

Former landowner files lawsuit to block new Universal Orlando theme parks

By Paul Brinkmann Staff Writer

The owner of Universal Orlando is facing a lawsuit attempting to block any new theme parks on 475 acres the company acquired in Orlando's core tourism area last year.

Georgia developer Stan Thomas is behind the suit, which was filed Friday in Orange County Circuit Court. He is the man who once controlled Universal's land, a large area between Lockheed Martin's plant on Sand Lake Road and the Orange County Convention Center. After the Great Recession, Thomas' company Universal City Property Management lost the property in a foreclosure.

According to the lawsuit, there are still private restrictions on the land that prevent a large-scale tourist attraction. It's a separate issue from the zoning entitlements that the Orange County Planning Commission green-lighted for the area on Friday.

A spokesman for Universal Orlando Resort said the company does not comment on litigation. Thomas' attorney, Allison Turnbull of the Gunster law firm, said she has been attempting dialogue with Universal "and they just ignored us."

The lawsuit comes at a time when rumors about tourism development in Orlando have reached fever pitch. Bloggers have speculated about what Universal is planning, but Universal hasn't provided any details for the property it bought last fall for \$130 million.

In the lawsuit, UCPM alleges that Thomas still oversees restrictions on the property because he was appointed as the enforcer of the declaration.

“Restrictions placed on private property by an association would not be wiped out during a foreclosure unless a judge made a specific finding,” said Matt Firestone, an attorney with Orlando-based ShuffieldLowman.

There was a settlement during the foreclosure case involving the association, but it was labeled confidential. Firestone said the association is typically a minor player in a foreclosure.

Universal has an aggressive expansion plan. Last year, executives told analysts that they want to open an attraction every year at each major location. Universal has parks in Orlando, Hollywood, Singapore and Japan. It also plans to open a park in Beijing.

The new lawsuit against Universal recalls the back-and-forth history of its property, known as the Sand Lake Road Complex. Under previous ownership, Universal bought the property from Lockheed in 1998 and in 2003 sold it to Thomas and UCPM.

In 2000, Universal was involved in placing restrictions on the property through a 55-page private master declaration — to prevent any competing theme parks from popping up on the land about a mile and a half from Universal’s two existing theme parks.

When Thomas bought the acreage through his company, those restrictions were part of the deal, according to the suit. The property went through foreclosure and was temporarily owned by a California-based real estate investment trust, Colony Capital.

In the lawsuit, Thomas’ company claims that the restrictions were never lifted. He still owns several large properties in the area that weren’t part of the foreclosure.

Any new attractions in the area are welcome if planned correctly, said Josh Wallack, a developer planning a more limited \$600 million attraction called Skyplex, which will be less than a mile from the 475-acre complex. He faced objections from Universal when he sought zoning for Skyplex.

“I believe Universal is going to look hard at the performance of Harry Potter years down the road, when J.K. Rowling is not writing any more books,” Wallack said.

The suit asks a judge to place an injunction on Universal’s land ownership company, SLRC Holdings LLC, blocking any tourist-attraction development. It also asks the judge

to issue an order backing up Thomas' claim as the enforcer of the restrictions on the property.

Attached to the lawsuit are several letters that flew back and forth between Turnbull and Universal.

"As you well know, the [declaration] was written for the benefit of Universal Orlando Resort ... and is not enforceable against SLRC Holdings," Universal's attorney Peter Latham wrote in a letter dated Sept. 16, 2015.

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Article 5 of 95

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