

# Kimberly K. Enders

## SENIOR COUNSEL

Chicago

312.845.3410

[kenders@chapman.com](mailto:kenders@chapman.com)



Kim Enders is senior counsel in Chapman's Commercial Lending Group and a member of the Banking and Financial Services Department. Kim has been practicing law since 1985 and has more than 30 years of transactional experience and a broad range of experience in lending and real estate matters. She represents bank and non-bank lenders in documenting commercial real estate loans, commercial and industrial loans, facilitating asset-based financings, and sales and dispositions of multifamily and commercial real estate. Her real estate experience includes resolving repayment of existing loans through loan sales and assignments, modifications, workouts, forbearance, settlement, deeds in lieu of foreclosure, and foreclosure. Kim also works with clients on acquisition and leasing transactions. In 1982, Kim passed the Certified Public Accountant exam.

## Representative Matters

Kim's prior experience includes the representation of clients in the following matters:

- Counsel to indenture trustee in connection with the restructuring of \$250 million of bonds issued by All Year Holdings Ltd. and secured by one of two residential apartment buildings that comprise The Denizen, a 911-unit complex in Brooklyn, New York
- Counsel to a joint venture comprising of a waste hauler, project contractor and technology provider obtaining \$25 million industrial bond financing to fund a waste management and treatment facility with innovative technology in West Virginia
- Counsel to agent bank in a \$97.5 million facility to a credit card debt purchaser

## Admitted

Illinois

## Education

University of Illinois College of Law, J.D., 1985

University of Illinois at Urbana-Champaign, B.S., 1982

## Practice Focus

Asset-Based Lending

Banking and Financial Services

Commercial Lending

Commercial Lending and Real Estate

Real Estate

- Counsel to lender in connection with four loans to affiliated Wisconsin nursing homes, including subordination of seller financing, regulatory license requirements, cross-collateralization and cross-default provisions, subordinated operating leases, organization due diligence and title and survey matters
- Counsel to purchasers in connection with the acquisition of a retail property in Minneapolis, Minnesota and an industrial building in South Chicago Heights
- Counsel to lender in connection with a \$7.5 million construction loan for a self-storage facility in Los Angeles, California
- Counsel to landlord drafting and negotiating restaurant, retail and office leases and early termination agreements and defending constructive eviction case
- Counsel to lender in connection with \$9.7 million construction loan for office and retail building in the Fulton Market area, Chicago
- Counsel to lender drafting and negotiating \$12 million loan for a portion of a mixed-use retail and office facility financed with two other lenders, including an SBA loan provider, necessitating cross easements for access and parking and resolving complex real estate tax, title and survey issues in connection with division of the property into three parcels
- Counsel to property owner in connection with real estate tax overpayments and refunds
- Counsel to lender in connection with loan to member of a medical facility to finance capital contribution secured by an assignment of membership interests
- Counsel to a lender in connection with a multi-loan transaction to provide acquisition and operating loans, including revolving line of credit, capital expenditures line of credit, and secured mortgage loan for a manufacturer of liquid gas container truck trailers
- Represented lender in connection with extension of defaulted credit and a forbearance and deed in lieu of foreclosure agreement for a nursing home facility
- Represented lender in connection with a foreclosure of a warehouse facility with affiliated lease issues
- Counsel to borrower in connection with a \$50 million revolving asset-based loan to a retail goods manufacturer, including an assignment of trademark licenses and licensor consents

## Memberships

Chicago Mortgage Attorneys Association

Commercial Real Estate Women, Chicago Chapter

Real Estate Finance Forum

## Notable Engagements



### **\$506 Million Sale of New York Residential Apartment Buildings**

December 2021

Chapman served as US counsel to Mishmeret Trust Company Ltd., an Israel-based trustee, in connection with the restructuring of \$250 million of bonds issued by All Year Holdings Ltd. and secured by one of two residential apartment buildings that comprise The Denizen, a 911-unit complex located on the site of the former Rheingold Brewery in the Bushwick neighborhood of Brooklyn, New York.