

Nomination Form

Section Representative to the Board of Directors

Term 2017-2020

Please limit Nomination Information to 4 pages

- 1) Provide your candidate's name, affiliation and full contact information, including email address and phone:
- 2) I am nominating this person as a LARGE Section Representative to the Board of Directors. (There are currently two open positions for Large Section Representatives).
- 3) This candidate is a member of the following section, which is a Large Section:
Real Estate Probate and Trust Law Section
- 4) Briefly describe your candidate's personal background, character and contributions to their community.
*timeless worker, professional
excellent leader*
- 5) Describe your candidate's professional achievements and commitment to the legal profession.
see resume
- 6) Describe your nominee's participation in State Bar projects, including contributions to your Section.
*Chair
Bullock Beyond project*
- 7) Provide *your* full contact information including email address and phone.
- 8) Please acknowledge that you have discussed the duties and purpose of this position with your candidate and verified they are willing to serve in this capacity, if elected.

Nominating Procedure

Nominations must include a completed Nomination Form and a resume. Resumes should be limited to one page and the nomination information should be limited to four pages. Nominations or resumes that exceed these limits will be reduced accordingly.

Nominations will be accepted by mail or email (*email is preferred*) and must be received no later than Monday, February 6 at 5:00pm.

Send nominations to:

Tracy Nuckols, Director, Sections Department, 1414 Colorado, Austin, TX 78701-1627
Phone: (512) 427-1710, Email: tnuckols@texasbar.com

Elections will be held at the Council of Chairs Meeting on February 17th at the Texas Law Center in Austin. Only Section chairs (or the section's designated representative) is qualified to vote in this election and you must be present to cast your ballot. Early or late votes will not be accepted. Chairs who attend by telephone may email their vote(s) to me during the voting period at tnuckols@texasbar.com. **Nominees are encouraged to attend and briefly present their qualifications to the Council of Chairs Committee on February 17th.**

RICHARD L. SPENCER

Office:

9 Greenway Plaza, Suite 500
Houston, Texas 77046
(713) 403-4224
www.dowgolub.com

Home:

6332 Buffalo Speedway
Houston, Texas 77005
(281) 804-5315
rlsrelaw1@aol.com

PROFESSIONAL INFORMATION

Fellow, American College of Real Estate Lawyers; Board Certified in Commercial and Residential Real Estate Law 1989-Present; *Best Lawyers in America-Real Estate*; *Texas Monthly "Super Lawyer"* '03, '04, '05, '06, '07, '08, '09, '10, '11, '12, '13, '14, '15 & 2016; *H-Magazine "Top Lawyer"*; "AV" rated by Martindale Hubbell; AVVO rating of "10"--Superb; Recognized with State Bar "Weatherbie Workhorse" Award, 2014; State Bar CLE Standing Ovation Award 2015; State Bar College Professionalism Award 2016; Texas Real Estate Forms Committee, Chairman 2010-2016, Vice Chair 2008-'09, member 1991-current; Real Property, Probate and Trust Law Section, Chair 2014-15, Chair-elect and Secretary 2013, Treasurer, 2012, Council Member 2000-2004, Ethics and Professionalism Subcommittee Chair, Representative on Resolutions Committee, Annual Meeting 2003; Texas Board of Legal Specialization Real Estate Advisory Commission; Texas College of Real Estate Attorneys, Chairman 2004-'08, Board of Directors, 2003-'08; Fellow, Texas Bar Foundation; Chairman, Texas Assignment of Rents Act Drafting Committee (Ch 64 Texas Property Code) 2009-12; Houston Real Estate Lawyers Council; College of the State Bar, Life Fellow; State Bar 4 D-10 Grievance Committee Member, 1994-2000; Course Director; State Bar of Texas-Advanced Real Estate Law, 2000, Advanced Real Estate Drafting, 2007 and Advanced Real Estate Strategies, 2015; University of Texas; Mortgage Lending Institute, 2001 & 2009, Leasing Institute 2004 and 2005 and South Texas College of Law Real Estate Course, 2002; American Inns of Court, Master; Licensed Real Estate Broker-Texas; Committee on Brokers and Brokerage-ABA; and Briefing Attorney, Hon. Richard N. Countiss, Texas Court of Appeals.

Licenses: Texas, U.S. Supreme Court, 5th Circuit Court of Appeals, U.S. District Courts Northern and Southern Districts of Texas.

Author and Speaker: State Bar Journal '11, '13, '15 and 2016; Real Property, Probate and Trust Law Reporter, Spring 2003, Fall 2010; University of Texas-Mortgage Lending Institute, 1998, '99, '00, '01, '02, '03, '04, '05, '06, '08, '09, '10, '11, '12, '13 and 2014, Land Use Institute 2013; State Bar of Texas-Advanced Real Estate Law, 1997, '99, '00, '01, '02, '03, '04, '05, '06, '07, '08, '09, '10, '11, '12, '13, '14, '15 and 2016; Advanced Real Estate Drafting, 1994, '95, '96, '98, '99, '00, '01, '02, '07, '08, '09, '11, '13 and 2016; Advanced Real Estate Strategies 2011, 2014; State Bar College Summer School; 2013. Texas Lawyer: South Texas College of Law-Real Estate Law Program, 1997, '98, '99, '00, '01, '02, '03 and 2004; Houston Bar Association 2016; Houston SBA Advisory Council; and Gulf Coast Legal Foundation.

