

# Snell & Wilmer

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## **Mark D. Ohre**

Of Counsel | Phoenix

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## **Main Bio**

Mark Ohre represents clients in a wide variety of industries, including real estate development; renewable energy projects; governmental, healthcare and non-profit credit facilities; public and private secured lending; capital investment; fund formation; renewable energy development and financing; Housing and Urban Development (HUD) projects, New Market Tax Credit financing, commercial leasing, real property sales and acquisitions, master planning for resort, industrial, office and residential developments; entity formation and corporate structure; and all construction-related matters. He has developed strong working relationships with members of the National Indian Gaming Commission, Bureau of Indian Affairs, Bureau of Land Management, Small Business Administration, HUD, Rural Development, Department of Energy and other regulatory entities to address his clients' interests regarding federally enhanced financing and other business ventures that require federal approval. Mark advises corporate entrepreneurs in all stages of development from formation to liquidity and represents participants in every phase of the fund formation and equity raising process.

## **Representative Transactions**

### ***Real Estate***

- Represented renewable energy developer with large PV solar projects including negotiating the power purchase agreement, structuring the tax credit financing and obtaining the necessary entitlements
- Represented vacation ownership and hotel operator in developing projects on Indian lands
- Represented developer in master planning and leasing 640-acre industrial park on Indian lands
- Represented national home builder regarding developing 2,500-acre multifamily housing project on Indian lands
- Represented developer of 100-acre class A office center on Indian lands
- Represented Tribally owned enterprise with over \$100,000,000 financing and construction of a manufacturing plant
- Represented Tribally owned enterprise in master planning 9,000 acres of land, expanding the current airport and developing a resort and other facilities
- Represented casino developers in putting land into trust and developing gaming and resort-related facilities
- Represented national lender and developer in documenting loans, leases and easements governed under Navajo Law, including:

- Low-income housing development within the Navajo Nation
- Loan secured by equipment located within the Navajo Nation
- Loan secured by revenue controlled by the Navajo Nation
- Loan secured by leasehold trust property within the Navajo Nation
- Represented Tribal Gaming Enterprise in master planning, leasing, and developing their casino, resort, and commercial retail projects
- Assisted developer with Cabo, Mexico residential financing and development

### ***Public & Private Finance***

- Represented lender in taxable and tax exempt financing for new spring training facility
- Represented national lenders in numerous casino and resort loans and tax exempt financing, the most recent including the following borrowers:
  - Wild Horse Pass Development Authority, Arizona
  - Tohono O'odham Gaming Enterprise, Arizona
  - The Quechan Indian Tribe, Arizona
  - Tuolumne Band of Me-Wuk Indians, California
  - Yavapai Apache Nation, Arizona
  - The Temecula Band of Luiseno Mission Indians, California
  - The Fort Mojave Indian Tribe, Nevada
  - Colorado River Indian Tribes, Arizona
  - Pascua Yaqui Tribe, Arizona
  - Redding Rancheria, California
- Represented developers on \$100,000,000 loan for large mixed use retail and hotel developer in Scottsdale, Arizona
- Represented national lender on \$300,000,000 unsecured revolving line of credit to non-profit foundation
- Represented national lender on lines of credit to Arizona's community water companies
- Represented national lender on \$60,000,000 secured letter of credit for a non-profit hospital
- Represented southwest solar company on photovoltaic solar facilities throughout southwest including formation of entities and use of New Market Tax Credit (NMTC) and BIA loan guaranty program to finance the projects
- Represented national lender on \$60,000,000 sale of gaming loan portfolio and refinancing of existing casino revenue secured loan
- Represented national lender regarding their distressed \$50,000,000 loan portfolio that was secured by multiple office buildings
- Assisted national wireless companies in developing sites, creating form leases, and working through environmental concerns and the Tower Construction Notification System (TCNS) process

### ***Construction***

- Represented national hospital in developing form construction contracts, architect and design build agreements, service agreements and policies and procedures for construction of clinics, hospitals, surgery facilities, and medical offices

- Documented \$50,000,000 hospital construction project in Phoenix, Arizona
- Documented \$400,000,000 architect agreement for resort owner in Phoenix, Arizona
- Represented commercial developers, hospitals, gaming enterprises, manufacturers, and tenants in documenting their design and construction form contracts
- Represented contractors, architects and subcontracts on projects in Indian country

## **Corporate**

- Formed southwest telecom corporation to build and service broadband and related information projects throughout the southwest
- Formed southwest retail commercial developer, structured multi-state financing for over \$50,000,000 in mixed-use retail projects throughout the southwest
- Formed Distressed Asset and Opportunity Funds and documented their form purchase, assumption and other acquisition documents used in acquiring fund assets

## **Education**

- University of California, Boalt Hall School of Law (J.D.)
  - Associate Editor, The Berkeley Journal of Employment and Labor Law
- Arizona State University (B.S., Accounting)

## **Representative Presentations & Publications**

- Creator and Host of the Snell & Wilmer Distressed Assets Seminar Series
- "Not All Opportunities Are Created Equal: Creating and Investing in Opportunity Funds," Moderator (September 2010)
- "Business Development in Indian Country," Presenter (March 2010)
- "Federal Financing in the 2010 Market," Moderator (February 2010)
- "Leasing in Indian Country," Presenter, CCIM Seminar (February 2004)
- "Galactic-Future Space Being Built Now: Emerging Trends in Development of Multi-Use Projects," Presenter, Arizona State Bar Annual Convention (June 2003)
- "When the Location is Tribal, A new law affects real estate deals in Indian Country," Author, Business Law Today (March/April 2001)

## **Professional Recognition & Awards**

- The Best Lawyers in America<sup>®</sup>, Native American Law (2009-2024)
  - Phoenix Lawyer of the Year, Native American Law (2012, 2021, 2023)
- Volunteer of the Year Award, National Center for American Indian Enterprise Development (1999)
- Profile of the Week, Arizona Business Gazette (April 22, 1999)
- Wiley W. Manuel Award for Pro Bono Legal Services, State Bar of California

## **Community Involvement**

- Volunteer Lawyers Program
- National Center for American Indian Enterprise and Development
- Phoenix Indian Center, Board Member

## **Bar Admissions**

- Arizona

## **Court Admissions**

- Supreme Court of Arizona
- United States District Court, District of Arizona