Kenneth M. Jacobson

Senior Counsel

Real Estate

Chicago Office | +1.312.902.5445

kenneth.jacobson@katten.com

Commercial real estate investors trust Kenneth Jacobson to guide them through high-dollar transactions in all kinds of economic environments. He helps capital providers like real estate investment trusts (REITs), commercial banks, insurance companies and investment funds invest in commercial real estate through a world of different product types and investment structures. Thanks to a rigorous focus on issues that matter, Ken executes deals with maximum efficiency.

Staying focused on client needs

Ken has a well-honed ability to distinguish between peripheral issues that drain the time and energy of all parties, and deal terms that truly affect his clients' interests. He keeps his attention fixed on the latter. Together with his organizational skills and attention to process management, he is able to put his advice into action quickly.

In markets good and bad, Ken uses investment structures and product types that meet his clients' needs. His deals involve most sectors of the commercial real estate market, including offices, hotels, multi-family apartments, industrial buildings and mixed-use facilities.

Representative Experience

- Represent purchaser and ground lessee in acquisition of improvements and leasehold interest of Southeastern US office building and related borrowing of a leasehold mortgage loan.
- Represent secured lender in conversion of loan to preferred equity investment in the owner of a multi-state lodging portfolio.
- Represent mezzanine lender in mezzanine financing for urban cooperative apartment conversion project.
- Represent mortgage lender in construction mortgage financing for Southeastern US hotel and condominium resort community development.
- Represent borrower in mortgage financing of national credit tenant lease portfolio.

Practices

- Real Estate
- Real Estate Acquisitions, Dispositions and Joint Ventures
- Real Estate Finance and Lending

Education

- JD, Stanford University Law School
- BA, University of Illinois

Bar Admissions

- Illinois

Professional & Community Involvement

- American Bar Association
- American College of Real Estate Lawyers, Past–President
- The Chicago Bar Association
- Urban Land Institute
- Working Group on Legal Opinions Foundation, Advisory Board Member

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- Represent purchaser in acquisition of commercial real estate assets of, and real estate lending business from, US commercial real estate lender.
- Represent preferred equity investor in residential condominium development project in Eastern United States.
- Represent borrower in mortgage financing for US-leased fee estate portfolio.
- Represent mortgage lender as repurchase line of credit facility seller in repurchase financing facilities.
- Represent borrower in subscription financing line of credit for investment fund.
- Represent mortgage lender in restructuring and assumption of mortgage loan on Midwestern hotel.
- Represent warehouse lender in warehouse line of credit to brownfields mortgage lender.
- Represent seller in disposition of Western US hotel portfolio.
- Represented purchaser in acquisition of approximately 1.1 million acres of US timberland and related debt and equity capitalization. Represent seller in subsequent disposition of the acquired properties.
- Represent equity investor in disposition of condominium development project and related formation of development venture with preferred equity and common equity capitalization for Southeastern US property.
- Represent ground lessor in sale of improvements and ground lease of land pertaining to mid-Atlantic office building.
- Represent ground lessor in sale of improvements and ground lease of land pertaining to Midwestern office building and garage facility.
- Represent purchaser of ground lessor's interest in Western US multifamily and mixed-use project.
- Represent borrower in mortgage financing of US portfolio of ground lessor's ground lease interests.
- Represent ground lessor in ground lease of to-be-constructed multifamily project in Western United States.

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Recognitions

Recognized or listed in the following:

- *Best Lawyers in America*
  - Real Estate Law, 2005–2027
- *Chambers USA*
  - Top Ranked, 2003–2007
- *Super Lawyers*
  - Illinois, 2006–2027
- *The International Who's Who of Real Estate Lawyers*
  - 2014
- *The Legal 500 United States*
  - Recommended Attorney, 2011, 2017
- Lexology Index
  - Real Estate, 2017

