



Jeffrey L. Vercauteren

SENIOR COUNSEL

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OVERVIEW

From concept through construction, Jeff delivers effective solutions in the development of commercial, industrial, and energy projects.

Jeff primarily represents developers, investors, owners, and lenders across sectors in project development, energy generation and infrastructure, real estate transactions, and land use approvals. He advises clients in all aspects of project development, including contract drafting and negotiation, due diligence review, title and survey issues, project finance, development incentives, tax credits, and leasing. Particularly unique for a transactional attorney, he also has direct experience with permitting and land use approvals and has successfully obtained permits for clients in highly contested proceedings.

After several years with Husch Blackwell in the Real Estate, Development, & Construction industry group, Jeff accepted an in-house role with a multinational power generation client, where he handled permitting and land use approvals for wind, solar, energy storage, and natural gas projects. He later went on to serve as director of real estate and permitting law for a leading energy generation company, overseeing projects across the country. His in-house experience gave Jeff a firsthand perspective on client expectations, and he understands how crucial it is for outside counsel to grasp clients' business goals. He rejoined the firm in the Energy & Natural Resources group in 2024.

Alongside his client-focused perspective, Jeff is also known for what clients have called his "calm assertiveness": his ability to smoothly navigate high-stress, contentious negotiations. Jeff has a reputation for staying on

Industry

Energy & Natural Resources

Services

Biofuels, Biomass, & Landfill Gas
Carbon Capture & Sequestration
Community Solar
Data Centers
Electric Transmission
Energy Storage
Hydrogen
Land Use
Private Use Networks
Solar Energy
Telecom
Wind Energy

message with the end goal always in sight. A calming presence in high-stakes transactions, he gets client deals across the finish line.

Experience

- Represented clients in project development, due diligence review, title and survey issues, land use approvals, financing, development incentives and tax credits, leasing, land use, and zoning.
- This matter involved comprehensive management of lease drafting, review, and amendment processes for a broad portfolio of wind projects spanning multiple states. The work included meticulous review and revision of numerous lease forms and amendments, addressing issues such as vesting deeds, legal descriptions, payment terms, and regulatory requirements. Regular conferences and calls were held to track project status, coordinate with internal and client teams, and resolve outstanding items. Special attention was given to harmonizing lease and amendment forms across projects, addressing landowner and attorney comments, and responding to evolving project and regulatory needs—including entity authority, subdivision, and bifurcation issues. The matter also encompassed extensive audit and analysis of lease terms, ensuring consistency and compliance across all agreements. The attorney maintained close collaboration with the client and project partners, providing timely updates, managing amendment tracking, and ensuring all documentation was executed and circulated appropriately to support ongoing project development and financing objectives.
- I directed the real estate diligence and closing processes for a major portfolio, managing title, survey, and site plan curatives, and coordinating with multiple counsel and stakeholders. My responsibilities included drafting and revising financing agreements, landowner estoppels, legal opinions, and shared facilities agreements, as well as addressing complex issues such as tax equity structuring, disannexation, mineral rights, and crossing agreements. Through frequent checklist calls and daily punch list meetings, I ensured that all deliverables, endorsements, and closing conditions were met, supporting the client from initial diligence through successful funding and closing.

Experience

- Over the course of this matter, work has focused on comprehensive site control diligence, negotiation, and documentation for the Sweetwater 4 and 5 wind projects. This included extensive review and revision of existing and draft easement, lease, and sub-easement agreements, with a particular focus on the Kuteman-Harris, Monroe, and other key landowner agreements. The process involved coordinating with the client and counterparties to address project scope, environmental diligence, decommissioning requirements, and compliance with the Lone Star Infrastructure Protection Act. Numerous conference calls and correspondence supported ongoing negotiations, revisions, and resolution of title curative issues, ownership changes, and payment structures. The matter also included drafting and revising amendments, side letters, and summaries to address wind rights severances, shared facilities, and compensation terms, as well as tracking and consolidating outstanding issues to ensure all site control and title requirements are satisfied for project milestones.
- Advised clients on complex regulatory and government affairs issues before federal, state, and local agencies.
- Represented developer in restoration of historic downtown commercial building, including structuring complex financing and incentives.

