

Niles W. Holmes. Esq.
Curriculum Vitae
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Introduction

I have participated in various facets of the real estate business since 1984. After receiving my master's degree in real estate from Texas A&M, I was employed as a commercial real estate appraiser and completed all of the educational requirements for the MAI designation. Subsequently, I was employed by a large life insurance company for five years as an investment officer. As a part of my extensive commercial real estate legal experience, I achieved the shareholder level in the Dallas office of Winstead P.C. where I served as a member of the firm's opinion committee and as Chairman of the Real Estate Lending Practice Group. I founded my present law firm in January of 2004. I am a frequent speaker and program coordinator specializing in commercial real estate as outlined below.

Education

Southern Methodist University; Dedman School of Law, Juris Doctor, cum laude, May 1992
Order of the Coif (Top 10%, 17 of 233)
Southwestern Law Journal, Editor; Staff SMU Law Review, Editor;
American Jurisprudence Award – Real Estate

Texas A&M University; Master of Agriculture, Land Economics and Real Estate, May 1984
James Conner Smith Award

Texas A&M University; Bachelor of Science, Animal Science, December 1982
Distinguished Student Award
Ella C. McFadden Scholarship
Alpha Zeta (Agriculture Honor Fraternity)

Awards, Certifications and Honors

Board Certified in Commercial Real Estate Law by the Texas Board of Legal Specialization.
AV Preeminent rating by Martindale Hubbell.
Super Lawyer by Thomson Reuters from 2007 to present.
Best Lawyer and *Best Law Firm in Texas* by the U.S. News and World Report from 2015 to present.

Professional-Legal

Overview

I have counseled lending clients through all of the past real estate cycles and, as a result, have negotiated and documented both loans and workouts for every type of real estate structure and

project. I have extensive, in-depth experience, having closed more than 1,500 loans secured by commercial real estate in all 50 states, with loan sizes ranging from less than \$1 million to in excess of \$280 million.

My clients are primarily commercial institutional lenders, including banks regulated by federal and state agencies. With my clients being active in all national markets, I regularly handle commercial financial transactions collateralized by office, retail, apartment, condominium, senior living, industrial and special use projects in Texas and throughout the United States.

I have documented and negotiated virtually every kind of financing structure, from single projects to multi-property pools, and financing type, such as acquisition, development, construction, bridge or mezzanine.

During a number of downturns and corrections in the real estate economy, I have guided my clients through restructuring with innovative solutions. I have extensive experience in modifications, foreclosures and loan sales.

Niles Holmes PC

January 2004 to Present

Law Firm

Founding Partner and President

Niles Holmes PC was formed in January of 2004 as a boutique real estate law firm to provide more specialized legal representation to financial institutions on a national basis for their commercial real estate lending and servicing requirements. Niles Holmes PC was named as a *Best Law Firm in Texas* by the U.S. News and World Report from 2015 to present.

Winstead PC

March 1994 to January 1995 and
January 1998 to January 2004

Law Firm

Shareholder

Associate

Winstead PC is a Texas based national full service law firm. I achieved the status of shareholder in the Dallas office of the real estate section of Winstead P.C. where I served as a member of the firm's opinion committee and as Chairman of the Real Estate Lending Practice Group.

Irons & Holmes P.C

January 1995 to January 1998

Law Firm

Founding Partner

Irons and Holmes PC was formed in January of 1995 as a boutique real estate law firm to provide more specialized legal representation to financial institutions on a national basis specializing in small business administration lending and hospitality industry lending, acquisitions and dispositions.

PMC Capital, Inc.

November 1993 to March 1994

PMC Commercial Trust

General Counsel

Primarily engaged in the closing and servicing of commercial real estate loans for a \$100 million publicly traded company and a \$50 million publicly traded real estate investment trust.

Supervision and management of a seven person closing department.

Johnson & Gibbs, P.C.

December 1991 to November 1993

Law Firm
Associate

Johnson & Gibbs, P.C was a Texas based national full service law firm. I achieved the status of associate in the Dallas office of Johnson & Gibbs, P.C. where I served as a member of the real estate section and participated in all aspects of commercial real estate.

Professional-Business

John Hancock Financial Services

January 1985 to September 1989

Agricultural Investment Department
Dallas, Texas
Agricultural Investment Officer

Real Estate Appraisal.

