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**Kate W. Millikan**  
*Senior Counsel*

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**Area of Emphasis**

Kate Millikan is Senior Counsel in the Corporate and Commercial Group and practices out of Babst Calland's Harrisburg office. She advises clients on a variety of complex transactions and development matters involving real estate, with a particular focus on the sale, acquisition, financing, and development or redevelopment of multi-unit residential, commercial, industrial, and mixed-use projects.

Ms. Millikan brings significant experience in guiding diverse, large-scale, multi-faceted development projects from start to finish, delivering practical, business-minded legal counsel tailored to the client's objectives and goals. She routinely advises developers, builders, and investors on strategic planning and financing considerations, facilitating approvals for land-use and development, and managing complex real estate transactions from inception through settlement.

Her knowledge and experience in land use matters enables her to effectively assist in the preliminary planning and final stages of real estate acquisition and development, including MPC and SALDO compliance, the resolution of zoning concerns, drafting of amendments to municipal ordinances, and representing clients in Special Exception, Conditional Use, and Variance matters. She appears before municipal boards and commissions, and routinely works directly with municipal officials, solicitors, engineers, surveyors, and local authorities in negotiating agreements and addressing concerns that arise in connection with obtaining the approvals for a project.

Ms. Millikan's profound experience in and understanding of the statutory requirements and practical application of Pennsylvania's Uniform Condominium Act and Uniform Planned Community Act is essential in today's high-density commercial and residential real estate market.

She regularly assists national and regional developers, builders, lenders, and real estate investors navigate and negotiate the declarations, easements, covenants, restrictions, and ancillary documents governing these condominium and planned community statutory frameworks. Her experience in this niche area of the law includes the initial creation, implementation, and subsequent modification of all such documents associated with master plan developments, industrial or office parks, commercial condominium projects, age-restricted residential communities, traditional neighborhood developments, and mixed-use planned developments featuring single family housing, multifamily housing, recreational facilities, and commercial use establishments. Ms. Millikan routinely assists developers and builders mitigate risk throughout the development of these multi-unit projects, including advising on matters related to administration and the transfer of control of an association to unit owners. In addition, this experience extends to representing clients in transactions involving the sale, acquisition, financing, and leasing of commercial condominium units.

Ms. Millikan's work regularly involves complex title analysis and due diligence analysis of small and large real estate interest holdings for lenders, investors, mergers and acquisitions, as well as the resolution of title issues concerning property boundary discrepancies, ownership interests, tax assessment, easements, restrictions, and covenants.

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Her background also includes representing national and regional clients in commercial leasing matters involving retail, restaurant, office, shopping center, and logistics facility space; the acquisition or disposition of diverse real estate holdings; complex due diligence matters involving real estate interest holdings associated with financing, a corporate merger, or reorganization; the negotiation of joint development agreements; and the negotiation of other complex agreements involving financing between private parties.

### **Representative Matters**

- Represented a publicly traded national retailer concerning their leasehold interests throughout the United States.
- Represented trustee in connection with their development of a master planned mixed-use project featuring more than 900 residential units and more than 400,000 square feet of commercial space targeted for health care, medical, and research facilities, as well as hotel, restaurant, retail, and childcare uses.
- Represented real estate investors in their implementation and development of a low-density, luxury, 4,000 acre gated residential planned community project in Carbon County, Pennsylvania, featuring diverse resort-style amenities and a partnership with the Wildlands Conservatory to commit 2,541 acres for conservation.
- Represented industrial developer in the sale of their real estate interests in five contiguous parcels measuring more than 220 acres and their subdivision and land development approvals for the development of 1.8 million square feet of warehouse space to a national real estate investment trust.
- Represented a real estate investment trust in the subdivision and sale of developed outparcels of their grocery-store anchored shopping centers in Pennsylvania.
- Represented Central Pennsylvania mixed-use developer from inception through ongoing development of their numerous Master Association and Planned Community projects located in Allegheny, Butler, Dauphin, Cumberland, York, and Lancaster Counties.
- Represented Maryland based developer in their redevelopment of mall complex and the implementation of a Master Declaration and Condominium Declaration for the financing of new construction and restructuring of land ownership.
- Acted as Pennsylvania local counsel in preparing an opinion letter provided to facilitate the financing for the acquisition of multiple parcels located in an industrial park complex by 13 special purpose entities created for transaction.
- Represented growing restaurant chain in the negotiation of new leasehold interests and leasing matters located throughout the United States.
- Represented regional developer in the land use approvals for and implementation of an age restricted planned community and adjacent multifamily condominium project as well as the negotiation of the governing declaration documents with exclusive residential builder for the project and purchaser of the multifamily aspect of the project.
- Represented developer in all aspects relating to the subdivision and redevelopment of dilapidated industrial sites and subsequent sale of lots approved for either hotel, retail, restaurant, or multifamily development.

### **Background**

Ms. Millikan has been practicing real estate law since 2015. Prior to joining Babst Calland, she worked for a large Pennsylvania based firm, where she served as the lead legal consultant on multiple complex Master Association, commercial condominium, and planned community development projects located throughout Pennsylvania, and as lead counsel on a variety of multi-million dollar real estate transactions. During her career she also practiced as an associate in the real estate and land use group of a national firm ranking among the AM Law 50 top law firms in the United States.

Ms. Millikan earned her Juris Doctor in May 2015 from The Pennsylvania State University Dickinson School of Law and earned her B.A. in Humanities and Communications in 2011 from The Pennsylvania State University. During law school, she was recipient of the Joseph Leyburn Kramer Award for Academic Performance and the

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International Academy of Trial Lawyers Award for Distinguished Achievement in the Art and Science of Advocacy, admitted to the national Order of Barristers for excellence in oral and trial advocacy, captain of the 2015 National Trial Team, and Semi-Finalist at the Regional Advocacy Trial Competition hosted in Philadelphia, Pennsylvania. She also served as Head Student Representative, and subsequently, Lead Operations Coordinator in 2016 and 2017, for the IRS sponsored VITA tax preparation program hosted at The Dickinson School of Law.

In 2019, she was a Harrisburg's Finest Honoree, an award bestowed by the Cystic Fibrosis Foundation of Central Pennsylvania to young professionals demonstrating excellence in their profession and commitment to their community.

### **Memberships and Affiliations**

Ms. Millikan is admitted to practice in Pennsylvania. She is also admitted to practice before the United States District Court for the Middle District of Pennsylvania, and in August 2017, was admitted pro hac vice before the United States District Court for the District of New Jersey. Ms. Millikan is a member of the Dauphin County Bar Association, the Pennsylvania Bar Association's Women in the Profession Committee, and the Pennsylvania Bar Association's Real Property, Probate & Trust Law Section. She is also an active volunteer and participant in the peer-to-peer network outreach program for the Lawyers Concerned for Lawyers (LCL) organization of Pennsylvania.