



## Nicholas N. Dyer

Director

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Nicholas has represented clients in more than \$4 billion of transactional value across multiple industries. Nicholas' philosophy for every transaction is to find the most efficient path forward with opposing parties that meets the client's goals. He approaches every deal with a goal of collaboration to meet the aims of the transaction, but the client's needs are always paramount in all negotiations.

Currently, Nicholas' practice focuses on serving clients in real estate and development deals across the booming Rocky Mountain region. He serves:

- purchasers and sellers in complex sales and land swap transactions;
- borrowers and lenders in both real estate and asset-backed lending, secured transactions;
- national and local landlords and tenants with respect to multi-million dollar per year and smaller leases, including Class A office space, restaurants, raw land, land leases, and a multitude of other business ventures;
- developers involved in every stage of development from acquisition, entitlement, and disposition; mountain luxury home purchasers and sellers; and
- niche clients such as restaurateurs, specialized CBD-related products and services, and health care facilities, each of which require specifically tailored agreements to meet their business needs.

Nicholas' real estate experience is supplemented with a decade of experience in complex corporate transactions, including \$100,000,000+ mergers and acquisitions; asset sales; corporate restructuring and workouts; and advising entrepreneurs with every stage in the life cycle of their business, from organization and incorporation, early-round friends and family and venture financing, other institutional equity and credit financing, and finally through successful exits and cash-outs of the business. Nicholas has also served as outside general counsel to a number of smaller and middle-market entrepreneurs and family-owned

businesses who may only have infrequent legal needs, but want a long-term relationship with an attorney who knows them and understands and cares about the success of their endeavors.

## Education

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Harvard Law School, J.D., 2008

Utah State University, B.A., English, *magna cum laude*, 2004

## Bar Admissions

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Colorado

Colorado Court of Appeals

Colorado Supreme Court

Massachusetts (inactive)

Utah (inactive)

## Practice Areas

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Real Estate

Purchase and Sale, Leasing, and Due Diligence

Lending, Financing, and Commercial Foreclosures

Construction and Land Development

Local Government, Special Districts, and Utilities

Title 32 Special Districts

Corporate

Entrepreneurs and Closely Held Businesses

Mergers and Acquisitions

Philanthropy, Private Foundations, and Charitable Organizations

## Sectors

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Food and Beverage

Residential, Commercial, Industrial, and Mixed-Use Development

Hemp Processing and Production

Software and Technology

Start-Ups and Entrepreneurial Law

## Representative Experience

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- Represented Johnson & Wales University in the sale of its historic 25-acre, 13 building campus in Northeast Denver to the Urban Land Conservancy.
- Represent master developer in 2,000+ home planned community.
- Closed \$330,000,000 roll-up asset acquisition involving more than thirty individual locations on behalf of national restaurant chain.
- Guide distressed tenant clients through options and negotiations with landlords in restructuring commercial leases.
- Advise restaurant tenant clients with specialized leases involving customized fixtures such as installation of

- customized kitchen fixtures, ventilation requirements, foundational issues, and other specialized needs.
- Counseled purchasers and sellers in commercial acquisitions and dispositions of office buildings, production facilities, warehouses, and agricultural properties ranging from \$1,000,000+ to \$250,000,000.
  - Represented national tenant in \$10,000,000+ rent per year complex lease in cutting-edge, marquis property owned by internationally-recognized educational institution.
  - Assisted Colorado charter schools and other public education and cultural facilities borrowers in more than \$75,000,000 of public and private bond issuances for the acquisition and/or redevelopment of facilities.
  - Closed transactions with institutional bank lenders and life insurance companies in new loan origination, loan modifications, workouts, restructuring and deed-in-lieu of foreclosure transactions, and other transactions with cumulatively more than \$2 billion at issue.
  - Negotiated and finalized the purchase acquisition of \$10,000,000+ luxury condominium in Vail Village; represented a different Seller in a multi-year negotiation and sale of another \$10,000,000+ single family ski-in, ski-out residence located in Beaver Creek; advised other wealth management firms on behalf of their family clients with respect to acquisitions and sales of other multi-million dollar luxury properties across Colorado.
  - Served as outside general counsel to \$28,000,000+ annual revenue nonprofit charitable organization with respect to land acquisitions, project development, restricted gift donations, license agreements and leases.
  - Advise nonprofit clients, including metropolitan districts, municipalities, churches, and charter schools with respect to real estate matters, corporate governance questions, formation and organization, and ongoing compliance with federal taxation laws impacting 501(c)(3), 501(c)(4) and a multitude of other non-profit classified entities.

## Professional Affiliations

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- Colorado Bar Association

## Community Involvement

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- Director, 5280 High School, 2018-Present
- Director, Urban Peak Colorado Springs, 2014-2017
- Director, Community Prep School, 2016-2017
- Founding Director, Fire Foundation of Colorado Springs, 2015-2017
- Graduate, Leadership Pikes Peak Signature Program, 2013
- Director, Harvard Alumni Entrepreneurs Inc., 2009-2011