



BENJAMIN L. MUSHOLT

SENIOR ASSOCIATE

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Ben Musholt, a member of the Financial and Real Estate Services group, practices real estate and public finance law.

Ben represents developers, investors, financial institutions, utilities, governmental bodies and other public and private entities in all aspects of real estate transactions, including the acquisition, sale, leasing, financing, development and construction of real property. In addition to negotiating and drafting complex commercial contracts, leases, easement agreements and subdivision indentures, Ben assists clients in obtaining planning and zoning approvals for various uses.

A significant portion of Ben's practice focuses on development incentives. Ben represents developers and municipalities in matters involving local and state tax incentives, redevelopment corporations, special taxing districts and tax abatement, including Missouri's Chapter 100 industrial revenue bonds.

Ben also has extensive experience in business and real estate litigation. His litigation experience gives him a unique perspective into each transaction. Ben guides clients mindfully through and around pitfalls that may arise during real estate transactions.

EDUCATION

- University of Missouri-Kansas City (J.D., 2011)
 - UMKC Law Review
 - The Urban Lawyer Journal
- University of Missouri (B.S., *cum laude*, 2006)
 - Consumer & Family Economics

PROFESSIONAL ACTIVITIES

- The Missouri Bar
- Illinois State Bar Association

CHARITABLE AND CIVIC INVOLVEMENT

- United Way of Central Missouri – Board of Directors (2020-present)
- Leadership Jefferson City (2020)
- Jefferson City Tax Increment Financing Commission (2018-present)

SERVICES AND INDUSTRIES

Real Estate

Public Finance

Financial Services

Real Estate, Development,
Construction

ADMISSIONS

Missouri

Illinois

- Leadership Clayton (2017)

ACCOLADES

- *The Best Lawyers in America*[®], Ones to Watch, Public Finance Law, Real Estate Law (2021)
- [Missouri/Kansas Super Lawyers](#)[®], Rising Star (2015-present)

BACKGROUND

Prior to joining the firm, Ben was in private practice at another St. Louis area firm.

EXPERIENCE

Renegotiation of Nearly 1,000 Retail Leases for Men's Clothing Retailer

Completed a two-phase renegotiation of nearly 1,000 retail leases across the United States and Canada for a men's retail clothing client in connection with COVID-19 impacts and the client's emergence from Chapter 11 bankruptcy proceedings. In the first phase, we negotiated rent deferral agreements for nearly 400 retail locations in connection with the impact of COVID-19 and related government-mandated closures on the client's operations; and assisted with nearly two dozen litigation matters relating to closures in several states. In the second phase, following the client's declaration of Chapter 11 bankruptcy, we renegotiated nearly 850 retail leases assumed by the client in connection with the bankruptcy proceedings, successfully finalizing and obtaining full execution of nearly 99% of renegotiated leases submitted for legal review, nearly three times the success rate the client had originally anticipated.

Special Counsel for Municipality in Property Acquisition

Special counsel for the City in connection with property acquisitions for a project including flood mitigation and Chapter 353 redevelopment efforts.

Acquisition of Transmission Line Easements for Energy Client

Assisted client in securing transmission line easements by negotiation and condemnation.

Review of 480 Leases for Grocery Store Chain

Conducted a lease review for a national grocery store chain, consisting of approximately 480 leases across the country with a wide range of landlords and terms. This involved flagging construction and improvement rights, maintenance and repair responsibilities, approaching renewals and incomplete files.

\$200 Million Chapter 100 Bond Issuance for Manufacturing Company

Served as counsel for manufacturing company's expansion, including the transfer of real estate, construction of new facilities and installation of new equipment.

\$200 Million Construction Financing

Closed \$200 million in construction financing for construction of a health care client's headquarters expansion. Also helped the client secure various state and local tax incentives, including the issuance of \$715 million in Chapter 100 bonds for the project.

Local Counsel in Facility Zoning Matter

Served as local counsel for online retailer on its first Missouri distribution facility.

Representation included zoning issues relating to parking and traffic requirements for the facility, consisting of a 348,480-square-foot a sorting center and 100,000 square feet in another building for a delivery station.

\$248 Million Chapter 100 Bond Issuance for Pharmaceutical Company

Served as counsel for medical company's acquisition of real property and construction of laboratory, research, development, manufacturing and office space. The pharmaceutical company constructed a new facility of approximately 320,000 sq. ft., housing certain research and development equipment.

\$65 Million Chapter 100 Bond Issuance for Manufacturing Company

Served as bond counsel in Chapter 100 bond issuance for manufacturing facility expansion and acquisition of equipment. Local facility installed new equipment for canned goods.