



Wendy M. Proctor

PARTNER

CHATTANOOGA, TN

PHONE: 423.755.2698

EMAIL: WENDY.PROCTOR@HUSCHBLACKWELL.COM

NASHVILLE, TN

PHONE: 615.949.2283

OVERVIEW

As team lead for the firm's Real Estate & Development practice group and co-chair of Husch Blackwell's Retail Industry Sector Group, Wendy brings a creative mindset and a breadth of commercial and corporate real estate experience to her work for clients.

After nearly 30 years as a real estate attorney, Wendy divides her practice between leasing agreements for industrial, healthcare, retail and office buildings, and the sale and acquisition of real property. She handles both one-off and portfolio sale and acquisition deals from deal inception to closing and regularly assists a large Real Estate Investment Trust (REIT) with a national footprint in growing its real estate portfolio. Her experience is truly national, with transactions in nearly every U.S. state, as well as Canada.

Wendy has a broad knowledge of leasing for build-to-suit projects, existing locations and redevelopments of existing projects. Her experience also extends to other lease-related documents, including estoppels; subordination, non-disturbance and attornment (SNDA) agreements; defaults; prohibited use violations; enforcement of lease provisions; and navigating reciprocal easement and operating agreements and third-party consents for redevelopment projects, as well as title matters. With a solid understanding of the entire transaction process, Wendy has a true gift for proactively identifying the issues that can stop a deal—and making sure they don't.

Industry

Real Estate, Development, & Construction

Services

Real Estate Investment

Retail Real Estate

Corporate Real Estate

Self Storage

HUSCH BLACKWELL

In addition to her work on individual leasing agreements and transactions, Wendy also provides general real estate counsel. Clients often turn to her to walk through their full real property strategy and value her perspective on the effects of real estate decisions on business. After decades in the field, Wendy has a deep understanding of construction, leasing and development issues, as well as the third-party agreements that may restrict property transactions, and is experienced at helping clients build business strategies around these challenges. She loves this creative problem-solving aspect of her work and is passionate about helping clients figure out how to achieve their real estate business goals.

Prior to joining Husch Blackwell, Wendy was in-house real estate counsel for both national retail companies and developers, including one of the nation's largest mall REITs. Her proven ability to build consensus, identify creative solutions, and build and maintain relationships with legal counterparts—particularly brokers and developers—are key assets she brings to the negotiating table. She sees a transaction as a truly collaborative process, and she has a talent for keeping all parties focused on the end goal of getting the deal done.

Experience

- Assists Texas-based hospital system with medical office leasing, navigating challenges of professional service agreements that may restrict leasing abilities.
- Assisted retail operator in developing retirement strategy and succession plans for transferring ownership of stores.
- Guided client through challenging space transition. Client was vacating original industrial space with a hard departure date; however, new premises were delayed. Departing late would result in fines, but priority was not to disappoint customers with a gap in operations. Walked client through costs, risks and liabilities, helping navigate a difficult situation with no perfect options.
- As a key member of the firm's CARES Act resource team, advised clients on COVID-19 matters, including developing recommendations and guidance on landlord/tenant issues, and counseling small business owners regarding resources available under the CARES Act.
- Served on legal team quickly renegotiating majority of restaurant chain's nationwide leases in wake of COVID-19 for meaningful savings in operational costs.
- Represented self storage REIT in closing two dozen acquisitions across the country in Florida, Indiana, Illinois, Georgia, Alabama, Washington and California.

Experience

- Represented a private equity fund in the sale and lease back of a 10-acre industrial property in Michigan that would be used for a subsidiary.
- Representing a venture capital fund in the negotiation of a complex ground lease in Wichita, Kansas with a national fast food restaurant.
- Represented a national transportation holding company in the acquisition of a six-property industrial park located in the Midwest.
- Represents Atlanta developer as landlord in retail leasing.
- Assists with industrial leasing for a Midwest-based third-party logistics company's national portfolio of distribution centers, representing the tenant.
- Assists with office leasing for a Midwest-based infrastructure design firm's national portfolio of office space, representing the tenant.
- Assists with industrial leasing for a Midwest-based appliance parts distributor's national portfolio of industrial space and distribution centers, representing the tenant.
- Represents Texas-based hospital system in healthcare leasing matters, including ground leases for new development, office leasing for medical office buildings and timeshare agreements.
- Represents higher education institutions in the negotiation of leases owned by universities.

Recognition

- Junior League Leadership Award
- REDD Internal Person of the Year, 2008

Education

- J.D., University of Tennessee College of Law
- M.B.A., Rockhurst University
- B.A., University of St. Thomas
 - *magna cum laude*

Admissions

- Tennessee

Community Leadership

Wendy is a member of the committee that guides the firm's True North enrichment program for women. She is also a member of the Chattanooga chapter of 100 Women Who Care, an organization that supports local not-for-profits in furthering their missions.



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