



Patrick A. Karbowski

Member

Detroit

P: 248.220.1350

“ I am a dealmaker. I really enjoy being part of something where at the end, everyone comes out a winner. I am truly accessible to my clients and integrate into my practice my years of experience and my understanding of my clients’ business and their problems, their goals. ”

Practice Focus

- Business counseling
- Commercial finance
- Commercial leasing
- Real estate
- Real estate litigation
- Real Estate Recovery Team

Patrick has more than 25 years of experience practicing business and real estate transactions and real estate litigation. His expertise covers a wide spectrum of complex real estate transactions and litigation involving real estate sales, acquisitions, development, title matters, leasing, lending, property taxes, foreclosures, and workouts. Patrick has significant experience in commercial finance, handling real estate based and asset based lending for both lenders and borrowers.

Patrick represents both landlord’s and tenants in retail, office and industrial markets throughout the country. A past chairperson of the Real Property Law Section of the State Bar of Michigan, Patrick was awarded the C. Robert Wartell Distinguished Service Award for exemplary contributions to the section over an extended period of time. He is an *ex officio* member of the section’s governing council and serves on many of its committees, including as chair of the Pro Bono Committee. A Leadership Oakland alumnus, Patrick has served on the boards of several community organizations. He has been an adjunct professor of law teaching real estate transactions at the Ave Maria School of Law, and a member of the real estate advisory board for the Institute of Continuing Legal Education.

A frequent author and lecturer on real estate topics for professional and industry organizations, Patrick has been listed in *The Best Lawyers in America*, *Chambers USA*, and *Super Lawyers* for real estate. He is also elected to fellowship in the American College of Real Estate Lawyers. Patrick was designated "Lawyer of the Year" in Detroit for Litigation - Real Estate and Real Estate Law by *Best Lawyers in America* (2014-2015).

Patrick earned a J.D., cum laude, from Wayne State University Law School. He received a B.S., cum laude, from Central Michigan University.

Representative Cases/Matters

- Served as lead counsel in connection with the acquisition of multiple parcels of land, obtaining numerous government grants and tax incentives and the drafting and negotiating construction contracts for an advanced lithium ion battery manufacturing facility
- Lead trial counsel and co-counsel on appeal in riparian rights case; *Holton v. Ward*, 303 Mich. App. 718; 847 N.W. 2d 1 (2014)
- Negotiated the acquisition of a 230,000 square foot industrial facility on behalf of a major Chinese purchaser
- Sale of all U.S. real estate assets for a major international manufacturer: represented seller in all legal aspects of sale
- Negotiated the acquisition of a 150,000 square foot industrial facility on behalf of the purchaser
- Represented 112,000 square foot corporate office and R&D complex; represented foreign purchaser in all aspects of transaction
- Prevailed on Motion for Summary Disposition (and subsequent appeal) on behalf of an anchor tenant in a shopping center, and against the landlord who claimed wrongful termination of the lease
- Represented hotel owner to bid in and purchased all hard assets of bankrupt onsite restaurant and obtained a full release from lease
- Negotiated numerous lease transactions for national and international locations
- Represented national manufacturer and distributor on real estate loan involving multiple properties
- Litigated lease disputes on behalf of tenants concerning operating expenses in connection with lease audits
- Assisted Sellers with on-line real estate auction of commercial property

Admissions - State

- Michigan

Education

- Wayne State University Law School
- Central Michigan University

Honors and Awards

- Named leader in Michigan Real Estate - *Chambers USA* (2011-2015)
- Selected for inclusion in *Michigan Super Lawyers* (2013-2021)
- Named one of the *Best Lawyers in America* (2011-2019, 2021-2022)
- Designated "Lawyer of the Year" in Detroit for Litigation - Real Estate and Real Estate Law by *Best Lawyers in America* (2014-2015)
- Elected to Fellowship, American College of Real Estate Lawyers
- *DBusiness* Top Lawyers in Metro Detroit
 - Land Use and Zoning Law (2011-2013)
 - Real Estate Law (2013)
- C. Robert Wartell Distinguished Service Award, State Bar of Michigan Real Property Law Section (2012)

Public Service and Volunteerism

- Ave Maria School of Law, Adjunct Professor
- Habitat for Humanity of Oakland County, Board of Directors (Past Member)
- Christian Leadership Academy, Board of Directors (Past Member)
- Crossroads Pregnancy Center, Inc., Advisory Board Member
- Leadership Oakland Alumnus (LOX)
- Christ Community Church (Rochester, MI), Music Ministry (Past Director)

