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People

Michael D. McKinley

Partner, Real Estate

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vCard

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Michael McKinley focuses his practice on project development and real estate, with an emphasis on data centers. Michael has experience representing landlords and tenants in a variety of short and long term build to suit leases, co-location leases, master services agreements and service level agreements, focusing on hyperscale tenants. Michael also has expertise representing buyers and sellers in connection with the site selection, acquisition and development of data center facilities, and securing data center incentives. Michael has helped numerous clients on data center divestitures including planning, and resulting sale/leaseback transactions.

Michael also has experience with projects related to wind and solar installations and bio-fuel and bio-diesel facilities, in addition to telecommunications projects involving tower, macro cell antenna and small cell antenna and solar installations. His experience includes negotiation of fiber agreements and wireless facility agreements; utility matters, power purchase agreements and interconnection agreements; state and local incentives, tax issues and legislative affairs; and renewable energy facility development.

Notable Work

Data Centers and Telecommunications:

- Drafted legislation that enhances data center operations in Arizona and critical member of the effort to seek passage.
- Developing legislation that enhances co-location data center operation in Texas and is leading the effort to seek passage.
- Assisted data center operator with $75 million redevelopment of an urban building in the Midwest to be repurposed as a co-location data center.
- Assisted data center operator in the Midwest with acquisition of a $13 million co-location data center.
- Assisted approximately 10 data center owners and operators with certification of approximately 65 MW of space in Arizona to

Areas of Experience

Real Estate
Data Centers and Digital Infrastructure
Real Estate Acquisitions and Sales
Commercial Leasing and Development
Environment and Natural Resources
Renewable Energy and Electric Power
Energy and Infrastructure
Technology Transactions
Electric Vehicle Infrastructure
Telecommunications, Fiber, and Wireless Facilities Infrastructure
Project Finance and Development

Education

LL.M., University of Missouri–Kansas City, 1999
J.D., University of Missouri–Columbia, 1998
B.A., University of Missouri–Columbia, 1994

Admissions

Bars

Kansas
Missouri
Texas

Related Content

Akerman Sponsors Annual Metro Connect USA
February 26, 2024

Akerman Launches Three Specialized Energy and Infrastructure Teams
January 30, 2024

James Grice to Moderate Panel on the Opportunities and Challenges of Emerging Data Center Markets
September 11, 2023

benefit from the new Arizona CDC program.

- Assisted data center client to obtain tenant based certification under the new data center incentive program in Texas.
- Assisted real estate client with negotiation of agreements associated with deployment of micro cell wireless technology on roof tops.
- Assisted numerous real estate clients with negotiation of agreements associated with deployment of cell of cell towers on excess land.
- Worked on numerous projects related to data center development. He has negotiated, drafted and reviewed commercial transactions, including: co-location agreements and data center lease agreements; service level agreements; purchases of hardware and software; acquisition agreements; non-disclosure and confidentiality agreements; consulting agreements; and sales tax and development incentives.
- Worked on a number of projects related to telecommunications including: tower lease, macro cell antenna and small cell antenna installations, including the implementation of new antenna installations for a client with more than 3,000 buildings.

Solar Energy and Renewables:

- Assisted energy developer with project financing for biomass and organic fertilizer facility in the Midwest including assistance with tax credit financing utilizing the renewable energy investments tax credits (ITC's).
- Assisted energy developer with project finance structure and permitting strategy for redevelopment of 45 MW decommissioned coal fired power plant to use biomass solid fuel utilizing next generation coop structure and state based investment tax credits.
- Assisted various solar energy clients with approximately 85 MW of solar facility projects.

Commercial Development and Infrastructure Finance:

- Assisted developer with $115 million redevelopment of iconic office building in Kansas City including assistance with transactional documents (i.e. purchase and sale agreement and commercial leases) along with property tax abatement and historic rehabilitation tax credit financing.
- Assisted various private development interests with dozens of other retail and commercial developments undertaken throughout the Midwest.
- Assisted numerous clients in the areas of real estate development, including tax increment financing, tax abatement, special taxing districts, tax credits and other development incentives; conventional real estate purchases and sales, commercial leasing, easements, condemnation, planning and development, zoning, tax, commercial transaction, corporate governance and organizational bylaws.

Related Professional Experience

- Sprint and Sprint PCS, Negotiator, Sprint Supply Chain Management – Sprint PCS Procurement, 1999-2002

Published Work and Lectures

Location

*Michael works remotely and is licensed in Kansas, Missouri and Texas, practicing in Kansas City, Missouri. Contact Michael via email or phone (+1 214 507 9660) for in-person/virtual meetings. Please use our Dallas office address for mail/deliveries only.

- *The American Lawyer*, Featured, "Akerman Debuts Data Center and Digital Infrastructure Practice," July 7, 2022

Honors and Distinctions

- *The Best Lawyers in America*, 2024, Listed in Texas for Real Estate Law