



## DAVID S. WILSON

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### SHAREHOLDER

David Wilson is a member of Kirton McConkie's Real Estate section. His practice includes a broad range of real estate matters, including acquisition, disposition, leasing, financing, planning, zoning, and development of low-income housing tax credit projects, multi-family residential developments, skilled nursing and assisted living facilities, and other commercial and industrial properties. He has represented both lenders and borrowers in the documentation of multi-site, multi-state mortgage loans and in workouts of troubled loans. Mr. Wilson has extensive experience in representing sponsors in all aspects of the development of low-income housing tax credit projects and landlords in the purchase, sale, and leasing of properties used as nursing homes, assisted living facilities, and other senior housing uses.

## EXPERIENCE

### Representative Transactions

- Lead counsel in over \$1.6 billion of senior housing real estate investments, including acquisitions of existing facilities, reinvestment in owned assets, and construction of new facilities
- Represented landlord in \$260 million acquisition and development of a high-rise assisted living facility on the island of Manhattan
- Advised senior management and assisted in all phases of property diligence, negotiation and documentation of \$50 million investment in \$1.1 billion joint venture with private equity partner, including securitized mortgage and mezzanine loans in excess of \$700 million
- Negotiated complex consolidation of multiple leases into a single 12-year master lease for skilled nursing portfolio in Texas
- Represented subsidiary unit of Fortune 100 client in the liquidation of real and personal property assets in connection with winding down operations
- Represented large university in negotiation of 50-year license agreement for attachment of a skybridge to client's parking garage in downtown Chicago
- Participated in all phases of negotiation and drafting of documents for secured \$50 million working capital loan to portfolio tenant to facilitate development and lease-up of new facilities
- Represented private REIT client in \$505 million secured mortgage financing with property in 21 states
- Represented administrative agent in securing defaulted unsecured \$2 billion loan with 523 properties in 48 states
- Represented lender in comprehensive restructure of \$80 million of defaulted construction and acquisition loans, including drafting complex governing settlement agreement, deed-in-lieu documents and third-party real property/note sale agreement
- Represented bank clients as equity investors in low-income housing tax credit transactions, including negotiation of limited partnership agreements and reviewing and advising client with respect to multi-layer financing documents and underlying title and construction documentation
- Practiced with Sidley Austin LLP in Chicago, Illinois, and as in-house counsel for a large, publicly-traded senior housing REIT prior to joining Kirton McConkie

### PRACTICE AREAS

COMMERCIAL LEASING  
 CONTRACTS  
 FORECLOSURES AND RESTRUCTURING  
 GENERAL COUNSEL SERVICES  
 GOVERNMENT FINANCING  
 LAND USE AND ZONING  
 LENDING AND FINANCE  
 PROJECT DEVELOPMENT AND AGREEMENTS  
 PURCHASE AND SALE TRANSACTIONS  
 REAL ESTATE  
 REAL ESTATE FINANCING

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## EDUCATION

University of Illinois College of Law, JD, magna cum laude, 2007

Managing Editor, *Elder Law Journal*

Intellectual Property Moot Court, awarded best overall, best brief and best oral argument

Harno Scholar, Dean's List

CALI Excellence for the Future Awards in Real Estate Development and Baseball Salary Arbitration

Brigham Young University, BS, Business Management (Organizational Behavior), minor in Political Science, 2000

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## ADMISSIONS & AFFILIATIONS

*Admissions:* Utah, 2017

*Affiliations:* J. Reuben Clark Law Society