SpencerFane®

David E. Waters

Partner

Contact

Overland Park

P 913.327.5189 | **F** 913.345.0736

dwaters@spencerfane.com



Overview

David Waters helps a diverse network of clients in the governmental, business, and health care industries successfully handle the full range of legal needs related to successful real estate transactions, ensuring projects stay on time and on budget. His broad experience includes development, transactional, contractual, planning and zoning, legislative and administrative, and health care licensing projects.

With a unique and broad private practice, David works with local and national clients through all phases of commercial, retail, and industrial development, including leasing, land use, governmental approvals, and public incentives, and he supports clients with the sale and acquisition of businesses and professional practices. He maintains an active presence specifically in the architecture, engineering, and construction industries, advising on design, construction, and delivery methods. In his health care work, he handles and focuses on hospital and medical office development, medical office leasing, condominium and property tax concerns, and governance of public or municipal facilities.

David's municipal and public law work extends to local cities and school districts, and he counsels these clients with respect to governmental authority and procedures, economic development, legislative policy, and administrative enforcement. Uniquely, he also serves as an elected official and is currently the mayor for Westwood, Kansas, in the Kansas City metro area. Previously elected and appointed positions include the Westwood City Council and the Westwood Planning Commission and Board of Zoning Appeals. He is member of the board of directors for the City Attorneys Association of Kansas and was President for the Kansas Mayors Association from 2023-2024. This municipal experience enables David to more effectively represent businesses and other private clients, and informs his approach when appearing on their behalf before governmental entities.

As a recognized leader in his community, David provides clients with the ability to develop important relationships with decision makers, thought leaders, and other key stakeholders involved with projects. He is active with the Greater Kansas City Chamber of Commerce and is the previous Chair of the Northeast Johnson County (NEJC) Chamber of Commerce Board of Directors. He has been selected to Leadership Kansas and Kansas City Tomorrow, and in 2019 he was named as one of the "50 Kansans You Should Know" by *Ingram's* Magazine. In 2015, he received the Kansas State University College of Arts and Sciences Young Alumni Award. He has also served on the College's Arts and Sciences Alumni Advisory Council

and Pre-Law Advisory Council. He is also a proficient Spanish speaker.

Education

- University of Kansas School of Law, 2002 (J.D.)
- Kansas State University, 1999 (B.A.)

Bar Admissions

- Kansas
- Missouri

Court Admissions

- U.S. District Court for the District of Kansas
- U.S. District Court for the Western District of Missouri

Community Involvement

- City of Westwood, Kansas
  - Mayor, 2020-present
  - City Council, 2016-2020
  - Planning Commission and Board of Zoning Appeals, 2008-2016
- The Civic Council of Greater Kansas City, Kansas City Tomorrow, Class of 2025
- United Community Services of Johnson County, Board Member, 2025-present
- ArtsKC Regional Arts Council, Board Member, 2025-present
- Johnson County Education Research Triangle, Board of Directors, 2026-present
- Greater Kansas City Chamber of Commerce Public Policy Council, Kansas State Affairs Committee
  - Chair, 2020-2025
- Kansas State University, College of Arts and Sciences, Alumni Advisory Council, 2016-2019
- Kansas State University, Pre-Law Advisory Council, 2024-present
- Northeast Johnson County Chamber of Commerce
  - Board of Directors, 2012-2020
  - Chair, 2019

Distinctions

- American College of Real Estate Lawyers, Fellow
- *Best Lawyers in America,* Construction Law, Health Care Law, Land Use and Zoning Law, Municipal Law, Real Estate, 2013-2027
- *Best Lawyers in America*, Lawyer of the Year, Land Use and Zoning Law, 2019, 2023, 2027
  - Lawyer of the Year, Municipal Law, 2025, 2027
  - Lawyer of the Year, Health Care Law, 2026
  - Lawyer of the Year, Real Estate Law, 2022
  - Lawyer of the Year, Construction Law, 2018
- Construction Lawyers Society, Charter Fellow, 2018
- International Fraternity of Phi Gamma Delta, 18 Under 48, 2024

- *Ingram's Magazine*, 50 Kansans You Should Know, 2019
- K-State College of Arts & Sciences, Outstanding Young Alumni Award, 2015
- Kansas Chamber of Commerce, Leadership Kansas, Class of 2017
- Kansas City Business Journal, NextGen Leader, 2024
- *Missouri and Kansas Super Lawyers,* Real Estate, 2024
- *Missouri and Kansas Super Lawyers,* Rising Stars, 2012-2017
- Northeast Johnson County (Kansas) Chamber of Commerce, "Leadership Northeast," 2009
- Phi Beta Kappa

Memberships

- Kansas Mayors Association
  - Immediate Past-President, 2025
  - President, 2023-2024
- City Attorneys Association of Kansas, Board of Directors, 2020-present
- Johnson County Bar Association
- Kansas Bar Association
- Kansas Bar Foundation, Fellow

