



TRISH VOTH BLANKENSHIP

PARTNER

WICHITA OFFICE

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PROFILE

Trish Voth's law practice includes two dedicated areas: (1) she heads up Foulston's solar, wind, BESS, and electric energy practice, and (2) is also a leader in the firm's real estate practice. Trish monitors local law, policy and trends that affect Kansas projects and business, offering solutions and resources to the firm's clients and contacts related to renewable and electric energy and separately regarding commercial real estate. Her Kansas experience and commitment to the real estate, renewable energy, and legal industries spans 25 years of practicing law at Foulston. She supplements this insight by actively participating at the national level in real estate law (ACREL and ICSC) and renewable energy (ACP and SEIA) organizations.

Typical clients? Project and property developers, managers, investors, lenders, property owners, and leasing directors rely on Trish for practical, strategic legal advice, effective negotiation, and skilled agreement drafting. In-house counsel routinely trust Trish to serve as local counsel and to deliver Kansas insight, local law and custom advice, and to outsource legal and diligence support.

To learn more about Trish's capabilities and clients served, please visit our Renewable Energy, Storage & Transmission Practice and Real Estate Practice; or review below for her relevant experience, professional information, and presentations.

Education

- Washburn University (J.D., *magna cum laude*, 1998)
Certificate in Agricultural Law
- Washburn University (B.A. in Public Administration, *summa cum laude*, 1995)

Admissions

- Kansas (1998)

PRACTICE AREAS

FOULSTON

ATTORNEYS AT LAW

- Real Estate
- Renewable Energy, Storage & Transmission
- Energy
- Mergers & Acquisitions
- Business & Corporate Law
- Securities & Corporate Finance
- Administrative/Regulatory

INDUSTRIES

- Real Estate
- Energy & Natural Resources
- Hospitality & Retail
- Agribusiness

DIVERSITY & INCLUSION COMMITMENT

Trish Voth believes inclusion of diverse opinions, knowledge and experience can result in better decisions. As part of her 25-year legal career at Foulston, Trish has chosen to advance inclusiveness of diversity -- not only at Foulston and in support of clients, but also as part of her commitment to support the commercial real estate industry, and her civic and community involvement. Part of advancing DEI in the energy and commercial real estate industries is showing up and leaning further in year after year.

At the national level and as a member of the American College of Real Estate Lawyers (ACREL), part of her giveback is a focus on increasing diversity of fellow candidates as well as diversity of fellow involvement. Trish co-presented several seminars focused on addressing unconscious bias at national real estate law conferences of the Innovating Commerce Serving Communities (ICSC), formerly known as the International Council of Shopping Centers.

Her state and local community and civic diversity efforts include active participation and support since the inception of Wichita's Women In Commercial Real Estate group (WICRE), a local organization similar to CREW; supporting women in the legal profession by presenting on business development and networking to the Kansas Women Attorney Association; organizing through the YMCA a pilot entrepreneurship club for at-risk diverse middle schoolers; part of a group of Foulston transactional lawyers who met with the Heartland Black Chamber of Commerce to discuss business legal issues; serving as Goodwill Industries of Kansas board member supporting the organization's mission to remove barriers to employment for disabled, socio-economically challenged, and other diverse Kansans across two-thirds of the state; and past president and founding board member of Big Brothers/Big Sisters of Ford County.

Trish is the only female Band 1 real estate lawyer ranked by *Chambers USA* in Kansas and one of only three female Kansas real estate transactional lawyers ranked by *Best Lawyers®*.

FOULSTON

ATTORNEYS AT LAW

Within Foulston, as a co-chair of Foulston's associate committee and leader of an associate retention task force, Trish led a study and several efforts focused on associate retention by improving gender disparity along with other diversity and cultural issues. She also served on the firm's governance committee studying diversity of firm leadership. During the past 25 years at Foulston, she has regularly participated in additional law firm roles and discussions working on gender equity among Foulston lawyers.