Experience

- For the Forefront Portfolio, I conducted thorough real estate diligence across multiple sites, including review and mark-up of leases, title commitments, and ALTA surveys for Bagby, Bonacci, Osman, Thoroman, Sommer, and Aggertt. I managed the Q&A process, prepared diligence reports, and coordinated closing checklists, while addressing site control discrepancies, mineral issues, and zoning restrictions. Through ongoing communication with Forefront, Generate, and title companies, I ensured that all diligence, amendments, and closing documentation supported a smooth transaction process for each project in the portfolio. I managed real estate diligence, documentation, and structuring for the Oberon project, including review of leases, shared facilities agreements, site plans, and environmental and survey deliverables. I oversaw the negotiation and drafting of access and easement agreements, assignment of lease options, and sublease structures, while addressing title, tax, and USDA financing requirements. My work involved close coordination with the client, landowner, Oberon, and other stakeholders to resolve survey, easement, and project structuring issues, ensuring all real estate agreements and deliverables were in place for project advancement and financing.
- Over the course of this matter, I have managed the comprehensive real estate diligence and documentation for the Sonora, Granite City, Viola, Alpine Road, and Sandoval 2 projects. This included careful review and mark-up of title commitments, ALTA surveys, and leases; drafting and negotiating encroachment, crossing, and lease amendment agreements; and preparing detailed development complete reviews and real estate summaries. I coordinated weekly project calls, maintained status trackers, and provided ongoing follow-up to address open diligence items, deliverables, and curative requirements. My work also involved close communication with counterparties, title companies, and the client to resolve complex issues related to access, survey revisions, mineral endorsements, and permitting, ensuring all projects remained on track toward their respective development and closing milestones.

Experience

- This matter entailed the drafting, review, and revision of a substantial number of wind energy leases and related documentation for the Rock Island Wind project and associated Illinois projects. Attention was given to ensuring accurate legal descriptions, resolving vesting deed and ownership issues, and consolidating or bifurcating lease packages as needed. The work included close coordination with the client and land agents to address landowner comments, trust and partnership documentation, and to ensure that all parcels and parties are properly reflected in the finalized lease documents. The process also involved responding to questions on deed variations, consolidating trust and entity leases, and making necessary corrections to parcel information to facilitate project progress.
- Represented major multinational pipeline company before county board and state circuit court in dispute related to conditional use permit.
- This matter centered on the negotiation and documentation of a complex shared facilities arrangement for a data center project, including a new sublease and multiple easement assignments. The work began with extensive review and revision of the draft Shared Facilities Agreement (SFA), sublease, and assignment documents, incorporating client and counterparty comments, and addressing key issues such as assignment rights, reimbursement provisions, and term extensions. Regular phone conferences and correspondence facilitated alignment on open issues, while detailed attention was given to regulatory compliance (including PUCT registration), insurance, and dispute resolution provisions. The attorney coordinated responses to investor, Hut 8, and consultant comments, ensuring that all agreements reflected the latest business and legal requirements. The process culminated in the preparation of final documents, including waivers and recognition agreements, with a focus on closing all open issues and ensuring the client's interests were fully protected in the evolving transaction structure.

Experience

- For this portfolio of projects, I led the review, drafting, and negotiation of lease agreements, amendments, and estoppel certificates for the HE33, WI158, and WI202 sites. My work included detailed diligence on title and survey matters, option to purchase agreements, and coordination of crossing agreements with utilities and pipelines. I addressed issues such as road dedications, annexation, non-conforming uses, and insurance requirements, while managing ongoing communications with the client and counterparties. Throughout, I maintained a rigorous checklist process and ensured that all documentation and deliverables met the requirements for closing and compliance under the MIPA, supporting the client through each stage of diligence and transaction structuring.
- Throughout this period, significant progress was made across multiple wind projects, including Spring Point, Mineral Springs, Half Moon, Lower Crossing, Terrace Sands, Esker Sands, Drumlin Sands, and Horseshoe Trail. The work began with detailed reviews and revisions of vesting deeds, leases, and easement agreements, often addressing parcel mergers, legal description corrections, and landowner requests. As the portfolio advanced, substantial attention was devoted to updating and harmonizing lease forms and amendments, coordinating closely with the client and land agents to ensure all prepared leases reflected current terms, payment structures, and project requirements. This included managing bifurcations due to ownership changes, preparing scrivener's affidavits for regulatory filings, and facilitating the amendment process for both new and existing agreements. Regular project checklist calls, coordination via Smartsheet, and ongoing communication with stakeholders ensured that all documentation and procedural updates were efficiently tracked and implemented, ultimately supporting the timely and effective advancement of the client's wind project development goals.
- Represented global telecommunications company in proceedings before state agency related to utility relocation costs for new streetcar project.

Experience

AS IN-HOUSE COUNSEL:

- Managed a team of attorneys, paralegals, and real estate specialists providing legal support to development and operations teams in renewable energy generation, with a focus on delivering solution-oriented advice in the development, construction, and operation of renewable energy projects.
- This matter focused on supporting the client through the closing process for a wind project, with significant attention to real estate diligence, title and survey review, and satisfaction of closing conditions. Regular project checklist calls and ongoing correspondence facilitated the resolution of survey, title, and permitting issues, including regulatory delays and facility de-rate considerations. The work included drafting and revising legal opinions, closing instruction letters, and amendments to key project agreements (such as the ECCA and LLCA), as well as coordinating responses to investor and lender counsel comments. The process also involved ensuring all final deliverables, endorsements, and schedules were in place for successful project funding and closing.
- I handled the negotiation and drafting of wind and solar lease agreements for the Cristalinas Partners and related projects, incorporating hydrogen provisions and addressing complex commercial terms, landowner comments, and title issues. This matter involved extensive revisions and correspondence with both the client and landowner's counsel, as well as coordination of title and mineral searches, survey matters, and permitting requirements. I also supported the client in securing additional leases and easements, preparing regulatory matrices, and resolving right-of-way and access concerns to facilitate project development.
- Collaborated with the structured finance team in the negotiation, due diligence, and closing of project finance transactions.

