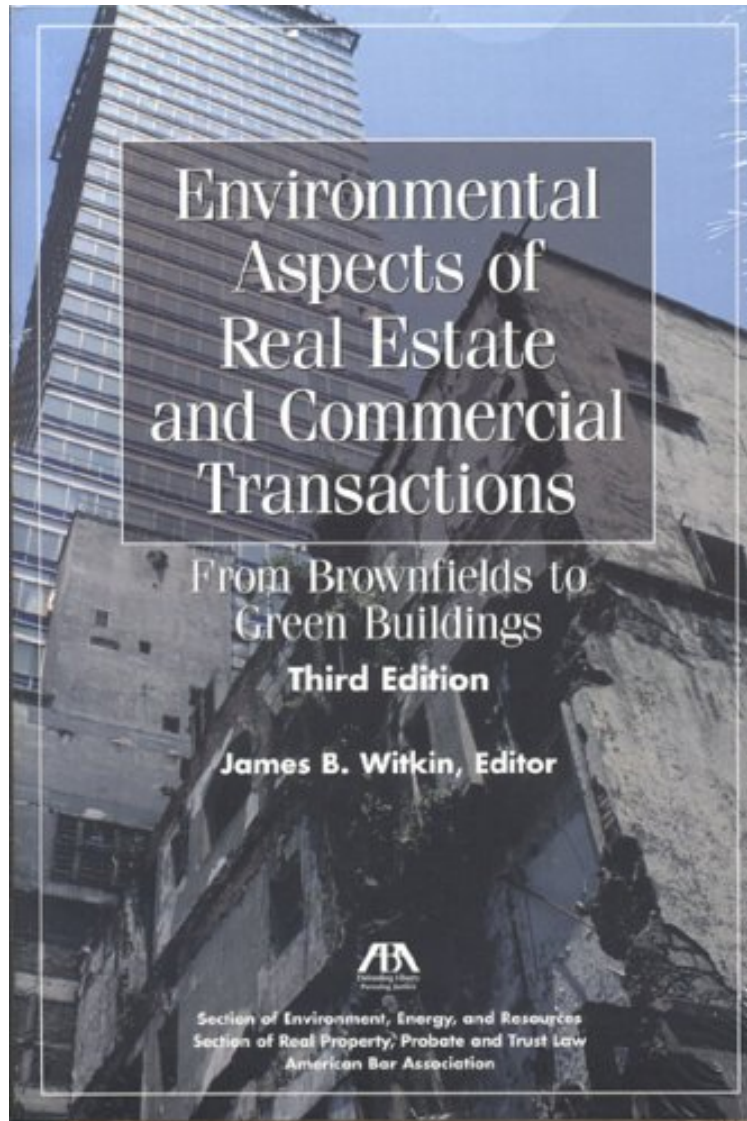


[Download] Environmental Aspects of Real Estate and Commercial Transactions: From Brownfields to Green Buildings

# Environmental Aspects of Real Estate and Commercial Transactions: From Brownfields to Green Buildings

*James B. Witkin*

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#2623248 in Books American Packing Gasket 2005-02-22Ingredients: Example IngredientsOriginal language:EnglishPDF # 1 8.94 x 2.17 x 6.52l, 3.13 #File Name: 15903128721104 pages | File size: 59.Mb

**James B. Witkin : Environmental Aspects of Real Estate and Commercial Transactions: From Brownfields to Green Buildings** before purchasing it in order to gage whether or not it would be worth my time, and all praised Environmental Aspects of Real Estate and Commercial Transactions: From Brownfields to Green Buildings:

3 of 3 people found the following review helpful. Good reference with organizational and repetition difficultiesBy

kristopherI came to this book with experience in handling environmental litigation and business planning, and hoping for a quick exhaustive reference on environmental issues. This book provides a good starting reference for virtually every environmental law issue involved in business transactions. It enjoys very little competition in a field that is growing, which makes it timely and useful. But it should not have been rushed to print without practical analysis, broader reference materials, research/authority on key points, and removal of repetition. The book is organized primarily by environmental topic. For example, lender liability is one section, criminal liability is another. The challenge for most practitioners is that we often see only a small portion of the environmental liability picture in a given case. This collaboration could have, and should have, brought the experts together to show how transactions can involve several environmental liability issues to explain what current authority requires (or gray areas involved) for those issues. Instead, the writers simply present their legal research (as if cut and pasted from a law brief previously paid for by a client) and leave the reader to imagine how sale of a lot of land could involve several environmental liability issues and what a business can do about those issues. For example, a section on environmental law in practice could have walked the reader through thoughtfully designed complex business transactions to provide insight into how potential or actual liability issues are addressed. Law school students can do legal research. Much more is expected of a reference prepared by seasoned professionals using the ABA name. Some sections repeat information from other sections. For example, before Ms. Fromm discussed environmental consultants others had already covered the requirements for all appropriate inquiry, so that her section included repetition. In the next edition, when a writer wants to include a discussion about a topic that is covered elsewhere then than writer should keep it short and refer the reader to the designated expert on the topic. And the designated expert should not short cut analysis by omitting authority on key points. The number of pages that will be eliminated by this process can be used for the following criticism. The text includes very little jurisdiction by jurisdiction comparison. General principles are given, but no effort is made to give the reader a comparison of, for example, how each state or federal circuit treats indemnity agreements for environmental liability. Speakers regularly pass out such comparisons with legal citations at CLE events for free. A text presented by the ABA to be a comprehensive reference priced at \$179 should include jurisdictional comparison lists on laws where jurisdictions differ. Finally, one specific problem was the lack of legal research on parental environmental liability. The writer refers to general common law principles of derivative liability, without any reference to law aside from a general reference to the Bestfoods decision. That section focuses on parental liability. That is an important issue professionals will definitely want to find in a reference from the ABA. The writer disappoints the reader by glossing over this point without useful reliable legal research to show what he assumes these general common law principles to be. The reader purchases the text for a jump start on legal research, but gets unresearched assumptions. Readers expect much more from ABA publications on a topic that the U.S. is creating as a model for the international community. I admit I only found this one example of a glaring omission of legal authority.

This is a comprehensive and practical resource to the range of environmental issues that arise when real estate is developed, operated, sold or financed.