

Environmental Issues in Transactions

Secured lendings and foreclosures, real estate purchases, and business mergers, acquisitions and reorganizations each involve important environmental considerations. We provide counseling for accurate analysis of and response to those environmental issues and assist our clients in identifying, retaining and working with appropriate and cost-effective consultants, testing facilities and remedial contractors. Administrative agency representation is one of our principal strengths. We have developed a national reputation in this specialized area of law, having represented local, regional and national clients since the early 1970s regarding complex environmental issues.

Representative Experience:

- Represent a major entertainment company nationally and internationally by reviewing and managing all environmental due diligence and environmental issues associated with all property acquisitions, sales, leases and financing. We managed environmental issues associated with 30 major acquisition projects ranging from formerly undeveloped land to urban properties to former industrial sites. We have represented the company in managing its environmental due diligence process and documentation associated with each new lease or property acquisition. In connection with a \$425 million senior credit facility, we structured an environmental due diligence process to comply with credit agreement warranties.
- Represent one of the world's largest automotive corporations in connection with environmental aspects associated with former facilities' sales and leases at a former Missouri manufacturing facility. Representation includes management of potential environmental problems associated with sublessee activity. We recently represented this corporation in convincing the State of Iowa to manage oversight of environmental cleanups at a former Iowa facility thereby avoiding USEPA Superfund involvement and thus facilitating marketability of the facility.
- Advised clients with respect to the acquisition and demolition of an old hospital facility in Kansas City. The hospital contained a great

quantity of asbestos and the property held an underground storage tank. The existence of the environmental issues required careful drafting of all acquisition documents to insure proper remediation activities were conducted.