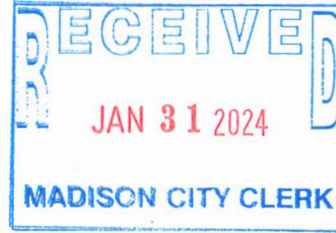




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Steven J. Frassetto
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January 30, 2024

CLAIM FOR AN EXCESSIVE ASSESSMENT

SERVED BY PROCESS SERVER

Meribeth Witzel-Behl, City Clerk
City of Madison
Room 153 Madison Municipal Building
215 Martin Luther King Jr. Boulevard
Madison, WI 53703

DANE COUNTY LEGAL NOTICE
SERVED BY: K.V. Sanchez
ON: 1/31/24 AT 12:03 P M

RE: Tax Parcel No.: 251-0709-133-0110-0

Dear Clerk:

Now comes Claimant, Veritas Village, LLC, owner of Parcel No.: 251-0709-133-0110-0 (the "Property") in Madison, Wisconsin, by Claimant's Attorneys, Menn Law Firm, Ltd., and files this Claim for an Excessive Assessment against the City of Madison (the "City"), pursuant to Wis. Stat. §74.37. You are hereby directed to serve any Notice of Disallowance on the undersigned agent of the Claimant.

1. This Claim is brought under Wis. Stat. §74.37(3)(d), for a refund of excessive real estate taxes imposed on Claimant by the City for the year 2023, plus statutory interest, with respect to the Property.

2. Claimant is the owner of the Property, is responsible for the payment of property taxes and the prosecution of property tax disputes involving the Property and is authorized to bring this claim in its own name.

3. The City is a body corporate and politic, duly organized as a municipal corporation under Wisconsin law, with its principal office located at 210 Martin Luther King Jr. Blvd., in the City.

4. The Property is located at 110 N. Livingston Street within the City and is identified in the City's records as Tax Parcel No. 251-0709-133-0110-0.

5. The Wisconsin Department of Revenue determined that the average assessment ratio of property assessed in the City was 99.44% as of January 1, 2023.

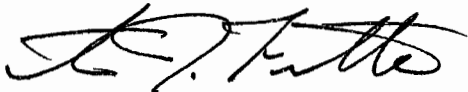
6. For 2023, property tax was imposed on property in the City at the rate of \$18.278 per \$1,000 of assessed value of the property.
7. For 2023, the City's assessor set the assessment of the Property at \$38,350,000.00.
8. Claimant appealed the 2023 assessment of the Property by filing a timely objection with the City's Board of Review pursuant to Wis. Stat. §70.47 but was denied a hearing before the Board of Review for allegedly failing to comply with Wis. Stat §70.47 (7) (af).
9. Claimant asserts that it qualifies for an exception to the general rule that a taxpayer cannot proceed with a legal challenge to the assessment without participating in a Board of Review hearing, as set forth in Walgreen Co. v. City of Oshkosh, 2014 WI App 54, 848 N.W2d 314.
10. Specifically, Claimant is absolved from complying with §70.47 objection requirements under Walgreens because it (1) filed a procedurally correct objection under §70.47(7) Wis. Stats to the 2022 assessment of the Property; (2) the assessment has not changed between 2022 and 2023; and (3) the 2022 objection was still unresolved as of the date of the first meeting of the Board of Review for 2023.
11. The final assessment of the City set the assessment of the Property at \$38,350,000.00.
12. The City imposed tax on the Property in the amount of \$700,934.20.
13. Claimant either timely paid the property taxes imposed by the City on the Property for 2023 or will pay the required installments thereof when due.
14. The 2023 assessment of the Property, as set by the City, when compared with other comparable commercial properties in the City, was excessive and, upon information and belief, violated Article VIII, Section 1 (i.e., the Uniformity Clause) of the Wisconsin Constitution.
15. When compared to other comparable commercial properties in the City, Claimant asserts that the correct assessment of the Property for 2023 is no higher than \$22,572,000.00.
16. Based on the tax rate of \$18.278 per \$1,000 of assessed value, the correct amount of property tax on the Property for 2023 should be no higher than \$412,581.40.
17. The property tax imposed on the Property was excessive, and Claimant is entitled to a refund of 2023 tax in the amount of \$288,352.80, or such greater amount as may be determined to be due to Claimant, plus statutory interest.
18. The amount of this claim is \$288,352.80, plus statutory interest thereon.

Meribeth Witzel-Behl, City Clerk
January 30, 2024
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Dated this 30th day of January 2023.

Very truly yours,

MENN LAW FIRM, LTD.

A handwritten signature in black ink, appearing to read "S. J. Frassetto", written over a horizontal line.

Steven J. Frassetto
State Bar No. 1010262

Agent for Claimant