

## Bill Silberstein

Bill Silberstein represents clients in a wide variety of real estate developments, purchases, sales, leasing, and financing transactions for ski resorts, office buildings, hotel properties, retail shopping centers, ranches, and rural recreational properties throughout the Rocky Mountain states. He has served as developers' counsel for many brownfield developments and transit-oriented developments.

In his 30 years of experience, Bill has also built a land conservation practice that has a national reputation for excellence. He has represented landowners and conservation organizations in hundreds of conservation easement transactions and in more than 30 IRS audits of conservation easements. Bill helped the Forbes family create a conservation easement for its ranch in the San Luis Valley. More than 80,000 acres were included in the easement, the largest in Colorado at that time.

The breadth of his practice allows Bill to assist property owners who are pursuing either development or preservation objectives. He helps clients achieve an appropriate balance between development and conservation that is sensitive to economic development in the region and quality of life that is so important to the regional economy.

### Representative Experience

#### **Peña Station, Denver, Colorado**

Represented the City and County of Denver on a public-private partnership in connection with the Peña Station area transit-oriented development (TOD) project, including negotiations with adjacent landowners, agreements related to \$50 million infrastructure financing, and real estate issues

#### **Redevelopment of the Former Gates Rubber Company Site, Denver, Colorado**

Represented master developer in purchase contract negotiations, acquisition due diligence, acquisition, and development

#### **Englewood CityCenter, Colorado**

Represented the developer of the retail component of this transit-oriented development and adaptive reuse that includes apartments, condominiums, the municipal office building, and light rail station

#### **East Fork Ranch, Pagosa Springs, Colorado**

Represented the owner in a multi-year, multiple phase land conservation project resulting in the sale of several conservation easements and the preservation of a significant National Forest



### Partner

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### Areas of Practice

Brownfields  
Conservation Easements  
Land Use and Zoning  
Military Base Closure and Redevelopment  
Project Development  
Real Estate Development and Transactions  
Real Estate, Land Use, and Zoning Litigation

### Education

J.D., University of Colorado Law School, 1980  
B.A., University of Colorado Boulder, 1975

### Bar Admissions

Colorado



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in-holding previously permitted for a ski area and golf course

### **Forbes Trinchera Ranch, near La Veta Pass, Colorado**

Represented the Forbes family in the creation of an 80,000-acre conservation easement, the largest in Colorado

### **Lincoln Station, Douglas County, Colorado**

Represented the developer of this transit-oriented development that includes office buildings, light rail station, and shared transit parking

### **Navajo Headwaters Ranch, near San Juan Mountains, Colorado**

Represented the private landowners in a multiple phase land conservation project, including both gift and bargain-sale conservation easements, federal and state incentives, reciprocal use agreements, and corporate and debt related issues, leading to the preservation of this magnificent landscape along the Navajo River

### **Pine Cliff Ranch, Douglas County, Colorado**

Represented Colorado Open Lands in a multiple year transaction, accepting a conveyance from the historic ranching family and sale to a conservation buyer with a conservation easement in place

## **Professional and Civic Activities / Awards**

- Colorado Open Space Alliance Blue Grama Award for Outstanding Achievement by an Individual (2016)
- Land Trust Alliance (Conservation Defense Committee 2011–Present; Conservation Defense Council 2011–Present)
- Dean, Advanced Legal Topics in Land Conservation Law Symposia (2009–Present)
- *Super Lawyers*<sup>®</sup> for Environmental Law; Real Estate Law (2006–2009, 2011–2012)
- Pro bono Counsel, Colorado Coalition of Land Trusts (1992–Present)

## **Publications**

Conservation Law Alert – Conservation Legislation Victory for CO  
06.05.18

Conservation Law Alert – Changes to Conservation Easement Tax Credits and Incentives  
07.08.16

Brownfields Law Alert – Colorado Brownfields Tax Credits, Asbestos-in-Soil Updates



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01.12.15

Conservation Law Alert – Tax Updates and Conservation  
Easement Amendments  
January 2014

Managing the Risks of Environmental Contamination in  
Redevelopment Projects  
December 2013

