

David J. Tshudy

Partner

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Commercial and industrial real estate developers from around the nation rely upon David's pragmatic, creative, and friendly approach, and clients benefit from David's vast experience in real estate transactional and land use law.

OVERVIEW

David represents national and regional real estate developers and investors of industrial, energy, data center, health care, retail, and mixed-use projects through the entire real estate development process, including land control and acquisition, zoning, subdivision and land development approvals, construction financing, condominium and reciprocal easement creation, leasing, and disposition.

In David's transactional real estate practice, he regularly leads teams through deals involving options, ground leases, purchase and sale agreements, construction loan documents, mortgage enforceability opinion letters, reciprocal easement agreements, utility extension agreements, and joint venture agreements. In his land use practice, David represents and supervises the representation of clients before municipal governments, municipal authorities, planning commissions, and zoning boards to secure rezoning, zoning, and land development permits and approvals. Having been a licensed title agent, clients trust David to resolve complex real estate title matters and negotiate advantageous title insurance coverage for each unique transaction.

In addition, institutional owners and users of real estate such as big box and discount retailers, colleges, private schools, health care providers, amusement parks, and national restaurants, and their franchisees call upon David and the teams he assembles to manage their day-to-day real estate matters including acquisitions and sales, leasing, due diligence, and zoning and land development approvals.

REPRESENTATIVE MATTERS

- Advised a publicly traded national energy infrastructure developer in the acquisition of nearly 200 acres from 12 different property owners as well as the zoning and land development approvals for an \$800 million natural gas liquefaction plant. Acted as Pennsylvania counsel in a financing transaction in which a mortgage was placed on the property.
- Represented the trustee of a multibillion dollar charitable trust in all aspects of a master-planned mixed-use project located adjacent to a hospital and medical school campus that will include more than 400,000-square-feet of commercial space, of which 150,000 will be used as health care, medical, and research facilities, and more than 900 residential units. In this matter, David led the team advising the client on zoning approvals,

multiple land development plan approvals, utility extensions, condominium creation, ground leasing of units for commercial uses including hotel, restaurant/music venue, research facility, and child care center uses, and a joint venture with a multifamily developer.

- Advised a California-based industrial real estate investor and developer in the acquisition of more than 400 acres for the development of nearly three million-square-feet of warehouse space in multiple joint ventures with the existing property owners and in its purchases of more than 700,000-square-feet of constructed and leased buildings.
- Represented the nation's largest tuition-free school for disadvantaged children in the rezoning and land development approvals for a 200-acre expansion of its student residential facilities.
- Advised a North Carolina-based national retail and industrial developer as Pennsylvania counsel in multiple matters involving zoning and land development approvals, acquisition due diligence for title and land use, public utility extensions, and mortgage enforceability opinion letters.
- Represented a regional industrial developer in the land control of five contiguous parcels measuring more than 220 acres, rezoning of the property, conditional use approval, and subdivision and development plan approval to allow for the development of 1.8-million-square-feet of warehouse space, and the sale of the project to a national real estate investment trust. In this transaction, David also advised the client in a complex cost sharing agreement with another developer to pay for the extension of public water and sanitary sewer service to the property.
- Represented the owner of a nationally known amusement park in the redevelopment of the park's entrance including street vacations, drafting and negotiation of reciprocal easement agreements with neighboring property owners and the municipality, complicated title issues, and subdivision and land development plan approvals.
- Represented a Pennsylvania-based developer in a joint venture with a New Jersey-based partner in a two-phase sale of a fully-entitled 1.8-million-square-foot industrial project located in Mansfield Township, NJ.
- Advised an international renewable energy developer in the leasing and purchase of sites and easements for the development of large-scale solar facilities.
- Represented a publicly traded real estate investment trust specializing in grocery-store anchored shopping centers in the subdivision and sale of developed outparcels.

AWARDS

- *Best Lawyers in America*®: "Lawyer of the Year" in Real Estate Law (2025), Real Estate Law (2021-2026)
- *Legal 500 United States*: Real Estate: Land Use/Zoning (2025)
- Thomson Reuters Stand-out Lawyer (2019-2021) – independently rated lawyers

TOP AREAS OF FOCUS

- Land Use + Zoning
- Real Estate

ALL AREAS OF FOCUS

- Automotive
- Energy Real Estate Transactions
- Food + Beverage
- Health Care Real Estate
- Investment, Acquisition + Disposition
- Land Use + Zoning

- Real Estate
- Real Estate Finance
- Real Estate Joint Ventures + Investments
- Retail

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, American, Pennsylvania, Lebanon County and Dauphin County Bar Associations
- Member, Central PA Regional Satellite Council and Policy and Land Use Council, Urban Land Institute
- Associate member, Greater Harrisburg Association of REALTORS
- Past chair, Lebanon County Young Lawyers Division
- Assistant counsel, Pennsylvania Legislative Reapportionment Commission, 2001

EDUCATION AND CERTIFICATIONS

EDUCATION

- Penn State Dickinson Law, J.D., 2000, member, Woolsack Honor Society and Appellate Moot Court Board
- Wagner College, B.A., *cum laude*, 1996, political science and government

BAR ADMISSIONS

- Pennsylvania

COURT ADMISSIONS

- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, Middle District of Pennsylvania

CLERKSHIPS

- Hon. Senior Justice Frank J. Montemuro, Jr., Superior Court of Pennsylvania, 2000-2001

SPEAKING ENGAGEMENTS

- Speaker, "Avoiding Deal Killers in Real Estate Sale and Purchase Transactions," BARBRI, October 16, 2025.
- Speaker, Pennsylvania Real Estate Development Law Seminar, May 6-15, 2025.
- Presenter, Pennsylvania Real Estate Development Law Seminar CLE, May 2024.
- Co-presenter, "Structuring Complex Easement Agreements," CLE Webinar, Strafford, December 13, 2023.