

Stephen R. Estey

Member

Bloomfield Hills

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Bloomfield Hills, MI 48304



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Areas Of Practice

Real Estate
Eminent Domain and
Condemnation
Business & Commercial
Real Estate Development
Telecommunications Regulatory
Cannabis Law
Real Estate Litigation

Industries

Energy Industry Group
Alternative & Renewable Energy
Electric Transmission
Energy Litigation & Appeals
Siting, Zoning, Licensing & Energy
Infrastructure
Financial Industry Group

Bar Admissions

Michigan, 1997

Court Admissions

U.S. District Court, Eastern District
of Michigan, 1997
U.S. Court of Appeals, 6th Circuit,
2001
U.S. Supreme Court, 2001
U.S. District Court, Western
District of Michigan, 2004

Education

Wayne State University, J.D., *cum
laude*
University of Michigan, B.A.

Stephen R. Estey is a member in Dykema's Real Estate Department and has over 23 years of experience. He represents individuals, municipalities, small businesses and Fortune 500 corporations in all aspects of commercial and governmental real estate development projects. He has extensive experience in expediting land use entitlements, and resolving a wide variety of disputes related to zoning, planned unit developments, special land uses, variances, eminent domain, easements, adverse possession, boundary and title issues, and various regulatory and administrative challenges, among others. He handles a wide range of matters at the trial and appellate levels of state and federal courts including complex arbitrations, as well as administrative and municipal tribunals, involving both business and real estate related disputes, foreclosures, workouts and receivership actions.

For over 15 years, Mr. Estey has handled hundreds of eminent domain proceedings for various energy industry clients including electric transmission providers and petroleum pipeline companies to secure necessary property interests required for their capital projects. In addition he routinely assists electric and gas companies, and renewable energy developers (wind and solar) with regard to legal and strategic considerations in the planning and siting of new capital projects and represents their interest in easement/lease acquisitions, contract negotiations, land use entitlements and permitting.

Mr. Estey also has extensive experience in the siting of wireless telecommunication towers under the Telecommunications Act of 1996 and small cell wireless facility deployment under the Small Wireless Communications Facilities Deployment Act and frequently appears before local municipal boards and commissions in support of applications for construction of new towers and collocation on behalf of wireless carriers and tower companies.

Mr. Estey is a member of the State Bar of Michigan Real Property Council and currently serves as the Coordinator for the State Bar of Michigan, Real Property Section Zoning and Land Use Committee. He is a frequent author and speaker on energy, infrastructure and emerging real estate topics. Since 2013, Mr. Estey has been recognized in *Michigan Super Lawyers* and has been recognized since 2018 by *The Best Lawyers in America* for Land Use and Zoning as well as *DBusiness Magazine* Top Lawyers in 2019. *Hour Detroit Magazine* has recognized him as a Top Lawyer in 2019 and he was recognized as a "Lawyer of the Year" for 2021 by *The Best Lawyers in America*.

Stephen R. Estey (Cont.)

Significant Decisions

- *New Par v. Lake Township*, 2007 WL 128944 (W.D. Mich. 2007)
- *Mino v. Clio School District, et al.*, 255 Mich App 60, 661 N.W.2d 586 (2003)
- *Richards v. Sandusky Community Schools*, 102 F.Supp.2d 753 (E.D. Mich., 2000), *Judgment Affirmed by 23 Fed. Appx.* 466, 160 Ed. Law Rep. 774 (6th Cir. 2001)

Seminars & Speeches

Boundaries and Easements: "Understanding Utility Easements and Rights of Way", HalfMoon Education, Grand Rapids, Michigan
January 17, 2018

The Uniform Condemnation Procedures Act ("UCPA")—Pitfalls and Practical Considerations, International Right of Way (IRWA), Michigan Chapter, Fall Education Seminar, Inn at Bay Harbor, Michigan
September 2013

Bright Lines: The Law of Siting Transmission Lines, MEnergy, Michigan Energy Law Association, University of Michigan Law School - Moderator and Speaker
March 12, 2013