News

- Katten Attorneys Recognized in 2027 *Best Lawyers* Guide (August 20, 2026)
- Katten Advises CleanSpark on Acquisition and Commencement of Development for Additional AI Data Center in Texas (March 12, 2026)
- Katten Attorneys Named to 2026 Illinois Super Lawyers, Rising Stars Lists (January 21, 2026)
- Katten Celebrates 101 Attorneys Honored by *Best Lawyers*® (August 21, 2025)
- Katten Represents Airtron in Acquisition of Viccarone (May 15, 2025)
- Katten Represents Airtron in Acquisition of Tucson Peach (May 14, 2025)
- Katten Attorneys Selected for 2025 Illinois Super Lawyers, Rising Stars Lists (January 31, 2025)
- Mondaq's Autumn 2024 Thought Leadership Awards Honor Katten Authors (November 15, 2024)

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- Katten Attorneys Recognized as *Best Lawyers*® and *Best Lawyers: Ones to Watch*® Award Recipients (August 15, 2024)
- Katten Attorneys Named to 2024 Illinois Super Lawyers, Rising Stars Lists (January 25, 2024)
- Katten Attorneys Distinguished by *Best Lawyers*® (August 17, 2023)
- Katten Attorneys Selected to 2023 Illinois Super Lawyers, Rising Stars Lists (January 24, 2023)
- Katten Attorneys Recognized by *Best Lawyers*® (August 18, 2022)
- Katten Attorneys Named to 2022 Illinois Super Lawyers, Rising Stars Lists (January 28, 2022)
- Katten Attorneys Listed in *The Best Lawyers in America*® (August 19, 2021)
- Katten Attorneys Chosen for 2021 Illinois Super Lawyers, Rising Stars Lists (January 29, 2021)
- Katten Attorneys Distinguished as Top Legal Talent in the 2021 *Best Lawyers in America* and *Best Lawyers: Ones to Watch* Lists (August 20, 2020)
- Katten Attorneys Selected to 2020 Illinois Super Lawyers, Rising Stars Lists (January 29, 2020)
- Super Lawyers Lists Honor More Than 50 Katten Attorneys in Illinois (January 24, 2019)
- Katten Attorneys Recognized in 2018 Illinois Super Lawyers, Rising Stars Lists (January 25, 2018)
- Katten Distinguished by *The Legal 500 United States* 2017 (May 31, 2017)
- Katten Attorneys Recognized in 2017 Illinois *Super Lawyers*, Rising Stars Lists (January 13, 2017)
- 79 Katten Attorneys Selected for *Best Lawyers in America*® 2017 (August 15, 2016)
- Forty-Seven Katten Attorneys Recognized in 2016 Illinois *Super Lawyers* List (January 8, 2016)
- 91 Katten Attorneys Recognized in *Best Lawyers in America*® 2016 (August 17, 2015)
- Katten Represents Ivanhoe Cambridge and Callahan Capital Properties in $2.2 Billion Office Building Acquisition (January 16, 2015)

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- Fifty-Three Katten Attorneys Recognized in 2015 Illinois *Super Lawyers* List (January 12, 2015)
- 85 Katten Attorneys Named to *Best Lawyers in America*® 2015 (August 18, 2014)
- Fifty-Four Katten Attorneys Recognized in 2014 Illinois *Super Lawyers* List (January 13, 2014)
- 83 Katten Attorneys Lauded in *Best Lawyers in America*® 2014 (August 15, 2013)
- Sixty-Nine Katten Attorneys Included on 2013 Illinois *Super Lawyers* List (January 4, 2013)
- 80 Katten Attorneys Named to *Best Lawyers in America*® 2013 Guide (August 24, 2012)
- Eighty-Six Katten Attorneys Named 2012 Illinois Super Lawyers (February 28, 2012)
- 75 Katten Attorneys Named to *Best Lawyers in America*® 2012 Guide (September 12, 2011)
- 70 Katten Attorneys Named to *Best Lawyers in America*® 2011 (August 9, 2010)
- Four Katten Practices Recommended by *Legal 500* in 2010 US Edition (June 14, 2010)
- 66 Katten Attorneys Named to 2010 List of *Best Lawyers in America*® (August 5, 2009)
- 50 Katten Attorneys Named to 2009 List of *Best Lawyers in America*® (September 23, 2008)
- 46 Katten Attorneys Named to 2008 List of *Best Lawyers in America*® (October 31, 2007)
- Katten Lands 15 Practices and 28 Attorneys in *Chambers USA* Guide (June 15, 2007)
- Katten Lands 12 Practices and 24 Attorneys in *Chambers USA* Guide (June 7, 2006)

