



Real Estate

Primary Contact

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Attorneys

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Expertise

The real estate attorneys at Montgomery & Andrews, P.A. have experience in all major aspects of real estate law. We represent buyers, sellers, developers, home owners associations, realtor associations, construction contractors and professionals, residential and commercial lenders, commercial landlords and commercial tenants. We offer experienced advice and counsel across a broad spectrum of real estate issues, including:

- Purchase, sale, exchange and lease of property
- Title insurance
- Title examination
- Quiet title actions
- Condemnation and eminent domain
- Lending and financing
- Lending and acquisition due diligence
- Land development and subdivision
- Restrictive covenants
- Environmental considerations
- Fractional property interests
 - Mineral rights
 - Oil and gas rights
 - Water rights
- Foreclosures
- Easements
- Survey reviews
- Boundary disputes

Our real estate attorneys represent major residential and commercial lenders in commercial and residential acquisition, refinancing and development projects. We have experience in formulating deeds of trust, mortgages and other security devices, and letters of credit. We counsel national and international lenders regarding legal requirements and changes applicable to their New Mexico lending portfolios. Our attorneys have rendered numerous closing opinions on behalf of sellers, borrowers and major lenders in complex loan transactions. We negotiate, draft and act to enforce contracts on behalf of owners, architects, engineers and contractors. We also assist clients in the acquisition of water rights for new developments.

In addition to managing business transactions related to real estate, M&A litigates disputes, such as:

- Title defects
- Boundary disputes
- Contract breaches
- Brokerage commission disputes
- Commercial landlord-tenant disputes
- Condemnation
- Cost overruns
- Defective construction
- Easement and road disputes
- Estate disputes
- Foreclosures (judicial and non-judicial)
- Fraudulent transactions
- Lease disputes
- Lender liability
- Mechanics liens
- Partnership disputes
- Warranty issues

Our attorneys advise commercial real estate buyers and sellers on compliance and liability issues related to environmental conditions at various sites in New Mexico, including former mining and waste disposal properties. We work closely with environmental consultants to evaluate the status of properties and resolve compliance issues with the appropriate local, state and federal regulators, including EPA under the federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). We also work with the New Mexico Environment Department under the Voluntary Remediation Act, Hazardous Waste Act and Ground Water Protection Act.