with acquisition of several portfolios of triple-net lease restaurant properties located in six states from an institutional Seller and negotiating and closing of CMBS loan as part of transaction.
Real Estate, Corporate	Represented private investor in connection with acquisition of numerous triple-net lease properties, including Walmarts, Lowes and large national bank headquarter office building and negotiating and closing loans in connection with such acquisitions.
Real Estate	Represented investors in connection with acquisition of 509 of 774 condominium units in broken condominium.
Real Estate, Corporate	Represented private investors in connection with acquisitions and financings of approximately two and a half million square foot portfolio of South Florida retail, warehouse, industrial and office properties.
Real Estate, Commercial Litigation, Creditors' Rights	Representation of BNY Mellon Bank, Metro Bank, Northern Trust Bank, Professional Bank, Intercontinental Bank and other lenders in numerous commercial real estate loan transactions.
Real Estate, Corporate, Commercial Litigation	Represented 1040 Biscayne Associates, LLC, in connection with the acquisition, development, state and federal filings, and end unit closings of a \$150 million mixed-use project known as Ten Museum Park Residential Condominium on Biscayne Bay, Miami, Florida. The representation included the modification of an \$80 million construction loan, closing all of the sale of units to the general public and defense of law suits brought by the condominium association and individual unit owners.

Real Estate, Commercial Litigation, Bankruptcy and Restructuring	Represented Hyperion Partners in connection with acquisition of loan encumbering the Onyx Condominium project, related litigation and bankruptcy to gain control of project, modification of condominium documents and end sale of balance of acquired condominium units.
Bankruptcy and Restructuring, Real Estate	Florida Development Associates - represented the debtor developer of a new construction \$110 million luxury condominium project in South Beach with approximately 189 units. After successfully negotiating a \$49 million debtor in possession loan and subordinating \$10 million of the mezzanine lender's claim, a Chapter 11 plan of reorganization was confirmed. Thereafter modified condominium documents and negotiated and conducted closings of all condominium units
Bankruptcy and Restructuring	Represented Lexi Development Company, Inc., the owner of the Lexi condominium mixed use development, in its Chapter 11 bankruptcy, in which the Debtor successfully eliminated default interest, avoiding foreclosure and preserving equity for the benefit of the Debtor's principals.
Bankruptcy and Restructuring, Commercial Litigation, Creditors' Rights	Condominium Developer Workouts - during the downturn of the real estate and condominium market, representing numerous developers in workouts with senior secured and mezzanine lenders, including, Corus Bank, Fremont, Key Bank and Ocean Bank.
Commercial Litigation	Appointed Special Master by Miami-Dade County in connection with collection of county waste fee judgments.
Financial Frauds, Bankruptcy and Restructuring	Court appointed Mark S. Meland as Receiver for Innovida Companies run by Claudio Osorio. After discovering an approximately \$50 million fraud, ceased operations and filed Chapter 11 for numerous entities. Mark S. Meland was appointed the Chapter 11 Trustee and liquidated tangible assets. Firm serves as litigation counsel to the Chapter 7 trustee in numerous avoidance and tort actions seeking to collect funds for defrauded investors.
Receiverships and Assignments	A Florida State Court appointed Mark Meland as Receiver over entities controlled by Claudio Osorio, including Innovida Holdings, Inc. The firm represented Mr. Meland in his efforts as Receiver.