Alerts

- Business interruption insurance claims: A potential source of funds for landlords and tenants
- CARES Act tax issues for real estate
- Eviction and foreclosure moratoriums
- Fed provides lifeline with Main Street Loans for landlords
- CARES Act: An early analysis of the historic Coronavirus Aid, Relief and Economic Security Act
- 4 FAQs about the end of LIBOR

Blog Posts

- Force Majeure lease provisions before and after the coronavirus (Covid-19)
- Update on the abolishment of dower in Michigan
- Hold-over clauses in commercial leases: Who cares? That depends
- The ancient right of dower abolished in Michigan
- Buying and selling commercial real estate: The auction option
- The "new" Michigan Personal Property Tax exemption – the clock is ticking
- Seller Beware! Selling commercial real estate and the hidden Phase I PSA trap
- The Land Contract: Reports of its Death After Dodd-Frank Were Greatly Exaggerated
- Michigan Real Estate Disputes: Which way is the possession arrow pointing?
- Oakland County, Michigan Real Estate Market: It's getting better all the time!

News

- 50 McDonald Hopkins attorneys recognized in The Best Lawyers
- McDonald Hopkins attorneys selected to 2021 Michigan Super Lawyers and Rising Stars Lists
- Nine McDonald Hopkins attorneys recognized as Michigan Super Lawyers and Rising Stars
- Lawyer of the Year honorees Riley and Welin among 42 McDonald Hopkins attorneys recognized as 2021 Best Lawyers
- 41 attorneys from McDonald Hopkins recognized as 2020 Best Lawyers®
- "Plaza with Newark Walmart up for auction"
- Eleven attorneys at McDonald Hopkins honored as Michigan Super Lawyers and Rising Stars
- 35 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers® 2018
- 39 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers 2017

- Twelve attorneys at McDonald Hopkins honored as Michigan Super Lawyers and Rising Stars
- 41 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers® 2016
- Seven McDonald Hopkins Attorneys Recognized by Chambers USA 2015

External Publications

- Co-Author, “Stop Gap: Michigan’s Recording Laws Conformed to Practice,” *Michigan Real Property Review*, Vol. 36, No. 2 (Summer 2009)
- Co-Author, “Michigan Residential Real Estate Transactions,” *Institute of Continuing Legal Education*, Ann Arbor, Michigan
- Case Comments, *Michigan Real Property Review*, Vol. 32, No. 3 (Fall 2005)
- Case Comments, *Michigan Real Property Review*, Vol. 32, No. 2 (Summer 2005)
- Case Comments, *Michigan Real Property Review*, Vol. 32, No. 1 (Spring 2005)
- Case Comments, *Michigan Real Property Review*, Vol. 31, No. 4 (Winter 2004)
- “In Re Forty Acres—Judicial Interpretation of the Michigan Superpriority Environmental Lien Statute Poses New Problems,” *Michigan Real Property Review*, Vol. 26, No. 1 (Spring 1999)
- “Unearthing the State’s ‘Hidden Priority’ Environmental Lien,” *Michigan Real Property Review*, Vol. 24, No. 1 (Spring 1997)
- “Annual Survey of the Michigan Law of Real Property,” *37 Wayne Law Review 2B*, 1991
- “Annual Survey of the Michigan Law of Real Property,” *36 Wayne Law Review 2*, 1990
- “The Free Exercise Clause and Unemployment Compensation For Religious Converts,” *33 Wayne Law Review 159*, 1986

Events

- Real Estate Reboot: The COVID-19 Crisis and Beyond | Wednesday, April 22, 2020
- For the Love of Retail Real Estate: Embracing Change and Adapting for Success | Thursday, February 14, 2019

Speaking Engagements

- “On-Line Auctions of Commercial Real Estate: To Bid or Not to Bid – Is That the Question?” Real Property Law Section of the State Bar of Michigan, Summer Conference, July, 2019
- “Lease in Default? Best Practices Before and After the Default” International Council of Shopping Centers, Annual Conference (Michigan CE), February 2019.
- “Traps in Your Contract: How Rules of Construction Can Make or Break Your Deal.” International Council of Shopping Centers, Annual Conference (Michigan CE), February 2018
- “Decoding Operating Expenses: Maintenance, Tax and Insurance Charges in Commercial Leases.” Real Property Law Section of the State Bar of Michigan, Summer Conference, July, 2017
- “Purchase Agreements – Comparison of the Florida FAR/BAR Form Purchase Agreement and Common Michigan Purchase Agreement Provisions.” Real Property Law Section of the State Bar of Michigan, Winter Conference, March, 2017
- “Owner’s, Manager’s and Tenant’s Roles in Avoiding and Effecting Evictions,” International Council of