Publications

- Update: Federal District Court Vacates FinCEN's Final Residential Real Estate Rule (March 25, 2026)
- New Reporting Requirement Under FinCEN's 'Residential Real Estate Rule' in Effect as of March 1, 2026 (March 12, 2026)

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- Katten's Real Estate Group Authors Two Articles Appearing in *The Banking Law Journal* (January 28, 2025)
- Basel III Endgame: Will Banks Have to Increase Their Capital Requirements? (September 13, 2024)
- *ESG Guidepost* | Issue 13 (April 2024)
- Corporate Transparency Act Found Unconstitutional (for Specific Plaintiffs) (March 4, 2024)
- Issues to Consider in the Purchase and Sale of a Ground Leased Fee Estate (With Form) (September 2020)
- Enforceability of Distressed Mortgage Loan Pre-Negotiation Agreements (October 7, 2011)
- Court Invalidates Foreclosures Based on Ineffective Mortgage Assignments (March 11, 2011)
- Illinois Appeal Courts Affirm Mortgagee's Right to Appointment of a Receiver (August 6, 2010)
- No Second Chances for 'Bad Boys': Court Holds Non-Recourse Carve-Out Enforceable (December 4, 2009)
- *Destiny v. Citigroup*—What It Means for Lenders (August 4, 2009)
- Vested Rights in Zoning Classifications (November 28, 2008)
- Implications of the Lehman Bankruptcy Entities on Multi-Lender Financings (September 2008)
- Appellate Court Requires Strict Compliance with Terms of Lease Termination Option (August 22, 2008)
- Proration of Property Taxes and the Merger Doctrine (May 17, 2007)

Presentations and Events

- Working Group on Legal Opinions Session (October 30, 2018) | *Panelist* | *A National Opinion Practice: How Far We Have Come and Next Steps*
- American College of Real Estate Lawyers 2018 Annual Meeting (October 19, 2018) | *Panelist* | *Possession Isn't Nine-Tenths of the Law: Sophisticated Ground Lease Transaction Trends*
- American College of Real Estate Lawyers 2017 Annual Meeting (October 21, 2017) | *Panelist* | *Keeping Your Interests Secure: UCC Article 9 Opinion Practice for 'Dirt' Lawyers (It's Harder Than It Looks)*

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- Commercial Real Estate Financing 2016 (April 4–5, 2016) | *Panelist* | *Legal Opinions*
- Commercial Real Estate Financing 2015 (April 9–10, 2015) | *Speaker* | *Opinions of Counsel*
- Commercial Real Estate Financing 2014 (March 20–21, 2014) | *Speaker* | *Joint Ventures as a Financing Vehicle*
- 9th Annual Real Estate Short Course (October 22, 2013) | *Speaker* | *Legal Opinion Letters*
- Bridging the Capitalization Gap: My Loan Is Due, Now What Do I Do? – Preferred Equity, Mezzanine Financing and Second Mortgages (September 18, 2013) | *Speaker*
- 24th Annual Spring CLE Symposia (May 2–3, 2013) | *Speaker* | *Bridging the Gap: My Loan Is Due, Now What Do I Do?*
- Chicago Mortgage Attorneys Association (November 16, 2011) | *Speaker* | *New Developments in Legal Opinion Practice*
- Working Group on Legal Opinions (October 19, 2010) | *Panelist* | *Proposed Report on Customary Practice: Process for Building Consensus*
- ALI-ABA CLE (September 21, 2010) | *Speaker* | *Real Estate Opinion Letters: Is There an Emerging National Customary Practice?*
- Real Property Young Lawyers Institute: Practice Essentials (May 7, 2010) | *Speaker* | *What a Real Estate Lawyer Needs to Know About Entities*
- 2010 Mid-Year Meeting of the American College of Real Estate Lawyers (March 13, 2010) | *Panelist* | *Annotated Finance Opinion Letter Project*
- Working Group on Legal Opinions, Spring Meeting (May 19, 2009) | *Panelist* | *Real Estate Legal Opinion Practice: Selected Issues*
- 20th Annual Spring Symposia (April 29–May 1, 2009) | *Speaker* | *Toward an Emerging Consensus in Real Estate Legal Opinion Practice*