Redevelopment after the Great Recession: Lessons from the Sunshine and Great Lake States, "Michigan Construction Lien Act—Practice and Pitfalls, Lessons for the Unwary," Orlando, FL (Speaker)
March 2012

Identifying and Overcoming Legal Hurdles to Vegetation Management, North American Transmission Forum Vegetation Management Workshop (Keynote Speaker)
September 15, 2010

Conditional Zoning In Michigan, Detroit Land Development Conference, Sheraton Hotel, Novi, MI
April 4, 2006

Publications

"Virtual Open Meetings During The Pandemic"
June 30, 2020
Michigan Lawyers Weekly

"Virtual Reality – Navigating Land Use and Zoning Decisions in the COVID-19 Era"
June 15, 2020
State Bar of Michigan

"Here Comes the Sun: The Rise of Commercial Solar Development in Michigan"
February 2020
Michigan Bar Journal, Real Property Law Section

"Hydraulic Fracturing – The Case for State Regulation"
January 10, 2015
Michigan Real Property Review

"High Tension, A Look At the Current State of Vegetation Management's Battle Against Property Law"
Fall 2010
Energy Today

"Michigan Zoning, Planning, and Land Use"
2008
ICLE

"Real Property"
Spring 2008

Stephen R. Estey (Cont.)

Wayne State University Law Review Survey Article Vol.54 No.1

"Real Property"

Spring 2007

Wayne State University Law Review Survey Article Vol.53 No.1

"Conditional Zoning—A New Development Option For Property Owners And Municipalities"

April 2006

Detroit Land Development Conference—Tools for Successful Development

"Commercial Transactions and Contract"

Summer 2002

Wayne State University Law Review Survey Article, Vol.48, No.2A

News

Stephen Estey and Shaun Johnson Author Article on Hydraulic Fracturing for *Michigan Real Property Review*

January 10, 2015

Stephen Estey Quoted in *MLive* Article

January 7, 2015

Stephen Estey to Continue Serving as Chair of the State Bar of Michigan Zoning and Land Use Committee through 2015

October 8, 2014

Dykema's Energy Industry Group Announces Creation of Fracking Team

September 26, 2013

Fifty-Nine Dykema Lawyers Named to 2013 Michigan *SuperLawyers*

September 5, 2013

Dykema Attorneys Named Key ICLE Contributors in 2012

December 28, 2012

Memberships & Involvement

- State Bar of Michigan, Real Property Law Section Council, Council Member
- State Bar of Michigan, Real Property Law Section, Land Use & Zoning Committee, Co-Chairperson, 2012-2017; Eminent Domain Committee, Member; Homeward Bound Chairperson, 2013-2015
- State Bar of Michigan, Real Property Law Section, Groundbreaker Breakfast Roundtables, Chairperson, 2010-2011
- Oakland County Bar Association
- Federal Bar Association
- Catholic Lawyers Society, Board of Directors, Member, 2007-2008
- American Inns of Court, Oakland County Circuit Court, Barrister
- Energy Bar Association, Member
- International Right of Way Association, Member

Community/Civic Activities

- City of Plymouth Planning Commission Plymouth, Michigan, 2002-2003
- City of Plymouth Board of Zoning Appeals Plymouth, Michigan, 2000-2002

Stephen R. Estey (Cont.)

Awards & Recognition

Wayne State University, Bronze Key Certificate, Recipient

Recognized in *Michigan Super Lawyers*® for Land Use/Zoning, Eminent Domain, and General Litigation, 2013-Present

Named as "Lawyer of the Year" in Eminent Domain and Condemnation Law by *The Best Lawyers in America*® in 2021.
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Recognized in *The Best Lawyers in America*® for Eminent Domain and Condemnation Law, Land Use and Zoning Law and Real Estate Litigation, 2018-Present. Copyright 2015 by Woodward/White, Inc., Aiken, SC

Recognized by *Hour Detroit Magazine* in "Top Lawyers 2019 in Bloomfield Hills, MI" for Land Use & Zoning Law