



Village of Pewaukee Board of Review Agenda

May 12, 2020 at 3:00 p.m.

(Must be in session a minimum of 2 hours)

Meeting Available on Zoom.us at the following meeting number:

<https://zoom.us/j/95190157076>

In lieu of participating via the Zoom website, the alternative telephone only dial-in is:
Telephone number: 312-626-6799 Meeting ID: 951 9015 7076

"Due to the COVID-19 Pandemic and in recognition of the declaration of states of emergency by the President, the Governor and the Village President, this meeting will not be open to the public in an in-person capacity. Those wishing to observe may do so by downloading the ZOOM app to your personal computer, tablet or smart phone and utilizing the above information to join via either computer or telephone. If you wish to communicate in written format with the Board you may send written comments to the Village Clerk at 235 Hickory St. Pewaukee, WI 53072 or you may email the clerk at csmith@villageofpewaukee.com."

1. Call to Order and Roll Call
2. Approval of Minutes of Previous Meeting(s)
 - a. July 10, 2019
3. Confirm appropriate Board of Review and Open Meeting Notices
4. Nominations for Chairperson and Vice Chairperson
5. Verify Training has met the mandatory training requirements
6. Verify the confidentiality of income and expense information provided to the assessor under state law (sec 70.47(7)(af).
7. Review the policy regarding the procedure for sworn telephone testimony and sworn written testimony.
8. Review the policy regarding the procedure for waiver of Board of Review hearing requests.
9. Receipt of the Assessment Roll by Clerk from the Assessor and sworn statements from the Clerk.
10. Review of the assessment roll.
11. Discussion/Action – Certify all corrections of error under State Law 70.43 and verify that open book changes are included in the assessment roll.
12. Presentation of the Assessment Roll – Dean Peters, Associated Appraisals
13. Scheduled Objections

14. Adjournment

Note: Notice is hereby given that a quorum of a Village Committee and/or Commission may be present at the Village Board meeting, and if so, this meeting shall be considered an informational meeting of that Committee or Commission and no formal action of that Committee or Commission shall occur.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. To request such assistance, contact the Village Clerk at 262-691-5660.

Posted: April 24, 2020

**VILLAGE OF PEWAUKEE
BOARD OF REVIEW
July 10, 2019**

1. Call to Order and Roll Call

President Knutson called the Board of Review Meeting to order at approximately 3:04 p.m.

Board members present on Roll Call: Member Cheryl Mantz, Member Paul Jansen, Member Laurin Miller, Village President Jeff Knutson, and Village Clerk Cassie Smith.

Also Present: Dean Peters, Associated Appraisal; Nick Laird, Associated Appraisal, Ron English, Village Attorney; Jackie Schuh, Deputy Clerk-Treasurer.

2. Approval of Minutes of Previous Meeting

a. Minutes of the May 22, 2019 Board of Review Meeting

Laurin Miller moved, seconded by Paul Jansen to approve the May 22, 2019 Board of Review meeting minutes as written.

Motion carried 4-0; Cheryl Mantz abstained.

3. Statement of Public Notice (#2)

Clerk Smith confirmed that notices were appropriately and timely posted on May 29, 2019, for the second Board of Review meeting in the newspaper, on Village Hall doors and at the downtown kiosk. The affidavit was presented.

Paul Jansen moved, seconded by Laurin Miller to approve the statement of Public Notice.

Motion carried. 5-0

4. Nominations for Chairperson and Vice-Chairperson

Clerk Smith nominated Laurin Miller as the Chairperson.

Clerk Smith moved, seconded by Cheryl Mantz to appoint Laurin Miller as the Chairperson for the 2019 Board of Review.

Motion carried 5-0.

Laurin Miller nominated Paul Jansen as the Vice-Chairperson.

Laurin Miller moved, seconded by Cheryl Mantz to approve Paul Jansen for Vice-Chairperson for the 2019 Board of Review.

Motion carried 5-0.

5. Receipt of the Assessment Roll by Clerk from the Assessor and sworn statements from the Clerk

Assessor Dean Peters, representing Associated Appraisal, presented the 2019 Assessment Roll and stated that it is completed and includes any changes indicated as a result of Open Book. The Assessor's Affidavit has been signed and witnessed by Clerk Smith. He stated that this assessment was at 100% market value meaning that any changes made should be based on actual full-market value as of January 1, 2019.

