

# Benjamin A. Maresca

Partner

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For national and regional homebuilders operating along Colorado's Front Range, Benjamin is a trusted legal partner throughout every stage of the homebuilding process. He also provides strategic support to property owners facing the complexities of Colorado's state and local land use and zoning regulations. Whether advising on commercial and industrial development and leasing, or structuring borrower-side financing, Benjamin helps his developer clients achieve their business goals. He is dedicated to helping clients successfully navigate the legal landscape and turn their real estate visions into reality.

Benjamin provides sophisticated legal counsel on complex transactions to some of the nation's and region's most prominent homebuilders. He has also played a key role in the development of some of the largest master-planned communities in Colorado. Benjamin possesses a deep proficiency in the full range of real estate transactional documents, adeptly drafting and negotiating purchase and sale agreements, post-closing agreements, easements, loan documents, etc.

Benjamin strategically negotiates and drafts complex agreements to resolve potential and actual conflicts related to mineral, water and ditch rights. This specialized skill set is crucial for developers seeking to acquire, use or develop land where subsurface rights are severed, where water is scarce or where ditch rights intersect with surface development. He provides critical counsel on securing water rights, negotiating surface use agreements with mineral rights holders and obtaining crossing agreements for roads and utilities with ditch companies, thereby safeguarding his clients' investments and allowing development to advance unimpeded.

## Representative Matters:

- Represented a national, privately held homebuilder on the acquisition of a 2,000-lot, single-family residential community.
- Represented an Arapahoe County, Colorado, developer in the sale of all residential and commercial lots for a 1,000+ acre, master-planned, mixed-use community with a value (at build-out) of more than \$2 billion.
- Represented the developer on acquisition, development, leasing and sale of \$105 million, 945,000-square-foot warehouse facility located in Savannah, Georgia.
- Represented the developer on acquisition, development, leasing and sale of multiple warehousing projects in Las Vegas metropolitan area.

## Services

- Real Estate
- Zoning & Land Use

## Before Fox Rothschild

Prior to joining the firm, Benjamin was an associate in the Denver office of a multistate Am Law 200 firm and a boutique firm in Louisville, Colorado, that focuses on representing American Indian tribes.

Prior to becoming an attorney, Benjamin was a senior land use planner for a real estate law firm in Scottsdale, Arizona, with a focus on all aspects of the entitlement process for the firm's development clients.

## Bar Admissions

- Colorado

## Education

- Arizona State University College of Law (J.D., 2012)
  - Indian Legal Certificate
- Iowa State University (B.S., 2003)

## Memberships

- Colorado Bar Association
- Home Builders Association of Metro Denver
- Home Builders Association of Colorado Springs
- Northern Colorado Home Builders Association

## Honors & Awards

- Selected to the “Ones to Watch” list for Real Estate Law in Denver, CO by *Best Lawyers* (2021-2025)