CLE Planning Committees: Advanced Real Estate Drafting Course; 1996, '00, '01, '02, '07, '08, '09, '11, '13 and 2016; Advanced Real Estate Law Course; 1997, '99, 2002, '03, '04, '05, '06, '07, '08, '09, '10, '11, '12, '13, '14, '15 and 2016; South Texas College of Law-Real Estate Program; 1997, '98, '99, '00, '01, '02, '03 and 2004; Advanced Real Estate Strategies '11, '14, '15 and 2016; Doing your First HOA/POA Foreclosure Webcast, 2014; University of Texas; Mortgage

Lending Institute; 1998, '99, '00, '01, '02, '03, '04, '05, '06, '07, '08, '09, '10, '11, '12, '13, '14, '15 and 2016 and UT Leasing Institute; '04, '05, '07, '11 and 2012; and State Bar College Summer School; 2009 and 2013.

EXPERIENCE

Represents a wide range of businesses, commercial and residential real estate owners, developers and lenders in loans, legal opinions, construction matters, workouts, foreclosures, title issues, lot sales, utilities, platting, development, and zoning issues; landlords and tenants in leasing matters; Businesses and individuals in contracts, commercial transactions, complex financings, securities fraud, corporate matters, stock and asset acquisitions; Appears as expert witness.

EDUCATION

COLLEGE OF LAW, UNIVERSITY OF HOUSTON

Graduated with a J.D. degree in May 1981; Author of: "*Commerce v. Consumer, a Texas Position on Due-on-Sale Clauses.*"

GRADUATE SCHOOL OF BUSINESS, UNIVERSITY OF TEXAS AT AUSTIN

Awarded a MBA degree in August, 1976, with concentrations in Finance and Accounting; Author of: "*Accounting and Financial Problems and Procedures of a Brazilian Multinational Firm.*"

UNIVERSITY OF TEXAS AT AUSTIN

B.B.A. degree conferred in December 1974. Majored in Finance and Accounting.

EMPLOYMENT HISTORY

- 1976-1978 COOPERS & LYBRAND
Auditor specializing in financial services; Dallas and Austin Offices
- 1978-1981 STUDENT ASSISTANT—UNIVERSITY OF HOUSTON LAW SCHOOL
Clerk for Professor Elizabeth Warren (1 year) and Professor John Mixon (2 years)
- 1981-1982 COURT OF APPEALS—7TH JUDICIAL DISTRICT Amarillo
Briefing Attorney for Justice Richard N. Countiss.
- 1982-1985 WOOD LUCKSINGER & EPSTEIN
Associate in corporate section of health care focused law firm. Experience: Non-profit entities; ad valorem taxation; mergers and acquisitions; real estate; physician contracts, medical staff bylaws and condemnation.
- 1985-1988 GREENWOOD KOBY OLD PINSON & BUSSEY
Associate and Partner in business firm. Experience: Loan document preparation; workouts; foreclosures; lender representation and developer work.
- 1988-1991 ELKINS AND YOUNT
Of Counsel; General business practice; lender representation in loan documentation,

foreclosures and workouts. Represented RTC and FSLIC in regards to failed Savings and Loan Association loans.

- 1991-1992 **FIRST CITY TEXAS**
Senior Loan Workout Attorney. Managed and performed legal work on portfolio of over \$600 Million in defaulted loans.
- 1992-2006 **RICHARD L. SPENCER, P.C.**
Owner. General Business and Real Estate practice.
- 2006-2013 **JOHNSON DELUCA KENNEDY & KURISKY**
Senior Counsel. Purchases, sales and financing of companies, assets and real property; local counsel legal opinions, purchase and sale of automobile dealerships; industrial development; pipeline easements, commercial contracts.
- 2013-2016 **DOW GOLUB REMELS & BEVERLY LLP**
Partner. Sales and financing of real estate and other assets. Commercial contracts. Other general business and real estate matters.
- 2016 **ZEIDMAN SPENCER BEVERLY & HOLT LLP**
Partner. Real estate contracts and other business matters.