Presentations and Publications

- "A City Attorney's Guide to Kansas Municipal Petitions and Protests: A Reference for Municipal Practice," Kansas League of Municipalities, 2026
- Special Issues in Nuisance Abatement," League of Kansas Municipalities 2025 Annual Conference, October 2025
- "Municipal Nuisance Abatement in Kansas: A Reference for Municipal Practice," Kansas League of Municipalities, 2025
- "Local Government Law," 2024 Annual Survey of Law, Kansas Bar Association, Volume XXXV, 2025
- "Local Government Law," 2023 Annual Survey of Law, Kansas Bar Association, Volume XXXIV, 2024
- "Kansas Practical Guide to Zoning and Land Use Changes," American Bar Association, Section of Real Property, Trust and Estate Law's *eReport*, Summer 2022
- "Deeds," *Kansas Real Estate Practice and Procedure*, Sixth Edition, Kansas Bar Association, 2021
- "#CANCELLED: Incompatibility of Offices, Censure, and Ouster of Municipal Officials," City Attorneys Association of Kansas Spring Meeting, 2022
- "Nuisance Abatement," City Attorneys Association of Kansas, Spring Meeting, 2021
- "Greater Kansas City Retail Outlook – How is the Greater Kansas City Area Retail Sector Responding to COVID-19?" Shopping Center Business and Heartland Real Estate Business Webinar, September 2020
- "UMKC REALTOR Leadership Academy," University of Missouri – Kansas City, Henry W. Bloch School of Management, 2020
- "Public Comments at City Meetings: Doing City Business and Respecting 1st Amendment Rights," City Attorneys Association of Kansas Fall Meeting, 2019
- "Institutional Investment into the Midwest," ICSC Heartland States Idea Exchange, 2019
- "Economic Development Council," Kansas City Women's Chamber of Commerce, 2019
- "Beer Law and Beer Hall Economics," Rockhurst University (Kansas City) MBA Program, 2019
- "Working with Neighborhoods in Rezoning," Kansas City Multifamily Investing Group, 2019
- "Municipal Finance and Economic Development: Introduction to Public Incentives," Governing Body Institute, League of Kansas Municipalities, 2018
- "Bring it on down to Muni-Sim!, Using a Municipal Simulation in a Leadership Program," Activate: Conference for Leadership Developers, Kansas Leadership Center, 2018

- "Procurement and Contract Law," Mid-America Council of Public Procurement, Chapter Meeting, July 2018
- "P3 – Where the Public and Private Sector Meet," Design-Build Institute of America, Kansas City Chapter, 2017
- "Working with Neighborhoods in Rezoning; Special Topics: Entrepreneurial Urban Development," Law 8590, Section 8, University of Missouri – Kansas City School of Law, 2017
- "Avoiding Social Media Pitfalls: An Introduction for Entrepreneurs," Helzberg Entrepreneurial Mentorship Program, 2015
- "Pay Heed, All Who Enter! (And please be careful!): Reducing Risk for Property Managers and Building Owners," HarenLaughlin Restoration, 2015
- "Get a (Social Media) Life: A Guide for Practicing Attorneys," KBA Annual Meeting, Kansas Bar Association, 2015
- "Legal Ethics in Online Firm Marketing," Heartland Paralegal Association, 2015
- "The Ethical Use of Social Media: An Introduction to Lawyers," Leavenworth County (Kansas) Bar Association, 2015
- "Top 10 Legal Pitfalls for Content Generators," Social Media Club of Kansas City, 2014
- "Social Media for Law Firms," Association of Legal Administrators – Greater Kansas City Chapter, 2013
- "2013 Kansas Legislature Orders Another Round of Liquor Laws," *The Bar Letter*, Johnson County Bar Association, Fall 2013
- "Happy Hours Come to Kansas, With Unintended Consequences," *The Bar Letter*, Johnson County Bar Association, Winter 2012
- "Building Attorney Expertise & Networking Through Social Media," *The Bar Letter*, Johnson County Bar Association, Summer 2012
- "Tastings and Happy Hours Return to Kansas," *The National Association of Licensing and Compliance Professionals Newsletter*, June 2012
- "Hospitality Suites on the Rocks: Compliance and Risk Issues Associated with Private Parties," National Association of Licensing and Compliance Professionals, 2012
- "Leases and the Landlord-Tenant Relationship," Building Owners and Managers Association, 2011
- "Leases and the Landlord-Tenant Relationship," Building Owners and Managers Association, 2010
- "Deeds," *Kansas Real Estate Practice and Procedure Handbook*, Kansas Bar Association, 2009
- "Types of Owners and their Employment Relationships," Building Owners and Managers Association, 2007
- "Negotiating Land Use Changes in Leavenworth and Ethical Considerations in Land Use Law," Leavenworth County Bar Association, 2005