

# Kenneth S. Kramer

Partner | Orange County

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Ken Kramer has more than 25 years of experience as a real estate attorney. His national practice involves advising developers and investors on a full spectrum of office, industrial, and retail property and portfolio transactions. He counsels clients on acquisitions and dispositions, leasing, financing, joint ventures, workouts and distressed transactions, and alternative energy transactions.

Ken's clients include major regional developers and investors with diversified portfolios.

## EXPERIENCE

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### ACQUISITIONS & SALES

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- Acquisition of 1,200,000 square foot, five building, office park, including construction terms and deferred closing as to final building.
- Acquisition of 160,000 square foot entertainment center and related floating long-term lease of supporting parking in public structure.
- Sale of land for development of 600,000 square foot campus office development.
- Acquisition of 800,000 square foot portfolio of industrial and R&D properties.
- Structure and acquisition of multiple industrial properties as exchange replacement for single office building sale, and related entity formations and modifications.
- Acquisition and partial lease back of 250,000 square foot headquarters office project.
- Purchase of portfolio of over 100 restaurant properties for operation and rebranding by restaurant company.
- Sale by franchisee of all restaurant locations to franchisor.
- Sale/leaseback of 200,000 square foot industrial property.
- Sale of 28 unit apartment building for conversion to condominium units.

### LEASING

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- Headquarters facility office lease of approximately 250,000 square feet.
- Lease of 160,000 square feet of office space.
- Lease of two adjacent R&D/office buildings exceeding 200,000 square feet.
- Build-to-suit lease for 400,000 square foot warehouse and distribution facility.
- Lease for 100,000 square foot medical office space facility.

- Pre-development lease for 65,000 square foot medical group as anchor tenant.
- Restructure and modification of long-term County ground lease for Marina.
- Ground lease of excess Edison right of way for truck parking facility.

## **FINANCE & JOINT VENTURE**

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- Formation of LLC and financing of \$40,000,000 mixed use urban project on behalf of equity investor.
- Refinance of 350,000 square foot office project, with provisions permitting development of mixed use expansion element.
- Defeasance of \$30,000,000 loan to permit sale of shopping center.
- Tri-party agreement with seller's construction lender to assure buyer's rights to purchase and complete office tower.
- Refinance and defeasance of approximately \$19,000,000 in loans for retail property.

## **WORKOUT & DISTRESS TRANSACTIONS**

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- Purchase of distressed note secured by office building by investor, and subsequent restructure and discounted payoff.
- Evaluation of loan covenants for borrower to determine extent of concerns as to loan status for over \$200,000,000 real property secured loans.
- Formation of LLC for investor participations in acquisition of note pre-foreclosure for residential development.
- Diligence and structure for potential note purchase for intended foreclosure.
- Representation of investor/lender in \$1,600,000 loan amendment and deed-in-lieu transaction for undeveloped land.
- Negotiate multiple loan workout transactions for institutional pension fund lender.

## **ALTERNATIVE ENERGY (SOLAR & WIND)**

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- Sale of 2,000 acre property for wind farm development.
- Ground lease of approximately 320 acres for 40 MW solar project in Bakersfield.
- Ground lease of land for wind farm project in Kern County, California.

## **OTHER**

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- Ground lease program for single family residential home sales and finance structure.
- Master telecommunications access agreement for office and industrial property portfolio of over 200 buildings.
- Telecommunications conduit lease and license agreement for 6,000,000 square foot commercial real estate portfolio.
- Cable television access and marketing agreements for multifamily portfolio.

## **INSIGHTS**

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### **SPEAKING ENGAGEMENTS**

Speaker, "Negotiating the Build-to-Suit Lease," Lorman Education Services, 04.26.2017

Speaker, "Investments in Sale-Leasebacks and Build-to-Suits-Due Diligence Considerations," Lorman Education Services, 10.2015

Speaker, "Sealing the Deal in Uncertain Times," Building Owners and Managers Association Orange County, Newport Beach, CA, 05.24.2012

## **PUBLICATIONS**

Co-Author, "Reversal of Unlawful Detainer Judgment Puts Evicting Landlord At Risk for Damages Action," *Nossaman eAlert*, 06.02.2011

Author, "Forbearance Agreements Must Meet the Statute of Frauds," *California Real Estate Journal*, 07.06.2009

Author, "Forbearance Agreements Must Be In Writing and Signed By Forbearing Party," *Nossaman eAlert*, 03.09.2009

Update Author, "Office Leasing," *Continuing Education of the Bar*, 2005-2009

## **COMMUNITY & PROFESSIONAL**

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Orange County Bar Association

## **PRACTICES**

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Real Estate

Asset & Property Management

Joint Venture Formation

Leasing

Property Acquisitions & Dispositions

Real Estate Financing

## **INDUSTRIES**

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Real Property

## **EDUCATION**

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University of Southern California School of Law, J.D., 1982

University of Pennsylvania, B.A., 1979

## **ADMISSIONS**

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California

New York