6. Review of Assessment Roll

Assessor Dean Peters combined Item 6 on the agenda with his discussion of Item 5.

7. Discussion/Action – Certify all corrections of error under State Law 70.43 and verify that Open Book changes are included in the assessment roll.

Assessor Dean Peters combined Item 7 of the agenda with his discussion of Item 5.

8. Presentation of the Assessment Roll – Dean Peters, Associated Appraisal

Assessor Dean Peters combined Item 8 of the agenda with his discussion of Item 5.

9. Scheduled Objections

411 Pewaukee Road – PWV 0901 990 003

Clerk Smith presented the details, which were corrected by Assessor Peters based on a recent change in assessment bringing the current assessed value to \$12,860,900. A representative of CJM&W Investment Co. explained that the reason they are seeking a Waiver of Hearing is due to prior litigations in progress. Clerk Smith confirmed that there is pending litigation on this property and that the following requirements were met for a waiver of hearing: 1) timely notice of intent to appeal, 2) timely 'Intent to File for an Objection' form, 2) a request for a waiver from the board.

Cheryl Mantz moved, seconded by Paul Jansen to grant the request of waiver hearing and uphold the assessment for 411 Pewaukee Road due to the complex case and other litigating factors.

Motion carried 5-0.

1357 Capitol Drive – PWV 0901 984

Clerk Smith presented the details: current assessed value is \$14,471,900 with land value of \$5,131,000 and improvements of \$9,340,900. A representative for Menard Inc. explained that there is current litigation on this property as well and that this is the reason for seeking a Waiver of Hearing. Clerk Smith confirmed that there is pending litigation on this property.

Cheryl Mantz moved, seconded by Laurin Miller to grant the request of waiver hearing and uphold the assessment for 1357 Capitol Drive as stated due to the complex cases and other litigating factors.

Motion carried 5-0.

1441 Capitol Drive – PWV 0901 988

Clerk Smith presented the details: current assessed value is \$3,588,500 with land value of \$1,953,500 and improvements of \$1,635,000. A representative for Walgreen Co. explained that there is pending litigation for prior years and that is why they are seeking a Waiver of Hearing. Clerk Smith confirmed that there is pending litigation on this property already.

Cheryl Mantz moved, seconded by Paul Jansen to grant the request of waiver hearing and uphold the assessment for 1441 Capitol Drive as stated due to the complex cases and other litigating factors.

Paul Jansen inquired whether this is the same assessment as 2018 and Assessor Peters confirmed that the board sustained the assessed value in 2018.

Motion carried 4-1. President Jeff Knutson opposed.

474 W. Wisconsin Avenue – PWV 0893 938

Clerk Smith gave the details: current assessment of \$250,000 with land value of \$65,000 and improvements of \$185,200. Mr. John Miller came to the clerk's office earlier in the day to withdraw.

WITHDREW/CANCELLED

448 W. Wisconsin Avenue – PWV 0893 020

Clerk Smith gave the details: current assessment of \$191,700 with land value of \$63,500 and improvements of \$128,200. Clerk Smith swore in Assessor Dean Peters and property owner Kevin Cieszki. Mr. Cieszki compared a

neighbor's property and a home at 753 W. Wisconsin Ave. Both have larger lots and either an attached or detached garage, yet the assessments are similar. Mr. Cieszki believes a more accurate assessment is \$177,500. Assessor Peters presented materials and explained details of how the value was determined including sale comparisons. Cheryl Mantz inquired if the property has water frontage to which Assessor Peters stated no. **Paul Jansen moved, seconded by Cheryl Mantz to uphold the assessor's valuation at 448 W. Wisconsin Ave of \$191,700.**

Motion carried on roll-call vote 5-0.

