

**COMMERCIAL CONSTRUCTION PROJECTS:
WHAT YOU NEED TO KNOW ABOUT
CONSTRUCTION CONTRACTS AND LIENS**

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PHASES OF THE CONSTRUCTION PROCESS

- 1. PHASE ONE: EVALUATING THE PARCEL AND DUE DILIGENCE
(Brian Wenzel)**
- 2. PHASE TWO: DRAFTING THE PURCHASE AGREEMENT AND THE CONSTRUCTION CONTRACTS
(Brian Henry)**
- 3. PHASE THREE: PROTECTING AGAINST AND LITIGATING CONSTRUCTION LIENS (Matthew Norris)**

CASE STUDY

This seminar will be based upon the following hypothetical set of facts:

The parcel to be developed is located in the City of Detroit near a busy intersection and is presently adjacent to a large 250,000 square foot retail development that was constructed in 1999. The parcel will be developed as a 40,000 square foot office building, to be leased by the State of Michigan. In order to obtain sufficient land for parking, your client desires to lease a portion of the land necessary to obtain site plan approval. In addition, your client has asked you to prepare a purchase agreement to obtain the land that will be located under the building, as well as the agreements for the design and construction of the building. Your client has decided to hire a developer to manage the development of the building.

At present, your client has not performed any environmental survey of the property, but intends to complete an environmental survey for its lender. The lender is very interested in the project since the State of Michigan has agreed to execute a long term lease.

The property is currently zoned as residential and will need to be rezoned.