

M. LEE JOHNSEY, JR.

Partner | Birmingham

- Real Estate
- Land Use & Zoning
- Multifamily Real Estate

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Education

- The University of Florida Fredric G. Levin School of Law, J.D., 2009, with honors
- Auburn University, B.S.B.A., Accountancy, 2006, Spade Honorary; Omicron Delta Kappa, President

Bar Admissions

- Alabama, 2009
- Florida, 2010

Lee Johnsey focuses on the acquisition, development, ownership, management and disposition of real estate, unsecured and secured lending, corporate matters, gaming finance and operation, and tax sales. Lee understands that clients are looking for solutions, and his experience allows him to structure deals to anticipate future issues and to assist clients with responding to any issues that do arise before they become problems. When problems do arise, Lee's transactional and litigation experience uniquely positions him to view the big picture and nuances of an issue, and to counsel clients about the implications of a course of conduct. Lee understands that results are sometimes best achieved through litigation avoidance and others through litigation. Lee helps clients balance efficiency and desired results as he works through issues alongside them.

“ In-depth experience on both the transactional and litigation sides of real estate, lending, and corporate transactions allows Lee to effectively structure deals, understand and anticipate potential problem areas, and advise clients to efficiently resolve potential and existing issues. ”

Q&A

• What types of clients do you represent?

I am fortunate to represent a wide variety of clients. I regularly represent real estate developers, bank and non-bank lenders, business owners, title companies, land owners, creditors, gaming finance companies and operators, and tax credit syndicators. I also represent both tax sale purchasers and

those seeking to redeem property from tax sales.

- **What type of matters do you work on most often?**

I work on a variety of matters that generally involve one of three areas: real estate, lending, or corporate matters. I work with real estate developers in all phases of a matter - from developing the new corporate entity that will hold the real estate, to purchasing, financing, leasing, and ultimately selling the project. During these phases, general corporate, employment, and other legal issues arise. Assisting clients in all phases of their business allows me to be a better member of their team and anticipate legal issues specific to that client.

- **What do you find most exciting about your work?**

On a personal level, I get to work with clients I enjoy being around and working with. I am truly fortunate to have that opportunity. From a subject matter perspective, I view the legal issues in my practice as a puzzle. I get to assist clients with individualized needs work through problems and craft solutions to meet their goals and to mitigate risk. Every day I get to work on something new.

- **Which courts or agencies do you most often appear before on behalf of your clients?**

I frequently represent clients in both state and federal courts throughout Alabama. Because much of my practice involves debt issues, I also appear before bankruptcy courts in Alabama to represent the interests of clients who are creditors. When a matter involves tax sales, I appear before probate courts to achieve a resolution of those issues.

SELECT MATTERS

- **Residential subdivision development:** Representation of a developer in the acquisition and development of three residential neighborhoods which are age-restricted and contain a number of common area amenities owned by the homeowner's association for the benefit of the neighborhood residents.
- **Interstate Land Full Sale Disclosure Act:** Advise developers with respect to compliance and exemptions available under the Interstate Land Full Sale Disclosure Act.
- **Retail and multifamily development:** Representation of a real estate developer in the negotiation of joint venture, and the acquisition, zoning, and development of a large retail and multifamily development in South Carolina.
- **Secured lending:** Representation of lender in \$18 million loan secured by multifamily real property in North Carolina.
- **Sale of real property:** Representation of a property owner in the sale of real property located in Ft. Myers, Florida, partially located in a wetlands area.
- **Defense of lender liability claims:** Representation of a large regional financial institution with respect to the foreclosure and subsequent management of an operating marina, and arbitration relating to deficiency balance and defense of \$20 million counterclaim arising from the same lending relationship.

- **Acquisition and financing of medical school and student housing:** Member of team representing bond underwriter in \$175 million financing of the acquisition of a medical school and student housing in Bronx, New York.
- **Tax sales:** Representation of a large regional financial institution that had foreclosed on real property in the redemption of that property from a tax sale that occurred prior to the foreclosure.
- **Low income housing tax credits (LIHTC):** Member of team that regularly represents developers and tax credit syndicators in the development and rehabilitation of LIHTC properties throughout the country.
- **Gaming:** Regularly represents gaming lessor and operator relating to the purchase, leasing, financing, and licensing of gaming machine on Indian reservations in Oklahoma. (2016).
- **Sale of dental practice:** Representation of owner of dental practice in the sale of all corporate assets and leasing of real property to new practice, and negotiation of employment agreement for the selling doctor to be an employee of the new practice.

PUBLICATIONS

NOVEMBER 7, 2018

[Opportunity Zones Regs Are Here: Can We Start Investing Now?](#)

SUMMER 2016

[Alabama Statutory Rights of Redemption: The Basics Revisited and Updated](#)

Birmingham Bar Bulletin, Volume 37 (Issue No. 2)

Redemption rights affect all foreclosed properties.

APRIL 14, 2015

[Birmingham attorneys weigh in on real estate redemption law](#)

Birmingham Business Journal

Lee weighed in on tax sale redemption laws in Alabama and current changes in the legal landscape of tax sale redemption.

SPEAKING ENGAGEMENTS

SEPTEMBER 2, 2015

[Real Estate Foreclosure: A Step-by-Step Workshop](#)

National Business Institute

MARCH 8, 2016

The Property Has Been Sold for Taxes: What Does That Mean and What Should You Do?

Mississippi Valley Title Insurance Company

NOVEMBER 15, 2013

Changes in the Law on Redemption

Cumberland School of Law CLE

DECEMBER 11, 2012

Real Estate Law: Advanced Issues and Answers

National Business Institute

CREDENTIALS

Professional Affiliations

- Alabama State Bar, Young Lawyer's Section, President, 2017 - 2018; Vice President, 2016 - 2017; Executive Committee, 2013 - present; Secretary, 2016; Treasurer, 2015;
- Alabama State Bar, Board of Bar Commissioners and Executive Council, ex officio
- Alabama State Bar, Local Task Force, Task Force on Certain Disciplinary Considerations, Finance and Audit Committee, Bench & Bar Relations Task Force
- American Bar Association (ABA); House of Delegates, 2015 - present; Young Lawyer's Division Assembly, 2014 - present; liaison between ABA Tort Trial and Insurance Practice Section and ABA Young Lawyer's Division on membership 2014 - present; Tort Trial and Insurance Practice Section's Task Force on Outreach to Young Lawyers 2015 - present; Real Property Trusts and Estates Committee, Vice-Chairman, 2014 - 2015; Ethics and Professionalism Committee, Vice-Chairman, 2013 - 2014
- Alabama CCIM Chapter
- Alabama Affordable Housing Association
- NAIOP Commercial Real Estate Development Association

Awards & Accolades

- Birmingham Business Journal, Rising Star Lawyer 2018
- Birmingham Magazine, Top Attorney, 2017 & 2018
- Mid-South Super Lawyers, Rising Star, 2017 & 2018

Community Involvement

- REV Birmingham
- Monday Morning Quarterback Club
- Bryant-Jordan Foundation, Board Member
- Alabama Sports Hall of Fame, State At-Large Selection Committee