404 Westfield Way – PWV 090 2156

Clerk Smith gave the details: current assessment of \$330,000 with land value of \$80,000 and improvements of \$250,000. Clerk Smith swore in Assessor Dean Peters and property owner Wendy Treptow. Ms. Treptow's opinion on the value of her home is \$315,000 based on the fact that she has a drainage issue on her property which causes flooding of the yard which makes her basement unusable and is causing the sidewalks to sink. She has spent \$12,000 to try to correct the problem with French drains but it still is not corrected. Treptow confirmed that she attended Open Book. General questions about the drainage were answered and Assessor Peters stated he was not aware of the water problems which would affect the land value by approximately 10%. Assessor Peters asked whether any damage has occurred due to basement flooding to which Treptow stated no because it is not finished. Discussion followed.

Paul Jansen moved, seconded by Jeff Knutson to adjust the valuation based on evidence presented as follows due to the water drainage problems on the property:

Land - \$ 72,000 Improvements - \$250,000 Total Assessment - \$322,000

Motion carried on roll-call vote 5-0.

503 Park Ave – PWV 0896 102

Clerk Smith gave the details: current assessment of \$687,900 with land value of \$429,500 and improvements of \$258,400. Clerk Smith swore in Assessor Dean Peters and property owner Steve Wetoska.

Mr. Wetoska's opinion on the value of the property is \$575,000 based on the fact that the home is deteriorating, no improvements, there is no air-conditioning, the neighborhood pier adjacent to his property that creates privacy issues. Assessor Peters spoke of comparable properties and how his valuation may have been different had he had this information at the time of assessment. Discussion followed.

Jeff Knutson moved, seconded by Paul Jansen to adjust the valuation based on evidence presented as follows due to neighboring the public pier: Land - \$408,000 Improvements - \$242,000 Total Assessment - \$650,000

Motion carried on a roll-call vote 5-0.

130 W. Wisconsin Ave Unit 13 – PWV 0898 957 013

Clerk Smith gave the details: current assessment of \$348,600 with land value of \$35,000 and improvements of \$313,600. Ms. Breitlow called the Village Hall today and withdrew.

WITHDREW/CANCELLED

1322 Greenhedge Rd – PWV 0904 062

Clerk Smith gave the details: current assessment of \$108,700 with land value of \$14,000 and improvements of \$94,700. Mr. McPherson III did not show.

Cheryl Mantz moved, seconded by Paul Jansen to uphold the assessor's valuation of:

Land - \$14,000 Improvements - \$94,7000 Total Assessment - \$108,7000

Motion carried on a roll-call vote 5-0.

Signatures were obtained on the waivers.

14. Adjournment

**Paul Jansen moved, seconded by Cheryl Mantz to adjourn the proceedings at approximately 5:38 p.m.
Motion carried 5-0.**

Respectfully Submitted,

Jackie Schuh
Deputy Clerk/Treasurer

DRAFT

ORDINANCE NO. 2019-06

**ORDINANCE TO CREATE A NEW SECTION UNDER CHAPTER 2,
ARTICLE IV, DIVISION 4, OF THE MUNICIPAL CODE OF
THE VILLAGE OF PEWAUKEE REGARDING CONFIDENTIAL
INFORMATION PROVIDED AS PART OF THE ASSESSMENT PROCESS**

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin do ordain as follows:

SECTION I

An Ordinance is hereby created to add to Chapter 2, Article VI, Division 4, of the Village Code of the Village of Pewaukee as follows:

Confidentiality of Income and Expenses.

- (a) *Adoption.* This subsection adopts by reference Wisconsin Statute Sec. 70.47(7)(af) as it may be amended from time to time, which provides that income and expense information provided by a property owner to the assessor for the purposes of establishing a valuation for assessment purposes by the income method of valuation shall be considered confidential and not a public record open to inspection or copying pursuant to Wisconsin Statute Sec. 19.35(1).
- (b) *Exceptions.* The Village may make disclosure of such information under the following circumstances.
 - (1) The Assessor has access to such information in the performance of his/her duties.
 - (2) The Board of Review may review such information when needed in its opinion to decide upon a contested assessment.
 - (3) Another person or governmental body has the right to review such information as a result of the duties of their office or as established by law.
 - (4) The Village is complying with a Court Order.
 - (5) The person providing the income and expense information has contested the assessment at either the Board of Review or by filing a claim for excessive assessment under Wisconsin Statute Sec. 74.37, in which case all underlying records relating to the assessment are open and public.