COMMUNITY INVOLVEMENT

- Wichita Regional Chamber of Commerce Entrepreneurship Task Force, Past Member
- Goodwill Industries of Kansas, Past Board Member
- Greater Wichita YMCA, Past Andover Branch Advisory Board Member
- Park System Master Plan Steering Committee for the City of Andover, Member
- Andover USD 385 – Center for Advanced Professional Studies (CAPS), Mentor and Presenter; Key Communicator Network, Member; District-Wide Parent Legislative Council, Past Member; and Meadowlark Elementary School Site Council, Past Member
- Rotary Club of Andover, Past Member, Board Member, and Membership Chair
- Ronald McDonald House Charities of Wichita, Inc., Past Board of Directors – President, Executive Committee and Golf Tournament Fundraiser Committee Member
- Leukemia & Lymphoma Society, Kansas Chapter, 2010 Woman-of-the-Year
- Wichita Regional Chamber of Commerce, Member
- United Way of the Plains Young Leader
- United Way of Ford County, Past President and Allocations Committee Chair
- Leadership Wichita, Wichita Regional Chamber of Commerce
- Leadership Dodge City, Dodge City Chamber of Commerce
- Big Brothers/Big Sisters of Harvey County and Shawnee County, Past Member
- Big Brothers/Big Sisters of Ford County, Past President and Founding Board Member
- Youth Entrepreneurs of Kansas, Volunteer Business Plan Advisor and Event Speaker
- Executive Women's Golf Association – Wichita Chapter, Past President and Founding Board Member
- Wichita Business Journal's Mentoring Monday, Mentor

RELEVANT EXPERIENCE

Solar, Wind, and BESS

- Represented project developers, project managers, county regulators, or landowners in more than 55 wind, solar, and BESS energy projects.
- Real estate local counsel for party acquiring interests in and developing wind energy projects of approximately 419 megawatts spread over 66,000 acres, and an additional approximately 240 megawatts over additional acreage.

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ATTORNEYS AT LAW

- Local counsel for national renewable project developer regarding approximately 200-megawatt wind energy project.
- Local counsel for an international renewable project development and management company regarding wind energy projects and potential development, including three projects totaling approximately 650 megawatts and approximately 180,000 acres.
- Representation of project development and management company regarding approximately 74-megawatt wind energy project.
- Local counsel in \$150,000,000 financing of electric transmission assets across 14 counties.
- Advising on alternatives and negotiating and drafting documents to facilitate transfer of renewable project income stream separate from project lease.
- Represented national leader in sales and installation of distributed wind energy projects, including Vestas, Gamesa, Northern Power, and Endurance Turbines.

Mergers and Acquisitions - Real Estate

- Purchaser's counsel to acquire 34 operating hotels in multiple transactions. Representation spanned negotiating asset acquisition agreements, conducting diligence and risk assessment, and operations turnover.
- Real estate member of firm's transaction team representing a dairy operation in the asset purchase of large feedlot and agriculture enterprise in western Kansas. The firm's role included negotiation and preparation of letters of intent, asset purchase and related transaction documents, ERISA and employee benefit matters, business and tax issues, review and negotiation of land title and permitting issues, water rights and environmental issues, and a broad range of general corporate matters.
- Real estate member of firm's transaction team representing heavy equipment dealer's two separate successful acquisitions of other large franchise equipment dealer's operations and territory. The first acquisition doubled its territory from 49 to 99 Kansas counties; the second added 45 more counties in Kansas and Missouri. The real estate portion of the transactions included 16 new operations sites, the real estate diligence and related financing and third-party agreements for each, and negotiation of the real-estate-related portions of the acquisition agreements.
- Real estate member of firm's transaction team that successfully represented the seller of a 20-hotel portfolio of assets located in 11 states to Hyatt Hotels Corporation. Legal real estate work included negotiation of real estate terms of sale agreement, responding to real estate diligence inquiries and issues, and obtaining lessor, owners associations, governmental, and other third-party required consents.
- Represented seller in successful sale of multi-state, multi-location convenience store operator for 50 business sites. Real estate issues included negotiation of real estate terms of sale agreement, creatively addressing and solving title objections, leasing, estoppels, third party consents, licenses, lot-splits, new easements, and zoning and code compliance.
- Real estate member of firm's transaction team that successfully represented the seller of a 99-bed hospital operation to an HCA subsidiary, including negotiating real estate terms of sale agreement, a long-term lease, related re-financing terms and documentation for the site, shared building use and services terms with other occupant, and assisting with real estate diligence items.

Real Estate Development

- Hotel developer's outside counsel, including leading real estate legal team handling all aspects of new site acquisition negotiation, diligence, and entitlement, to acquire, construct and operate or franchise more than 180 sites throughout the United States.
- Counsel for hotel developer obtaining industrial revenue bonds.

