



**NATHAN A. FELKER**

Partner

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## SERVICES

Banking & Financial Services  
Business Services  
Commercial Lending  
Creditors' Rights Enforcement  
Public & Structured Finance  
Real Estate  
Real Estate Development  
Real Estate Leasing  
Urban & Historic Renovation

## EDUCATION

Case Western Reserve University Weatherhead School of Management, M.B.A.  
Case Western Reserve University School of Law, J.D.  
*Dean's Honors List*  
*Treasurer, Student Bar Association*  
The George Washington University, B.B.A.

## LICENSED TO PRACTICE

Ohio

## RECOGNITION

Recognized by [Best Lawyers®](#), 2017-2022

## OVERVIEW

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Nate is a partner with Walter | Haverfield's Business Services Group. He focuses his practice on real estate and financial services and has extensive experience in a wide range of commercial transactions, including representing clients in construction and economic development financing, acquisition and disposition of commercial properties, ground-up construction and development of commercial and industrial projects, sale lease-back transactions, operating company financing, bond financing, and urban and historic renovation projects.

Nate represents commercial banks and other lending institutions in construction and permanent financing, mezzanine financing and asset-backed financing, and his experience also includes representing creditors in loan restructurings, forbearance agreements, note sales, deeds-in-lieu of foreclosure and other work-out matters.

He counsels clients in a variety of industries, such as lending institutions (including special servicers), insurers, retailers, hospitals, private developers, self-storage companies, manufacturing companies, nonprofit organizations, government entities and restaurants.

Prior to his legal career, Nate served as finance director for the city of Brooklyn, Ohio and as secretary to the city's planning commission and zoning board.

## EXPERIENCE

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### BOND FINANCING

- Represented Ohio Port Authority in connection with issuance of taxable conduit lease revenue bonds for ground-up construction and development of mixed-use office and multi-family facility located in Cleveland
- Represented Ohio Port Authority in connection with issuance of taxable conduit lease revenue bonds for redevelopment of office tower located in Cleveland for multi-family facility and office use. Project was also supported by other credits and incentives, including historic tax credits and state and county loan and grants
- Represented placement agent in connection with Port Authority issuance of taxable capital lease revenue bonds concerning development of industrial facility in Lake County, Ohio
- Represented placement agent in connection with Port Authority issuance of taxable capital lease revenue bonds to finance the acquisition, construction and development of hotel in Cleveland

### CREDITOR'S RIGHTS AND BANKRUPTCY

- Represented large, regional financial institution in connection with work-out strategy for multi-loan financing secured by 25-story mixed-use retail, office and hotel building located in South Bend, Indiana
- Represented large national financial institution in connection with work-out strategy concerning loan facility secured by a large residential housing development located in Cleveland, involving foreclosure of mortgaged property, working with receiver on continued construction efforts and dealing with lien claimants, negotiation of settlement agreement and deficiency note with guarantors and ultimate sale of loan
- Represented special servicer of securitized loan pools in the preparation for foreclosure of mortgaged

property, negotiating deed-in-lieu of foreclosure agreements, settlement agreements and forbearance agreements, reviewing purchase and sale agreements for conveyance of REO properties, and advising client on rights and duties as special servicer under pooling and servicing agreements

## **FINANCIAL SERVICES & LENDING**

- Represented regional bank in connection with financing for the acquisition and infrastructure improvements concerning a planned 50-acre retail development in Erie County, Ohio, including negotiations with the Ohio Department of Development concerning a brownfield redevelopment loan and with county commissioners concerning tax increment financing
- Represented national lender in acquisition and ground-up construction financing for multi-site apartment tower development located in Orange County, Florida
- Represented national lender in connection with primary construction financing and bridge financing for redevelopment of office building to multi-family project supported by federal and state historic tax credits
- Represented national lender in connection with multi-phase construction and bridge financing for redevelopment of industrial complex to multi-family and commercial project supported by federal and state historic tax credits, new markets tax credits and Ohio brownfield redevelopment loan
- Represented national lender in connection with guidance line of credit for construction of approximately 20 single-tenant retail stores across the U.S.
- Represented national lender in connection with multi-loan facility for manufacturing company including operating and equipment lines of credit and term loans secured by real estate assets and business assets
- Represented regional bank in connection with multi-loan facility for restaurant operator and associated manufacturing company including capex and operating lines of credit and term loans secured by business assets

## **REAL ESTATE DEVELOPMENT & FINANCE**

- Represented regional manufacturer in refinancing of operating loan facility secured by 30-site real estate portfolio consisting of owned and leased properties located in Tennessee, Kentucky, Indiana and Illinois
- Represented national manufacturer in the sale and simultaneous lease-back of four manufacturing facilities located in California, Kansas, Minnesota and Texas and associated financing in connection with the sale-leaseback transaction
- Represented regional shopping center developer in connection with CMBS and Life Insurance Company financing for various portfolio properties, including defeasance of existing mortgage financing
- Represented local real estate investor in connection with various aspects of multi-layer financing for investment in Cleveland area that included multi-phase mixed-use office, retail, restaurant and residential development, which also included bond financing, traditional real estate loans and private equity investment in the project
- Represented county in connection with the proposed sale of multi-building complex in Cleveland through sealed bid process
- Represented manufacturing company in connection with site selection, governmental incentives, permitting development, property acquisition and bond financing for industrial development in Columbiana County, Ohio

## **URBAN & HISTORIC RENOVATION**

- Represented local developer in connection with the historic preservation of industrial building on the west bank of the Flats in Cleveland, supported by state and federal historic tax credits
- Represented developer in connection with acquisition, redevelopment and financing of multi-building complex in Cleveland in retail, office, multi-family and hotel project involving new markets tax credits, federal and state historic tax credits, county and state grants and loans, taxable capital lease revenue bonds, tax increment financing, and direct construction and mezzanine financing

## ASSOCIATIONS

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- Member, Cleveland Metropolitan Bar Association
- Member, Ohio State Bar Association
- Member, National Association of Industrial and Office Properties
- Member, Build Up Greater Cleveland
- Member, International Council of Shopping Centers