COMMUNITY ACTIVITIES

- 1981-2012 Founding Member and President; West University Rotary Club. West U Rotary Foundation; Board of Directors. MS-150; 6 time participant and Club 300 member. Director for Graduate Business Network; University of Texas Austin. American Heart Ass'n. Jump Rope for Hearts-Board Member. Charter Review Commission, Park Land Acquisition Committee and Long Range Planning Committees; City of West University Place. Chairman and Secretary; West University Place Party. Treasurer and Secretary; Tri-Sports Association of West University Place. Athletic Committee State Bar of Texas. Scholarship Committee; Texas Ex-Students Association. Little League and Soccer Coach, West University Place. Usher, First Presbyterian Church. Real Estate Attorney for Church; HAY Center Board of Directors.
- 1978-1981 **COLLEGE OF LAW, UNIVERSITY OF HOUSTON**
Managing Editor and Business Manager, Houston Journal of International Law. Winner of Wall Street Journal Award. Honor Court Justice. Treasurer of Grey's Order, an honorary interdisciplinary group devoted to excellence at the University. Student Senator. SBA Executive Committee, 2 years. Phi Delta Phi Legal Fraternity. American Bar Association Law Student Division Representative. Advocates. Student Research Assistant.
- 1972-1976 **UNIVERSITY OF TEXAS AT AUSTIN**
Dean's List. Selected as a Cactus Yearbook Good fellow for contributions through campus activities and scholarship. Texas Relays Student Committee. Sigma Chi Fraternity; Rush Captain. Big Brothers of Austin. Sat on Appropriations and Finance Committees for the Student Senate.

FEATURED TRANSACTIONS

- * Represented client in \$1Billion+ services contract.
- * Orchestrated the \$55 million financing of the Magnolia Hotel.
- * Represented seller in stock sale of entity owning \$33Million Hotel.
- * Represented a \$660 million work-out portfolio for First City, Texas.
- * Conducted nearly 2,000 real property foreclosures.
- * Documented a mixed-use downtown development that included two hotels, condominiums, and retail.
- * Represented a developer in a 2,500 acre master-planned development.
- * Represented a City in the acquisition of an old YMCA property, which was converted into a community center.
- * Facilitated a land swap between the Houston Museum of Fine Arts and the First Presbyterian Church, which allowed for museum expansion and increased access to parking for both entities.
- * Represented a purchaser of several automobile dealerships.
- * Acquired and sold over 5,000 apartment units.
- * Represented appraisal district in collection of ad valorem taxes.
- * Acted as expert witness on real estate, legal malpractice, and ethics matters.
- * Represented Receiver for State Securities Board in asset seizures in securities fraud actions.
- * Acquired third-largest citrus fruit producer in Rio Grande Valley.
- * Acquired, consolidated, and sold three oilfield service companies.
- * Defended spot currency trading company against securities fraud claims.
- * Acquired major sportswear manufacturer.
- * Provided local counsel legal opinions in lending transactions totaling over \$3 Billion.
- * Cleaned title and worked with Toll Road Authority for consents on \$200 Million industrial project.
- * Negotiated numerous pipeline and utility easements for both landowners and pipelines.
- * Purchased \$13 million ranch in South Texas.

REPORTED CASES

<i>Chadderdon v. Blaschke:</i>	01-96-01473-CV;	1 st Court of Appeals.
<i>In re John Robert Stratton:</i>	01-99-00459-CV;	1 st Court of Appeals.
	01-99-00405-CV;	1 st Court of Appeals.
	00-0491;	Supreme Court.
<i>Arabian National Shipping v. Alsheikh:</i>	14-05-00787-CV;	14 th Court of Appeals.
<i>Countrywide Home Loans v. Austin:</i>	01-06-00547-CV;	1 st Court of Appeals.
	08-0281;	Supreme Court.
<i>Lagoye v. Pina:</i>	01-06-00588-CV;	1 st Court of Appeals.
<i>Mekhail v. Jackson Mortuary, Inc.:</i>	01-11-00485-CV;	1 st Court of Appeals.
<i>Hamrick v. Ward:</i>	12-0348	Supreme Court.

I, Roland Love, Chair of Real Estate, Probate, and Trust Law Section of the State Bar of Texas (REPTL), on behalf of REPTL, nominate Rick Spencer as a Large Section Representative to the State Bar Board of Directors. Richard is deserving of this nomination because he consistently stands out as a true professional, a tireless worker, and—above all—an excellent leader.

Richard is a fellow at the American College of Real Estate Lawyers and is board Certified in Commercial and Residential Real Estate Law. From 1991 to present, Richard has also been a member of the Texas Real Estate Forms Committee, where he served as Vice Chair from 2008 to 2009 and as Chairman from 2010 to 2016. From 2000 to 2015, Richard served as a vital part of the Real Property, Probate and Trust Law Section—from 2000-2004, he was a Councilmember; in 2012, he became the treasurer; in 2013, he became the Chair-elect and Secretary, and most recently, from 2014-2015, he served as the Chair. From 2009-2012, Richard served as the Chairman of the Texas Assignment of Rents Act Drafting Committee (Ch. 64 Texas Property Code). More recently, in 2014, Richard was recognized with State Bar "*Weatherbie Workhorse*" Award. Richard has also been a course director of the State Bar of Texas for many years, teaching at Advanced Real Estate Law in 2000, Advanced Real Estate Drafting in 2007, and Advanced Real Estate Strategies in 2015.

Richard was the Founding Member and President of the West University Rotary Club from 1981 to 2012. He was also part of the Charter Review Commission, Park Land Acquisition Committee and Long Range Planning Committees. His resume is attached.

As one of those people who Richard has both impressed and inspired over the years, I strongly urge you to award him the honor of serving as a Large Section Representative to the State Bar Board of Directors.

Respectfully,

Roland Love
Chair
REPTL