SECTION II

All Ordinances or parts of Ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

SECTION III

The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the ordinance.

SECTION IV

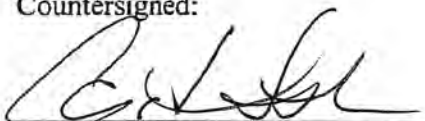
This Ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending Ordinance therein.

PASSED AND ADOPTED by the Village Board of the Village of Pewaukee, this 21 day of May, 2019.

APPROVED:


Jeff Krutson, Village President

Countersigned:


Cassie Smith, Village Clerk

**Board of Review Policy on Procedure for
Waiver of Board of Review Hearing Requests**

Whereas, Sec. 70.47(8m), Wis. Stat. authorizes the Board of Review to consider requests from a taxpayer or assessor, or at its own discretion to waive the hearing of an objection under Sec. 70.47(8) and allow the taxpayer to have the taxpayer's assessment reviewed under Sec. 70.47(13); and

Whereas, Sec. 70.47(8m), Wis. Stats further states that for purposes of this subsection, the Board of Review shall submit the notice of decision under Sec. 70.47(12), Wis. Stat. using the amount of the taxpayer's assessment as established by the municipal assessor as the finalized amount; and

Whereas, Sec. 70.47(8m), Wis. Stat. further states that for purposes of this subsection, if the Board of Review waives the hearing, the waiver disallows the taxpayer's claim on excessive assessment under Sec. 74.37(3), Wis. Stat. and notwithstanding the time period under Sec. 74.37(3)(d), the taxpayer has 60 days from the notice of hearing waiver in which to commence an action under Sec. 74.37(3)(d), Wis. Stat.; and

Whereas, the Department of Revenue has determined that the legal requirements of the Notice to Appear at the Board of Review must be satisfied and the Objection Form must be completed and submitted to the Board of Review as required by law by the taxpayer prior to a Request for Waiver being considered.

NOW, THEREFORE, the Village of Pewaukee Board of Review does hereby adopt as Board of Review Policy the following:

1. PROCEDURE:

Before the Board of Review (hereinafter BOR) can consider a request from a taxpayer or assessor, or at its own discretion to waive the hearing of an objection, the taxpayer must first complete and file with the Clerk of the BOR the following documents:

- A. A timely Notice of Intent to appear at BOR;
- B. A timely Objection Form for Real Property Assessment (PA-115A); and
- C. A Request for Waiver of Board of Review Hearing Form as developed by Department of Revenue.

If the owner fails to file the aforementioned documents as required, no hearing will be scheduled on the objection.

2. CRITERIA:

The BOR may consider any or all of the following factors when deciding whether to waive the hearing:

- A. The benefits or detriments of the BOR process;
- B. The benefits or detriments of having a record for the Court review;
- C. Avoidance of unruly, lengthy and burdensome appeals;
- D. Ability to cross-examine the person providing the testimony;
- E. The taxpayer's stated reason for the request as indicated on PA-813 Form;
- F. Whether the nature of the objection may have an impact on the matter in which similarly situated properties are assessed;
- G. The taxpayer has provided substantial reasons to justify the waiver request; and
- H. Any other factors that the BOR deems pertinent to deciding whether to waive the hearing

3. EFFECTIVE DATE:

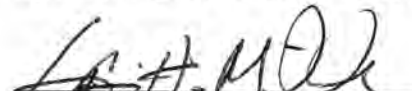
This policy shall be effective upon passage.

Passed on this 22 day of May, 2019.

By the Village of Pewaukee Board of Review

Attested By:


Clerk of the Board of Review


Board of Review Chairperson

**Board of Review Policy on Procedure for
Sworn Telephone or Sworn Written Requests**

Whereas, Sec. 70.47(8), Wis. Stat. authorizes the Board of Review to consider requests from a property owner or the property owner's representative to testify under oath by telephone or written statements under oath to the Board of Review and whether to allow the same; and

Whereas, the Department of Revenue has determined that the legal requirements of the Notice to Appear at the Board of Review must be satisfied and the Objection Form must be completed and submitted to the Board of Review as required by law prior to a Request to Testify by Telephone or Submit Sworn Written Statement Form being submitted.