Shopping Centers, Annual Conference (Michigan CE), February 2017

- Negotiating the Shopping Center Lease – Economic Opportunities and Hidden Costs” Real Property Law Section of the State Bar of Michigan and Institute of Continuing Legal Education, “Homeward Bound Series,” December, 2016
- "The Auction Trend: To Bid or Not to Bid.” International Council of Shopping Centers, Annual Conference (Michigan CE), February 2016
- "Bridging the Gap: Financing Alternatives to Traditional Bank Lending.” Real Property Law Section of the State Bar of Michigan, Summer Conference, July, 2015.
- “Lease in Default? Best Practices Before and After the Default,” International Council of Shopping Centers, Annual Conference (Michigan), February 2015
- “Commercial Purchase Agreements,” Real Property Law Section of the State Bar of Michigan, Summer Conference, July 2014
- “Building Your Contract (or Tearing it Down): Construction of Contract Rules Can Make or Break Your Lease, Listing or Purchase Agreement,” International Council of Shopping Centers, Annual Conference (Michigan), February 2014
- “Seller Financing: Sometimes it makes Cents (and Dollars),” International Council of Shopping Centers, Annual Conference (Michigan), February 2013
- “Land Contracts: Dealing with Common Issues,” Institute of Continuing Legal Education, August 2012
- “Get ‘em out by Friday: Owner’s, Manager’s and Tenant’s Roles in Avoiding and Effecting Evictions,” International Council of Shopping Centers, Annual Conference (Michigan), February 2012
- “Tales from the Crypt: Horror Stories from the World of Easements and Boundary Disputes,” Michigan Society of Professional Engineers, 71st Annual Meeting, February 2012
- “Rights of First Refusal and Rights of First Offer: Are You Getting What You Bargained For?,” International Council of Shopping Centers, Annual Conference (Michigan), January 2011
- “Land Contracts and Other Types of Seller Financing,” Real Property Law Section of the State Bar of Michigan, Summer Conference, July 2010
- “When Advertisement Isn’t Enough—The Court Process and Foreclosures/Workouts,” Real Property Law Section of the State Bar of Michigan, April 2010
- Adjunct Professor (Real Estate Transactions), Ave Maria School of Law, Ann Arbor, Michigan (2008-2009)
- “Land Contract Forfeitures, Foreclosures and Workouts,” Young Lawyers Section of the State Bar of Michigan, Annual Conference, June 2009
- “Deeds and Conveyances,” Real Property Law Section of the State Bar of Michigan, Summer Conference, July 2005
- “Legal Issues for Commercial Real Estate Brokers,” Grubb & Ellis in-house seminar, April 2005
- “Handling Residential Real Estate Transactions,” Institute of Continuing Legal Education, May 2004
- “Real Estate and Mortgage Planning Symposium,” Nicholas & Co., Certified Mortgage Planners, April 2004
- “Commercial and Residential Evictions,” Sterling Education Services, February 2004
- “Where to Draw the Line: The Role of the Surveyor and Attorney in Boundary Creation and Boundary Dispute Resolution,” State Bar of Michigan Real Property Law Section, “Homeward Bound” Series, December 2001
- “Real Estate Construction,” Institute of Continuing Legal Education, December 2000
- “Real Estate Sales and Purchases,” “Foundation Series,” Institute of Continuing Legal Education, February 2000

- “ABC’s of Resolving Post Closing Problems and Disputes: Arbitration Before Court?,” State Bar of Michigan, Real Property Law Section “Homeward Bound” Series, December 1999
- “Michigan Real Estate Documents: Contract and Regulatory Issues,” Institute of Continuing Legal Education, April 1999
- “Michigan Commercial Eviction Proceedings,” Institute of Continuing Legal Education, June 1997
- “Understanding the Role of Legal Descriptions and Surveys in Real Estate Transactions,” Metropolitan Detroit Bar Association, April 1997
- “Real Estate Sales and Purchases,” “Foundation Series” Institute of Continuing Legal Education, February 1996
- “Michigan Real Property Disputes,” Institute of Continuing Legal Education, March 1995