FOULSTON

ATTORNEYS AT LAW

- Site acquisition and diligence counsel to regional shopping center developer.
- Represent acquirer of 15-acre industrial site, including pre-acquisition diligence, and post-acquisition complex re-development leasing and diligence.
- Local Kansas counsel for significant casino company, assisting with a range of site acquisition, development, and permitting issues, including laws and use concerns unique to a casino operation, for a proposed \$260 million, 275-acre development.
- Represented developer of approximately 29-acre urban mixed-use multi-building public-private downtown revitalization development in all aspects: development agreements, land contracts, multiple ground leases to support national retailer, offices, national hotel chain and condominiums, subleases, owners associations, financing, platting, permitting, restrictive covenants, easements, parking agreements, and use limitations.
- Counsel to land seller of largest and still-expanding recent commercial development corridor in Garden City, Kansas, including Walmart, Sam's Club, Home Depot, Applebee's, Menard's and hotel sites. Representation included involvement in development, tax, government incentives, platting, zoning, utilities, easement, and restrictive covenant issues.
- Exclusive representation of developer of approximately 700-acre mixed-use development. Handled all development aspects, including land contracts, leasing, owners' associations, financing, platting, permitting, restrictive covenants, easements, parking agreements, and use limitations.

Real Estate Leasing

- Representation of landlord of 131,000 square-foot multi-story office building with national and regional tenants, negotiation of tenant leasing documents and related documents and issues, including tenant leasing 81,000 square-feet.
- Assisted with more than 85 transactions – a mix of leasing (single-site, pad site, and in-line) and site sale/purchases of fee title – across five states for franchisees of several national restaurant chains.
- Represented landlord in complex industrial leasing transaction involving more than 1,200,000 square feet.
- Negotiated tenant's three industrial leases covering over 1,000,000 square feet.

PROFESSIONAL MEMBERSHIPS, AFFILIATIONS, AND HONORS

- American College of Real Estate Lawyers (ACREL): Co-lead Climate Change Affinity Group; Past Membership Development Committee
- One of 100 "Women to Watch" United States business leaders named to Bizwomen's/American City Business Journal's 2016 list
- Solar Energy Industries Association, Member
- ICSC (Innovating Commerce Serving Communities f/k/a International Council of Shopping Centers), Member
- Wichita Business Journal Women in Business honoree, 2016
- Wichita Business Journal Women Who Lead in Real Estate and Construction honoree, 2020
- Recognized by Best Lawyers® as the 2015 and 2021 Wichita Real Estate Law "Lawyer of the Year"
- Selected by peers for inclusion in *The Best Lawyers in America*® in the area of Real Estate Law, 2011-2024
- Identified by Chambers USA as a leading lawyer in the United States for Real Estate, 2008-2023

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ATTORNEYS AT LAW

- Foulston Siefkin Leadership: Wichita Transactional Group, Vice-Chair; Associates Committee, Past Member, Past Co-Chair; Recruiting Committee, Past Member
- Wichita Business Journal / 40 Under 40 Business Leader 2007
- American Bar Association Real Property Section and Business Section, Member
- Kansas Bar Association: Real Estate, Probate and Trust; Oil Gas and Minerals; Corporation, Banking and Business Sections; Kansas Title Standards Committee, Past Member
- Wichita Bar Association Real Estate Committee, Past Chair; Building Committee, Member
- Kansas Women Attorneys Association
- Wichita Women Attorneys Association
- CCIM - Kansas Chapter, Affiliate Member
- Women in Commercial Real Estate (WICRE), Member
- Employer Support of the Guard and Reserve (ESGR) Patriot Award recipient in recognition of extraordinary support of an employee serving in the Kansas Army National Guard

PRESENTATIONS

2022

- Bias Is Unavoidable: Avoid Bias-Caused Losses To Your Deals, Negotiations, and Team (ICSC+U.S. Law Conference)
- Confronting Climate Change Policies— the Challenges of Decarbonizing Real Estate Toward a Net Zero Future (ACREL 2022 Annual Meeting)
- Wind and Solar Energy – Kansas County Counselor Roles (Kansas County Counselors Association)
- Wind, Solar, and Other Renewable Energy Infrastructure in Kansas (Kansas County Commissioners Annual Conference)
- State and Local Land Use: Get the Facts and Know the Law to Site Responsibly and Develop Winning Renewable Energy Projects (American Clean Power (ACP) National Siting and Environmental Compliance Conference)
- Trends, Forecast and Unique Topics in Large Scale Rural Solar and Wind Land Use Planning and Approvals, with Steve Romine (American College of Real Estate Lawyers (ACREL) Land Use and Environmental Committee)

2021

- But, I'm Not Biased! Solving Intentional and Unintentional Bias in the Workplace (2021 ICSC Law Conference)
- Where Do I Sign? Wait — What Am I Signing? Understand Your Residential Contract to Buy or Sell (Hispanics in RE, Inc.)

