



# DAVID B. HORN

## MEMBER - Transactions

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### Practice Areas

Real Estate Acquisitions, Dispositions  
and Financings  
Joint Ventures  
Real Estate Development  
Real Estate Leasing

### Bar Admissions

New York, 1988  
Connecticut, 1988

### Education

#### Harvard Law School

• J.D. - 1987

#### London School of Economics and Political Science

• Graduate Diploma in Business Studies  
- 1988

#### Binghamton University, State University of New York

• B.A. - 1984

#### Honors & Activities:

• Phi Beta Kappa

David B. Horn joined Rosenberg & Estis, P.C. in 2020 and is a member with the firm's Transactional Department.

During the course of his career of more than 25 years, Mr. Horn has earned a reputation as a talented and dedicated attorney to whom clients turn for their most complex transactions. He has broad experience representing clients in the acquisition, financing, development and disposition in New York and nationwide of office buildings, residential developments, retail properties, hotels and industrial assets.

Mr. Horn handles the negotiation and documentation of joint venture agreements on behalf of both "money partners" and "operating partners", workouts of distressed properties and loan facilities, and the purchase and sale of real estate loans and real estate loan portfolios. He has experience in real estate capital market transactions, including fund formation, sponsor capital and co-general partner arrangements, as well as real estate syndications. Additionally, Mr. Horn has substantial expertise representing landlords and tenants in commercial leasing transactions involving office, retail, and industrial properties.

Prior to joining Rosenberg & Estis, Mr. Horn was a partner with Duval & Stachenfeld LLP.

### Notable Work

#### Development Transactions and Construction Loans

- The negotiation and documentation of a \$350 million multi-lender construction loan for a super luxury Manhattan residential development on behalf of the joint venture of a major developer and a real estate investment fund.
- The representation of a major Manhattan property owner in the negotiation and documentation of the contribution of land and development rights for the development of a 700,000+ square foot office building in midtown Manhattan in return for cash and an ownership interest in the project.
- Represented a client in the assemblage of properties in the Soho neighborhood of Manhattan in connection with the development of a mixed-use condominium as well as various joint venture transactions, mortgage and mezzanine pre-development financing, con-



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struction financing, and EB-5 mezzanine financing for the vertical development.

- The negotiation and documentation of the sale of certain partnership interests and the recapitalization of the remaining partnership interests in a partnership, which owns a Hudson Yards area property capable of supporting 2 million square feet of office space, in which a New York Stock Exchange listed commercial real estate company obtained a controlling interest in return for cash at closing and a preferred future return.
- The negotiation and documentation of a \$200 million multi-lender construction loan for a super luxury Manhattan residential development on behalf of the joint venture of a major developer and a real estate investment fund.
- Representing a developer in the negotiation and documentation of construction financing provided by a large regional bank for a critically acclaimed Manhattan luxury residential condominium development.
- Representation of a developer in connection with its nationwide acquisition of development sites for its opportunity zone platform and the formation of joint ventures for their development.
- Counseling a developer in connection with its joint venture with a New York based investment fund in the acquisition of a distressed multifamily development project in Tennessee and the assumption and modification of a defaulted construction loan facility from a national money center bank.

## **Hotels and Hospitality Transactions**

- Representation of a New York Stock Exchange listed real estate investment trust in the negotiation and documentation of the acquisition and financing of a nationwide portfolio of twenty hotels each flagged by a major national hotel franchisor.
- Representation of a joint venture including a major real estate investment fund in the negotiation and documentation of the disposition of a national portfolio of twenty-two flagged hotels to the hotel franchisor.
- The acquisition of a 500+ key Manhattan hotel carrying a national hotel franchisor's flag on behalf of a New York Stock Exchange listed real estate investment trust, including the purchase of the first and second mortgage loans from a foreign bank group and the conversion of such debt into fee ownership in a pre-packaged bankruptcy.
- The disposition of a 500+ key suburban New York hotel carrying a national hotel franchisor's flag in return for cash at closing and post-closing consideration structured as an installment sale.
- Representation of a major real estate private equity firm in the sale of a boutique Chicago hotel to an institutional buyer.



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- Acquisitions and Dispositions of Trophy Office and Multi-Family Properties
- The acquisition of a \$245 million six property multi-family portfolio containing 2,200 units on behalf of a joint venture of a major real estate investment fund and a large residential landlord from another large investment fund, including the concurrent assumption of existing indebtedness, the negotiation and documentation of additional indebtedness and the concurrent sale of a portion of the portfolio.
- The sale of a 550,000 square foot midtown Manhattan plaza district office building to a New York Stock Exchange listed real estate investment trust in return for cash, assumption of existing mortgage indebtedness and operating partnership units.

## **Real Estate Capital Market Transactions, Including Fund Formation and Syndications**

- Preparation of offering and other fund formation documentation for Sponsor General Partner Capital Funds, particularly for the provision of seed capital and development expertise for opportunistic development transactions.
- Representation of an institutional developer in the formation and operation of an equity platform to develop a multi-phase planned community in Charlotte.
- Preparation of offering and transactional documentation for numerous single asset real estate syndications, for multi-family, office, hotel and industrial assets.

## **Real Estate Office and Retail Leasing**

- Representation of a major institutional investment manager in the negotiation and documentation of its headquarters lease in midtown Manhattan.
- Counseling a national department store chain in the leasing of regional flagship stores in Chicago and Los Angeles.
- Representing a national furniture retailer and a national provider of luxury salon and spa services in connection with their respective national leasing programs.
- Counseling a New York regional bank on its headquarters lease and its retail branch-leasing program for its subsidiaries.