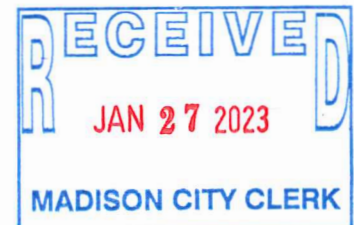


CLAIM FOR EXCESSIVE ASSESSMENT

TO: Maribeth Witzel-Behl, City Clerk
City of Madison
210 Martin Luther King Jr., Blvd.
Room 103, City-County Building
Madison, WI 53703

Claimant Wal-Mart Stores, Inc., by its attorneys Gimbel, Reilly, Guerin & Brown LLP, asserts it is the owner of parcel number 0708-264-0203-7 (the Property) located at 7202 Watts Road, Madison, Wisconsin, and files this Claim for Excessive Assessment against the City of Madison (the "City"), pursuant to WIS. STAT. § 74.37.

1. Claimant is the owner of the property, located at 7202 Watts Road, Madison, Wisconsin, and is responsible for taxes on the Property and is authorized to bring this claim in its own name.
2. For the 2022 tax year, property in the City was assessed at .9576% of its fair market value as of January 1, 2022, and was taxed at \$19.81 per \$1,000 of assessed value. A copy of the 2022 tax information is attached as Exhibit A.
3. For the 2022 tax year, the value of the Property was set by the City Assessor's office at \$8,380,000.
4. Claimant made a timely objection to the Board of Review, and the Board determined the 2022 final assessment to be \$8,380,000. A copy of the Notice of Board of Review Determination is attached as Exhibit B.
5. Based on this assessment, the City imposed a tax of \$165,968.04 on the Property.
6. The assessed value of the Property as of January 1, 2022, should be no higher than \$4,800,000. This value is derived from sales of comparable properties and by ascertaining the fair market rent for the Property and capitalizing that amount, net of vacancy and collection loss and net of expenses. Additionally, the Property was not assessed uniformly in compliance with Article VIII, Section 1 of the Wisconsin Constitution.




hand delivered

7. Based on the assessment ratio set forth in paragraph 2, the correct assessment of the Property for the 2022 assessment should be no higher than \$4,800,000, and the correct tax on the Property for 2022 should be no higher than \$95,040.00.
8. As a result of the excessive assessment of the Property for the 2022 tax year, an excess tax in at least the amount of \$70,928.04 was imposed on the Property.
9. The amount of this claim is \$70,928.04, plus interest thereon at the applicable statutory rate.

Dated this 27th day of January, 2023.

GIMBEL, REILLY, GUERIN & BROWN LLP

By: 
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Attorneys for Claimant

POST OFFICE ADDRESS:
330 East Kilbourn Avenue, Suite 1170
Milwaukee, Wisconsin 53202
Telephone: 414-271-1440

City of Madison Property Information**Property Address:** 7202 Watts Rd**Parcel Number:** 070826402110**REAL PROPERTY TAX INFORMATION FOR 2022****Information current as of:** 1/18/23 07:00AM

Category	Assessed Value	Average Assessment Ratio	Est. Fair Market Value
Land	2,900,000	95.760000%	3,028,404
Improvements	5,480,000	95.760000%	5,722,640
Total	8,380,000	95.760000%	8,751,044
Net Assessed Value Rate (mill rate)			0.01981537
School Levy Tax Credit			-13,819.29

Taxing Jurisdiction	2021 Net Tax	2022 Net Tax	% Tax Change
DANE COUNTY	0.00	21,665.33	%
MATC	0.00	6,313.14	%
CITY OF MADISON	0.00	64,494.21	%
MADISON SCHOOL	0.00	73,580.11	%
Total	0.00	166,052.79	%
First Dollar Credit	0.00	-84.75	0.0%
Lottery & Gaming Credit	0.00	0.00	0.0%
Net Property Tax	0.00	165,968.04	%

Total Due		
Installment	Due Date	
First Installment	1/31/2023	\$41,491.95
Second Installment	3/31/2023	\$41,492.03
Third Installment	5/31/2023	\$41,492.03
Fourth Installment	7/31/2023	\$41,492.03
Full Amount	1/31/2023	\$165,968.04

Transaction Information**Please note:** As of today's date, no payments have been received on this parcel.**Tax Information Questions?****Treasurer's Office**

210 Martin Luther King, Jr. Boulevard, Room 107

Madison, Wisconsin 53703-3342

Phone: (608) 266-4771

Email: treasurer@cityofmadison.com**Disclaimer:** The City of Madison collects and displays tax payments only for the current tax season of December through July 31st. If you have questions regarding property taxes for prior tax years, please contact the Dane County Treasurer's Office at (608) 266-4151 or for tax payment history, go to Dane County's [Access Dane](#).PLAINTIFF'S
EXHIBIT

A

Notice of Board of Review Determination

Under state law (sec. 70.47(12), Wis. Stats.), your property assessment for the current year 2022 as finalized by the Board of Review (BOR) is listed below.

Property owner

WAL-MART STORES INC
 PO BOX 8050 MS 0555
 BENTONVILLE AR 72712-8050

General information

Date issued 10 - 12 - 22
 Parcel no. 0708-264-0203-7
 Address 7202 WATTS RD
 Legal description

Town
 Village
 City

Municipality MADISON

Assessment information

<u>2022</u> Original Assessment		<u>2022</u> Final Assessment <small>(determined by BOR)</small>	
Land	\$ 2,900,000	Land	\$ 2,900,000
Improvements	\$ 5,480,000	Improvements	\$ 5,480,000
Personal property	\$	Personal property	\$
Personal property	\$	Personal property	\$
Personal property	\$	Personal property	\$
Total personal property	\$ 0	Total personal property	\$ 0
Total all property	\$ 8,380,000	Total all property	\$ 8,380,000

Appeal information

If you are not satisfied with the BOR's decision, there are appeal options available. **Note:** Each appeal option has filing requirements. For more information on the appeal process, review the Property Assessment Appeal Guide. Visit revenue.wi.gov and search keyword "Assessment Appeal."

Appeal to:

Department of Revenue (DOR) – must file within 20 days after receipt of the BOR's determination notice or within 30 days after the date specified on the affidavit if there is no return receipt. A \$100 filing fee is required. The fair market value of the items or parcels cannot exceed \$1 million dollars. DOR may revalue the property any time before November 1 of the assessment year or within 60 days after receiving the appeal, whichever is later. If adjusted, the value is substituted for the original value and taxes paid accordingly. (sec. 70.85, Wis. Stats.)

Circuit Court - Action for Certiorari – must file within 90 days after receiving the determination notice. The Court decides based on the written record from the BOR. You cannot submit new evidence. (sec. 70.47(13), Wis. Stats.)

Municipality - Excessive Assessment – must first appeal to the BOR and have not appealed the BOR's decision to Circuit Court or to DOR. You cannot claim an excessive assessment under sec. 74.37, Wis. Stats., unless the tax is timely paid. A claim under section 74.37 must be filed with the municipality by January 31 of the year the tax is payable.