Conservation Easement Update  
01.10.13

Landlords, Tenants and LEED® . . . What a Long, Strange Trip  
It's Been  
2011

Conservation Easements: Preserving Your Land for Future  
Generations  
2010

Developing a LEED® Certified Workspace: 10 Lessons Learned  
2010

Renewable Energy and Energy Efficiency Incentive Programs  
2010

Easement Audits in Colorado: What Can We Learn from Them?  
Summer 2007

Open Space Chapter 16  
2007

Land Trust Ethics  
Winter 2004

## **News**

Developer, City Have Big Plans for Former Gates Rubber  
Factory on South Broadway in Denver  
Denver7  
06.07.18

Kaplan Kirsch & Rockwell Represents New Owner of Lincoln  
Park Superfund Site  
03.11.18

National Western Center Framework Agreement Headed for  
Final Approval  
08.31.17

Bill Silberstein to Serve as Program Chair at Land Trust Alliance  
Legal Symposium  
6<sup>th</sup> Annual Land Trust Alliance Symposium on Advanced Legal



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Topics in Land Trust  
04.14.17

Recent Op-ed Focuses on Importance of Conservation Tax  
Credit Program  
*The Denver Post*  
02.02.17

Bill Silberstein Receives Award for Outstanding Achievement for  
Protecting Open Space  
09.12.16

Bill Silberstein Featured in Colorado Open Lands Tribute Video  
October 2015

Firm Attorneys Assist with the Acquisition and Preservation of  
Property in Southern Colorado  
Fox21 News  
07.12.15

Firm Client Announces Success with Additional Phase of  
Conservation Easement  
05.26.15

Major Working Ranch Conservation Easement Protects Vital  
Sage Grouse Habitat in NW Colorado  
Colorado Cattlemen's Agricultural Land Trust  
01.14.15

Firm Attorneys Assist in Purchase Agreement for Familiar Site  
*Law Week Colorado* and *The Denver Post*  
Fall 2014

Review of Conservation Credit Better Aligned With Colorado  
Agency Expertise and Cap on Colorado Income Tax Credits  
*Tax Management Inc., a Subsidiary of the Bureau of National  
Affairs, Inc.*  
06.21.13

Bill Silberstein Quoted in *Tax Management Inc.*  
06.21.13

U.S. DOT Awards RTD \$280 Million Loan for EAGLE P3  
Commuter Rail Project  
12.02.11

Kaplan Kirsch & Rockwell Welcomes New Partner Bill Silberstein  
07.01.11

## Presentations

P5 Deals: Perpetual Preservation Through Public-Private  
Partnerships  
10.19.19



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Tax Issues in Conservation Easements; Decades of Experience  
in 90 Minutes  
10.12.18

Advanced Appraisals Essentials  
02.06.18

Colorado Tax Credit Update  
03.23.17

Putting Humpty Dumpty Together Again: A Case Study of Fixing  
Orphan Conservation Easements  
03.22.17

How to Get a Colorado Tax Credit  
03.15.16

Amendment Essentials  
03.02.16

25 Years of Land Conservation: Looking Backward and Forward  
03.01.16

Appraisal Essentials  
02.11.16

Incorporating the Value of Ecosystem Services in Legal  
Decision-Making  
02.04.16

Conservation Easements: Basics and New Developments in  
2015  
11.12.15

Incorporating the Value of Ecosystem Services in Legal  
Decision-Making  
06.12.15

Risk Assessment and Problem Solving for Conservation  
Easement Modifications  
09.18.14

Amending Conservation Easements – The 2014 Approach  
03.17.14

Drafting for Perpetuity and Principled Conservation Easement  
Modification  
02.06.14

What Tax Court Decisions Mean for Conservation Easement  
Transactions  
03.12.13

Tax Treatment of Conservation Easements: Navigating the  
Changes



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11.16.12

Understanding the IRS Conservation Easement Audit Guide  
10.02.12

Drafting to Avoid Deduction Challenges  
06.11.12

Translating Tax Court and IRS Decisions to Conservation  
Practice  
03.13.12

Mitigating Oil and Gas Impacts on Urban and Rural Landscapes  
03.02.12

IRS, Tax Court and Difficult Tax Questions  
02.07.11

Internal Revenue Service: A Discussion on Recent Case Law:  
Recent Court Decisions on Conservation Easements  
2011

Tales of the Battle with the Internal Revenue Service  
03.05.10