



## Thomas C. Barbuti

PARTNER

tbarbuti@wtplaw.com

### COLUMBIA

T: 410.347.8719

M: 410.913.7987

F: 410.223.3499

## BIOGRAPHY

Mr. Barbuti has extensive experience in complex real estate transactions.

His clients have included numerous public agencies, nonprofits, healthcare facilities, developers in mixed –use projects, retailers, Fortune 500 “Big Box” retailers, landlords, shopping center developers, land developers and the Maryland Stadium Authority.

Representation has involved negotiation and documentation of public/private partnerships, joint development disposition agreements, leases and related documentation; creation of condominiums and “landominiums”; the ground leasing of units for medical office building construction; mixed-use retail offices; industrial projects; acquisition contracts; reciprocal easement agreements; air rights agreements; development, construction and leasing of shopping centers and regional malls; subleasing and sales of large retail and office buildings; acquisition, subdivision and sale of thousands of residential lots in multiple Maryland counties; and agreements with architects, general contractors and construction managers.

He is a member of the American College of Real Estate Lawyers and was recognized by the Real Property Section of the Maryland State Bar Association as

## PRACTICES & INDUSTRIES

### Real Estate

Commercial and Residential  
Subdivision and Development

Commercial Leasing

Complex Easement Agreements

Complex Purchase and Sales  
Agreements

Condominium Development

Construction Contracts

Real Estate Assets in Distress

Real Estate Taxation

Real Estate Finance

Clean Energy Technology

Green Building and  
Sustainability

## EDUCATION

Rutgers University School of Law,  
1974, J.D., with honors

University of Maryland, 1970, B.A.

the Distinguished Practitioner of the Year for 2015.

Orange County Community  
College, 1966, A.A.

## RECOGNITIONS

- AV Peer Review Rated: Martindale-Hubbell
- Recognized in *Chambers USA: America's Leading Lawyers for Business*, published by Chambers and Partners
- Listed in *Best Lawyers in America*, 2009 - present
- Listed in *Maryland Super Lawyers*, 2007 - present
- Listed in Baltimore's Legal Elite, 2006 - Baltimore SmartCEO Magazine

## ADMISSIONS

Maryland  
District of Columbia

## MEMBERSHIPS & ACTIVITIES

- Elected to American College of Real Estate Lawyers, 2002
- Former Chair: Section Council, Real Property Section, Maryland State Bar Association (2005); Vice-Chair (2004); and Secretary (2003)
- Member: Urban Land Institute
- Member: International Council of Shopping Centers
- Member: National Association of Industrial Office Properties
- Board Member: Editorial Board, Legal Update, International Council of Shopping Centers
- U.S. Green Building Council, 2009, LEED Accredited Professional

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## COMPLEX REAL ESTATE DEVELOPMENT AND TRANSACTIONS, INCLUDING COMMERCIAL LEASING, CONDOMINIUMS, PURCHASE AND EASEMENT AGREEMENTS

- Representation of public agency in negotiating and documenting public/private joint development disposition agreements, leases and related documentation.
- Representation of a non-profit hospital in the creation of a "landominium" and the ground leasing of two units for medical office building construction.
- Representation of developers in mixed-use projects including retail, office, and parking.
- Representation of numerous retailers, including grocery stores and specialty retailers, in negotiating and documenting acquisition contracts, leases and reciprocal easement agreements
- Representation of Fortune 500 "Big Box" retailer in connection with

acquisition and construction of more than 60 stores throughout the United States.

- Representation of landlord in leasing "Big Box" locations to leading national specialty retailers such as Circuit City, Best Buy, Office Depot, Staples, Burlington Coat Factory, Bed Bath & Beyond, Barnes & Noble and Dick's Sporting Goods.
- Representation of shopping center developers in connection with acquisition, development, construction and leasing of strip shopping centers and regional malls.
- Handled disposition by sublease of 233,000 square foot headquarters office building in Washington, D.C. suburbs.
- Handled sale of several large office buildings in downtown Baltimore, Maryland.
- Representation of developer in development of over 500 condominium units in various projects in Ocean City, Maryland.
- Representation of land developers in connection with acquisition, subdivision and sale of thousands of residential lots in Howard County, Baltimore County and Anne Arundel County, Maryland.
- Representation of The Maryland Stadium Authority in negotiations with stadium architect and construction manager, as well as in connection with contract document preparation, for Oriole Park at Camden Yards.

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## **PRESENTATIONS & PUBLICATIONS**

Co-Presenter: "The Fun and Games (Not!) of Shopping Center Use Restrictions: Sorting Out Exclusive, Prohibited, Obnoxious, and Downright Unattractive Use Restrictions," International Council of Shopping Center's (ICSC) U.S. Shopping Center Law Conference, October 2018

Co-Author: "Tenant's Leasehold Rights at Risk," Retail Law Strategist, August 2004

Speaker: "CAM/Operating Expenses - Devil or Angel . . . So Whose Clause is it Anyway?" American College of Real Estate Lawyers 2004 Mid-Year Meeting

Co-Author: "Oops! Lease Renewals: When a Mistake Is Not a Mistake," Shopping Center Legal Update, Spring 2002

Co-Chair: 12<sup>th</sup> Annual Advanced Real Property Institute co-sponsored by The

Maryland Institute for Continuing Professional Education of Lawyers and the Maryland State Bar Association Section of Real Property, Planning & Zoning, May 2001

Panelist: "Subleasing Workshop"; International Council of Shopping Centers Annual Law Conference, 2001

Panelist: "A Reasonable Landlord - The Latest Developments on Assignment Consents," Section of Real Property, Probate and Trust, American Bar Association, 2001 Annual Meeting

Co-Author: "Implied Duties In Leases - What Else Is There Now?" Shopping Center Legal Update, Winter 2000

Speaker: "Eastern Shore Markets, Inc. v. J.D. Associates Limited Partnership," Maryland State Bar Association Commercial Real Estate Lawyers Discussion Group, November 2000

Co-Chair: 11<sup>th</sup> Annual Advanced Real Property Institute co-sponsored by The Maryland Institute for Continuing Professional Education of Lawyers and the Maryland State Bar Association Section of Real Property, Planning & Zoning, April 2000

Panelist: "Development Issues," 11<sup>th</sup> Annual Advanced Real Property Institute, April, 2000

Panelist: "Operating Covenants," International Council of Shopping Centers Annual Law Conference, 2000

Co-Author: "Subletting and Assignment: An Introduction," The Commercial Property Lease, Volume III, 2000  
Co-Author: "Say What You Mean - And Also What You Don't Mean," Bar Bulletin: Maryland State Bar Association Newsletter; October 1999

Speaker: "Enforceability of Continuous Operations Covenants," International Council of Shopping Centers Annual Law Conference, October 1999

Speaker: "Enforceability Against Third Parties of Restrictive Covenants and Other Agreements in Unrecorded Leases," Maryland State Bar Association Annual Meeting, June 1999

Author: "Landlord's Lament: The Times Are Changing"; Shopping Center Business; December 1997

Co-Author: "Unforeseen Issues: Restraints on Redevelopment in Existing Leases

and REAs," The ICSC Guide to Renovating and Expanding Shopping Centers -  
The Smart Way; 1996

Lecturer: "Commercial Leasing in Maryland," National Business Institute,  
1990-1991

Evening Instructor: Principles and Practices of Real Estate, Essex Community  
College, 1978-1984