2019

- Assess Your Negotiation Style: The Ethics of Puffing, Bluffing and Outright Misrepresentations in Agreement Negotiations (International Council of Shopping Centers (ICSC), U.S. Shopping Center Law Conference)

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- How to (Ethically) Improve Your Negotiating Style (Foulston Siefkin LLP, Corporate Counsel Series: Ethics 2019)
- Ethics in Transaction Negotiation, Drafting, and Deal-Making – How Does Your Style Stack Up, Ethically? (Wichita Bar Association)
- Qualified Opportunity Zones & Tax Strategies for Investing (Women in Commercial Real Estate)

2018

- Unconscious Bias - How to Spot It and Become an Inclusive Leader (International Council of Shopping Centers (ICSC), U.S. Shopping Center Law Conference)
- Qualified Opportunity Zones (Wichita CCIM Chapter)

2017

- Advanced Title Issues and Solutions (International Council of Shopping Centers (ICSC), U.S. Shopping Center Law Conference)

2016

- Title Insurance and Surveys (International Council of Shopping Centers (ICSC), U.S. Shopping Center Law Conference)

2015

- Wichita State University, Advanced Real Estate Development Class (Guest lecturer on the topic of legal issues & utilizing lawyers regarding real property development)
- Growing Greater Results: Becoming a Better Negotiator (Kansas Women Attorneys Association, Breakout Session)
- Deal or No Deal – What Are You Willing to Bet on Your Boilerplate Provisions (Wichita Bar Association)
- Working With Real Estate Lawyers (Women In Commercial Real Estate)
- Legal Basics: Financing and Structuring Commercial Real Estate Transactions (Women In Commercial Real Estate)

2014

- Branding Makeover – Take Years Off Your Networking & Business Development Learning Curve (Kansas Women Attorneys Association, The 2014 Lindsborg Conference)
- Signed, Sealed, Delivered, I'm Yours: Wind Turbines, Cell Towers, & Billboard Agreements - Getting Comfortable with Odd-Shaped Objects (Wichita Bar Association)
- Commercial Real Estate Business Books (Women In Commercial Real Estate)

2012

- Wind Project Title Insurance: Breeze through the Issues (Kansas Land Title Association, District Meeting)

2011

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- Wichita State University, Advanced Real Estate Development Class (Guest lecturer on the topic of legal issues & utilizing lawyers regarding real property development)
- Survey Shape-Up and Title Tone-Up: 50 Minutes to Faster, Firmer & Fabulous Orders, Reviews, Negotiations & Purchases (Wichita Bar Association)
- Issues Related to Wind Energy Transactions from a Construction and Real Estate Perspective (Kansas Bar Association, Faculty presenter of “Energizing the Law Practice” seminar)

2010

- 2010 Construction Industry Legislative Update (Kansas Construction Network)

2009

- Preparing the Title Opinion and Issues in Title Insurance (National Business Institute seminar)
- The Lay of the Land: Land Title Issues (Chapters 2 & 12 of Kansas Real Estate Practice and Procedure Handbook) (Kansas Bar Association, 27th Annual KBA Plaza Lights Institute)
- Ethics In Real Estate Transactions (Wichita Bar Association, Real Estate Seminar)
- Wichita State University, Advanced Real Estate Development Class (Guest lecturer on the topic of legal issues & utilizing lawyers regarding real property development)

PUBLICATIONS

2022

- Decarbonizing Buildings to Combat Climate Change:
Part of Your Commercial Real Estate Law Practice?
-The ACREL Papers, The American College Of Real Estate Lawyers, Fall 2022

2009

- Title Examinations
-Chapter author of Kansas Bar Association, Kansas Real Estate Practice and Procedure Handbook

ISSUE ALERTS

2020

- Coronavirus: What Kansas Multi-Family and Other Residential Landlords Should Know About the Unprecedented Federal Residential Eviction Moratorium Order
- Coronavirus: Business Guide to the Kansas Ad Astra Re-Open Plan (Phase 2.0)
- Coronavirus: Business Guide to the Kansas Ad Astra Re-Open Plan (Phase 1.5)
- Coronavirus: Open for Business – The Kansas Ad Astra Re-Open Plan (Phase 1)
- Coronavirus: Rapid Funds Available Now For Businesses In 35 Kansas Communities

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2018

- Don't Wait for IRS Guidance to Invest in Opportunity Zone Fund