Experience

- For this matter, I managed the real estate diligence for a multi-phase project, including review of project scope, lease parcels, and ownership structure. I drafted and negotiated MIPA provisions, lease agreements, and diligence memoranda, ensuring alignment with net metering and regulatory requirements. My work included detailed tracking of site control, title, and survey deliverables, ongoing Q&A with the seller, and coordination of closing documentation to address evolving project needs and ownership structures.
- Managed legal inputs and advised on potential legal risks for financial investment decisions by the executive leadership team and board.
- Oversaw the drafting and processing of all required real estate documents, including paralegal and lease analyst support as needed.
- I oversaw the real estate diligence and transaction documentation for the West Parkway acquisition, reviewing title, survey, and lease materials, and addressing complex issues with the condo association, master deed, and roof repairs. My work included drafting and revising real estate provisions in the MIPA, preparing diligence memos and lease amendments, and coordinating Q&A logs and closing checklists. I facilitated communication between the client, seller, title company, and the condo association to resolve approval requirements and ensure all closing conditions and deliverables were satisfied on schedule.
- Coordinated with legal team members in the delivery of advice to other business units on issues such as regulatory, construction and offtake.
- On this matter, I provided real estate diligence and transaction support for the Brush Country project, including review and revision of MIPA provisions, title commitments, surveys, and site plans. I coordinated with title companies and client teams to address curatives, mineral endorsements, and road use agreements, and drafted key closing documents such as the deed of trust and enforceability opinion. My efforts ensured timely completion of diligence, resolution of open issues, and smooth coordination of acquisition and funding closings.

Experience

- Primarily responsible for structuring, drafting, negotiating, and closing commercial agreements, offtake agreements, and vendor agreements.
- For the Knox Wind project, this matter involved a thorough review and revision of lease agreements for numerous landowners and entities, with particular focus on the Rusch and Hess family holdings and associated entities. The work included consolidating lease requests, resolving issues with missing or split parcels, updating legal descriptions, and ensuring all necessary signatories and authority documents were in place. Regular correspondence and coordination with the client and land agents addressed outstanding questions, consolidation of lease packages, and ensured that all documentation accurately reflected the current ownership and project requirements.
- Advised leadership on transactional, regulatory, project finance, corporate governance, employment, and other company issues.
- This matter centered on developing and refining the lease form and related ancillary documents for a wind project, as well as providing comprehensive training and support to land agents. Activities included drafting and revising the lease and term sheet, preparing training materials and presentations, and leading multiple training sessions to ensure agents understood the process and requirements. The work also involved responding to specific landowner and parcel issues, such as spousal consent, homestead exemptions, and competitor leases, as well as incorporating feedback related to the SFIA program and other regulatory considerations. Ongoing revisions to lease packages and supporting documents ensured alignment with project goals and compliance requirements.
- Obtained local land use approvals for one of the largest solar energy generation facilities in the eastern United States.
- Coordinated local land use approvals for wind, solar and energy storage projects across the United States.

Experience

- This matter involved drafting, reviewing, and revising lease and easement agreements for multiple landowners and entities, with a focus on ensuring accurate legal descriptions, resolving authority and signatory issues, and accommodating partnership and trust structures. The work included addressing questions related to vesting deeds, executor's and partnership authority, and consolidating or bifurcating lease packages as appropriate. Ongoing correspondence and coordination with the client and land agents ensured that all documents reflected current ownership and project needs, with attention to detail on signature blocks, property descriptions, and required supporting documents.

Recognition

- *Wisconsin Law Journal*, Up and Coming Lawyers, 2018
- *In Business Magazine*, 40 Under 40, 2016
- *Madison Magazine*, Face of Real Estate, Development, & Construction, 2016
- *The Capital Times*, Bright Ideas, 2016
- *In Business Magazine*, Professional of the Week, 2015
- *Wisconsin State Journal*, Know Your Madisonian, 2015

Education

- J.D., Notre Dame Law School
 - *cum laude*
 - *Journal of College & University Law*, Executive Editor, 2007-2008
- B.A., University of Wisconsin-Madison
 - with distinction

Admissions

- Wisconsin

Community Leadership

- Capitol Neighborhoods, Inc., Executive Council, 2014-2019
- Catholic Charities, Inc. of Madison, Advisory Board, 2017-2019
- Downtown Madison, Inc., Board of Directors, 2014-2019; Economic Development Committee, 2024-present
- Greater Madison Chamber of Commerce, Government Relations Committee, 2016-2019
- Madison Public Market Foundation, Board of Directors, 2017-2019