

Agribusiness Finance

Clients in the agricultural sector know they can rely on our strategic advice to guide them through the myriad of unique issues and economic factors they face daily in this specialized area. Our lawyers possess a depth of experience gained from decades of representing lenders and borrowers in financing all types of agribusiness, ranging from general farms, livestock and dairy operations in the Midwest to vineyard, winery, ranch, and truck farm operations in the West, timber and forestry lands in the Northwest and citrus and cotton in the Southeast.

We regularly assist agricultural lenders and borrowers in the negotiation and implementation of single-lender, multi-lender, and syndicated term and revolving facilities, including the issuance of the various opinions necessary to facilitate these transactions. Our agribusiness experience includes providing counsel and guidance in revolving and term loan documentation, borrowing entity structures and flexibility, day-to-day lending questions, and complex tax and regulatory issues. We regularly provide counsel on construction and permanent debt and equity facilities for projects, including farm improvements, agribusiness facilities, distribution centers, and wind farming operations.

An integral part of agricultural finance is the perfection of security interests in farm products under the federal Food Security Act; in farm equipment under Article 9 of the Uniform Commercial Code; in water rights under a myriad of state laws and procedures; intellectual property rights on file with the USPTO; and in land under the applicable state statutes. We have extensive experience advising clients on how to perfect and enforce the security interests they need and expect to have.

In addition to our agricultural loan origination transactions, we routinely represent a wide range of borrowers and lenders in all types of agricultural loan workouts, loan enforcement and protection strategies, foreclosures and bankruptcies. Our attorneys have substantial experience in foreclosure, deeds in lieu of foreclosure, replevin and subsequent ownership, management and disposition of a variety of agricultural collateral. We advise clients on a broad spectrum of issues that arise in real estate ownership, including tax consequences, eviction proceedings, title considerations and environmental concerns.