



Vincent G. Nelan

Of Counsel

Birmingham | 205.250.8341 | vnelan@bakerdonelson.com

Vincent G. Nelan represents owners, contractors, subcontractors, and materials suppliers in all aspects of construction law, including drafting contracts, pursuing and defending claims, arbitrating disputes, and litigating matters in jury and bench trials.

Mr. Nelan also represents developers and wireless telecommunications companies in land use matters, zoning issues, and litigation. He advises on authorized uses of property and defends against eminent domain condemnations by municipalities.

He regularly appears before city officials and negotiates with them on the interpretation of city ordinances, and he works to change zoning classifications and variances. When necessary, he litigates zoning matters on behalf of his clients. Mr. Nelan is also experienced in problems related to property descriptions, title issues, and redemptions.

Representative Matters

Construction

- Represented owners, general contractors, and subcontractors in drafting and negotiating contracts for numerous construction projects.
- Secured several judgments for payments due to subcontractors and materials suppliers against both owners and general contractors.
- Obtained complete summary judgment in favor of a subcontractor in an arbitration on a state-owned project in which the state's claims exceeded \$20 million.
- Under Alabama's Prompt Pay Act, secured principle, interest, and attorneys' fees in excess of the principle owed to a subcontractor.
- Defended a general contractor against defective construction claims and successfully settled for a fraction of the original amount claimed.
- Achieved the dismissal of a materials supplier from claims of defective construction.

Real Estate and Land Use

- Helped a landowner redeem property from a tax sale purchaser with an understanding of the tax sale procedures and navigating the clerk's office.
- Restored possession of leased commercial retail spaces to owners and secured monetary judgments against former tenants following breaches of leases.
- Represented real estate developers in the appeal of an adverse zoning case from a decision denying the use of real property.
- Pursued real estate developer's claim for compensation against municipality's attempt to take land by eminent domain; recovered approximately \$200,000 more than originally offered in damages. The total recovery was more than \$1 million.
- Attempted to enforce restrictive covenants for a homeowners' association that resulted in clarification in an area of law not ruled on in more than thirty years.
- Litigated a farmland boundary line dispute between landowners; ultimately settled on eve of entry of judgment.
- Successfully defended against the enforcement of a judgment lien on real property, allowing the client to maintain ownership.

- Defeated the enforcement of an alleged note; the note was deemed unenforceable for lack of consideration.
- Represented a neighborhood association and its president in a trial regarding opposition to a variance request.
- Successfully changed a zoning classification for a commercial developer, resulting in the developer's ability to construct professional office space.



Professional Honors & Activities

- Listed in *The Best Lawyers in America*[®] for Litigation - Construction and Litigation - Land Use and Zoning (2024, 2025)
- Listed in *Alabama Rising Stars* in Construction Litigation (2012 – 2015)
- Member – American Bar Association
 - Forum on Construction Law
- Member – Phi Delta Phi
- Senior Editor of Baker Donelson's *Construction Newsletter*
- Participant – Birmingham Volunteer Lawyers Program
- Member – Advisory Board for the paralegal program at Gadsden State Community College (2013 – 2016)



Speaking Engagements

- "Alabama Lien Law," National Association of Credit Management (NACM) (March 2018 and 2019)
- Panelist – "Regulatory Challenges for Complementary Network Deployments," Wireless Industry Association, Wireless Infrastructure Show (May 2016)
- "FCC Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies rule on the Implementation of Section 6409(a) and Section 332(c)7 and the 2009 Declaratory Ruling (the Shot Clock)," Louisiana & Mississippi Wireless Associations with guest partnership of the Women's Wireless Leadership Forum (February 2015)
- Presenter/Moderator – "Mechanic and Materialmen's Liens: Fundamentals of Construction Contracts: Understanding the Issues in Alabama," Lorman Education Services, Birmingham (March 2013)
- Presenter/Co-author – "Arbitration Issues in Alabama," Alabama Association of Paralegals, Inc. (July 2010)



Education

- University of Alabama School of Law, J.D., 2005
 - *Alabama Law & Psychology Review*
 - Dean's Community Service Award
 - Bench & Bar Legal Honor Society
 - Honor Court Justice, 2003 – 2004
- Quinnipiac University School of Business, M.B.A., 1999
- Marist College, B.S., 1996



Admissions

- U.S. District Court, Middle District of Alabama, 2010
- U.S. District Court, Southern District of Alabama, 2010
- U.S. District Court, Northern District of Alabama, 2005
- Alabama, 2005