The completion of more than 100 appraisals of farms, ranches, orchards, feed lots and industrial properties.

Agribusiness Investment Group.

Participation in a national internal five member group which resulted in the origination of over \$40 million in loans to large agribusiness concerns.

Workouts and Restructures.

Workout and restructure of more than one hundred loans including foreclosures and related bankruptcies

Loan Portfolio Management.

The ongoing management of a loan portfolio consisting of hundreds of loans with an aggregate principal balance over 4100 million in a five state geographical area.

Sales, Management and Investment Analysis.

Responsibility for the management and sales of all acquired assets. The programming of Lotus 1-2-3 based investment analyses.

J. R. Kimball, Inc.

May 1984 to January 1985

Commercial Real Estate Fee Appraiser

Commercial Real Estate Appraisal.

Appraisal of most types of commercial real estate including apartments, office buildings, raw land, mini warehouse, residential subdivisions and industrial properties.

Discounted Cash Flow Analysis.

Programming of discounted cash flow analysis programs in Lotus 1-2-3 for a wide variety of types of commercial real estate projects.

Education requirements.

Satisfaction of all educational requirements for both the MAI and ARA appraisal designations.

Professional-Academic

Professional Continuing Legal Education

Author/Speaker, Program Coordinator, Modification and Workout Documentation: This Time It's Contagious, Mortgage Lending Institute, University of Texas School of Law (September 2020)

Author/Speaker, What's Really Negotiable in Lender Transactions? (What a lender wants!:What a borrower needs!), Advanced Real Estate Drafting Course (August 2020)

Author/Speaker, Program Coordinator, How to Lose a Client With 10 or More Outdated Loan Provisions!, Mortgage Lending Institute, University of Texas School of Law (September 2020)

Author/Speaker, HVCRE Changes and Other Federal Codes, Restrictions and Guidelines to Commercial Real Estate Lending, Mortgage Lending Institute, University of Texas School of Law (September 2018)

Author/Speaker, Financial Covenants for Commercial Real Estate Lending Transactions, Mortgage Lending Institute, University of Texas School of Law (October 2012)

Author/Speaker, Evolving Loan Structures, Mortgage Lending Institute, University of Texas School of Law (September 2011)

Author/Speaker, Drafting Creative Financing Documents, Advanced Real Estate Drafting Course (March 2011)

Author/Speaker, Real Estate Workouts, Advanced Real Estate Drafting Course (March 2010)

Author/Speaker, Commercial Lending Coordinator, Financial Covenants for Lawyers, Advanced Real Estate Law Course (July 2004)

Author/Speaker, Preforeclosure Documentation II (This time it is getting personal!), Advanced Real Estate Drafting Course (March 2004)

Author/Speaker, Commercial Lending Coordinator, Workouts in the 21st Century, Advanced Real Estate Law Course (July 2003)

Author/Speaker, Program Coordinator, Preforeclosure Documentation, Advanced Real Estate Drafting Course (March 2003)

Author/Speaker, Form of Lender's Texas Title and Survey Objection Letter, Advanced Real Estate Drafting Course (March 2002)

Author/Speaker, Texas Annotated Deed of Trust, Mortgage Lending Institute, University of Texas School of Law (October 1999)

Author, Purchase and Sale Agreements, CLE International (October 1994)

University-Adjunct Faculty and Graduate Teaching Assistant

Texas A&M University-Commerce (formerly East Texas State University) Spring 1997
Commerce, Texas
Adjunct Faculty
AEC 340 Agricultural Finance

Texas A&M University Spring 1984
College Station, Texas
Graduate Teaching Assistant
AGEC 605 Rural Appraisal

Texas A&M University Fall 1983
College Station, Texas
Graduate Teaching Assistant
AGEC 325 Farm and Ranch Management

Professional Memberships & Affiliations

State Bar of Texas
Dallas Bar Association
Southwest Association of Bank Counsel
The College of the State Bar of Texas
American College of Mortgage Attorneys, Fellow
The Real Estate Council
Society of Texas A&M Real Estate Professionals

Community & Civic Involvement

Lakepointe Church, Rockwall, Texas
Rockwall A&M Club
Dallas A&M Club