

Melanie R. Clark

Partner

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Melanie Clark is a real estate transactional attorney, routinely advising clients on all aspects of large-scale real estate projects, including acquisition and disposition of land, leasing, financing, and project development. She is a partner in the firm's Corporate and Real Estate Practices and is based in the Salt Lake City office.

Melanie assists large and small real estate developers in acquiring and developing new projects, managing and leasing existing projects, and reconfiguring obsolete projects. She has worked with developers on a wide variety of real estate endeavors, including condominium hotels, mixed use subdivisions, industrial sites, timeshare programs, and fractional ownership clubs. Her experience also includes providing legal counsel with initial land acquisition, financing, and entitlements to construction completion and operation or sale.

Representative Experience*

- Negotiated acquisitions, sale, and financing of multiple apartment projects with 100+ units.
- Represented buyer in negotiating, documenting, and closing on purchase of portfolio with properties in ten jurisdictions, including performing related due diligence review of properties.
- Represented seller in negotiating and documenting sale of twelve restaurant properties.
- Represented various clients in drafting and negotiating leases for office, retail, industrial, and mixed-use premises.
- Represented multiple investors in acquisition of solar project portfolios, including performing due diligence on properties in up to 14 jurisdictions.
- Researched licensing laws in all 50 states and advised on best practices for real estate licensees.
- Prepared declarations of covenants, conditions and restrictions and related governing documents for commercial and residential condominium and subdivision projects.
- Created form purchase contracts for sale of units in condominium hotels.
- Represented multiple developers of fractional interest projects, including preparing project and sales documents and registering projects with state real estate departments.

- Researched regulatory structure, requirements and penalties in all 50 states for timeshares, exchange companies and short-term vacation products.
- Drafted and negotiated easement and encroachment agreements for residential and commercial properties.
- Obtained zoning approvals for large retailer.

**Certain of these matters were handled prior to joining Foley.*

Awards and Recognition

- Recognized by peers for inclusion in *The Best Lawyers in America*® – Real Estate Law (2024)
- Selected as one of “America’s Leading Lawyers for Business” (Utah) by [Chambers USA](#) (currently: Real Estate), 2020–2023
- Listed among Rising Stars (Real estate), Mountain States [Super Lawyers](#)®, 2014–2015, 2017–2019
- Included in *Utah Business Legal Elite*, 2020
- S. J. Quinney College of Law, Adjunct Professor, Real Estate Drafting, Spring 2019–present

Affiliations

- Real Property Section CLE Committee, Utah State Bar, 2014–2015

Presentations and Publications

- Co-presenter, “Structuring Your Deal Now to Plan for the Exit 15 Years Later,” 24th Annual Utah Housing Matters Conference (September 2020)
- “Title Insurance Dissection – Real World Examples,” NBI Seminar, Salt Lake City, Utah (May 2019)
- “Spotting and Fixing Complicated Title Commitment Issues,” NBI Webinar (January 2019)
- Co-author, “New Utah Law Prohibits Unequal Treatment for Rental Units by Homeowners Associations”, Ballard Spahr LLP Real Estate Law Blog (May 2015)
- “Form Based Zoning,” Utah State Bar Annual Convention, Snowmass, Colorado (July 2013)

Sectors

- [Energy](#)
- [Hospitality & Leisure](#)

Practice Areas

- [Corporate](#)
- [Real Estate](#)

Education

- University of Utah, S.J. Quinney College of Law (J.D., highest honors, 2007)
 - Executive Editor, *Utah Law Review*
 - Member, Order of the Coif
- Utah State University (B.S., cum laude, 1999)

- Vice President, Pi Sigma Alpha
- Recipient, Merrill Scholarship

Admissions

- Utah