NOW, THEREFORE, the Village of Pewaukee Board of Review does hereby adopt as Board of Review Policy the following:

1. PROCEDURE:

Before the Board of Review (hereinafter BOR) can consider a request from a property owner or the property owner's representative (hereinafter "Owner") to testify by telephone or submit a sworn written statement, the owner must first complete and file with the Clerk of the BOR the following documents:

- A. A timely Notice of Intent to appear at BOR;
- B. A timely Objection Form for Real Property Assessment (PA-115A);
- C. A timely Request for Waiver of Board of Review Hearing Form (PA-813); and
- D. A fully completed Request to Testify by Telephone or Submit a Sworn Written Statement at Board of Review (Form PA-814).

Such requests must be filed with the Clerk of the BOR within the first 2 hours of the BOR's first scheduled meeting.

If the owner fails to file the aforementioned documents as required, the BOR will not consider the request.

2. CRITERIA:

The BOR may consider any or all of the following factors when deciding whether to grant or deny the request:

- A. The Owner's stated reason(s) for the request as indicated on the PA-814;
- B. Fairness to the parties;
- C. Ability of the Owner to procure in person oral testimony and any due diligence exhibited by the Owner in procuring such testimony;
- D. Ability to cross-examine the person providing the testimony;
- E. The BOR's technical capacity to honor the request; and
- F. The Owner has provided substantial reasons to justify the waiver request; and
- G. Any other factors that the BOR deems pertinent to deciding the request.

3. EFFECTIVE DATE:

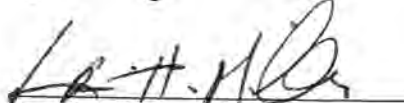
This policy shall be effective upon passage.

Passed on this 20 day of May, 2019.

Attested By


Clerk of the Board of Review

By the Village of Pewaukee Board of Review


Board of Review Chairperson

Village of Pewaukee Board of Review Scheduled Objections

May 12, 2020 – Meeting starts at 3:00pm

All times below are tentative, hearings will not start before times listed.

- 3:30pm** **PWV 0901988** **1441 Capitol Drive**
Walgreen Co. (Tenant)
Reinhart Attorneys at Law/Don Millis (Agent)
- 3:40pm** **PWV 0901990003** **411 Pewaukee Road**
CJM & W investment Company (Wal-Mart)
Gimbel, Reilly, Guerin, Brown, LLC/Christopher L. Stohbehn (Agent)
- 3:50pm** **PWV 0901984** **1357 Capitol Drive**
Menard, Inc. (Owner)
Paradigm Tax Group/Debbie Pellegrino (Agent)
- 4:00pm** **PWV 0903101004** **285 Forest Grove**
Forest Crossroads Investments, LLC (Owner)
Chad Zeznanski (Agent)
- 4:10pm** **PWV 0903108** **1166 Quail Court**
Quail Crossroads Investments, LLC (Owner)
Chad Zeznanski (Agent)



Reinhart Boerner Van Deuren, c.
P.O. Box 2018
Madison, WI 53701-2018

22 East Mifflin Street
Suite 700
Madison, WI 53703

Telephone: 608-229-2200
Facsimile: 608-229-2100
reinhartlaw.com

April 27, 2020

Don M. Millis
Direct Dial: 608-229-2234
dmillis@reinhartlaw.com

SENT VIA E-MAIL AND
FIRST CLASS MAIL

Casandra Smith
Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Dear Ms. Smith:

Re: 1441 Capitol Drive
Parcel No. PWV 0901 988

Enclosed please find an Objection Form for Real Property Assessment and Waiver form from the Board of Review hearing filed on behalf of Walgreen Co. regarding the above-referenced property.

Thank you for your attention to this matter, please contact me if you have any questions.

Sincerely,

Don M. Millis,

43477659

Agent Authorization for Property Assessment Appeals

If an agent is representing the property owner or municipality, the property owner or municipality must provide prior written authorization for the agent to represent the company or municipality when contacting the reviewing authority.

Section 1: Property Owner and Property Information

Company/property owner name Walgreen Co.			Taxation district <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City County	
Mailing address 300 Wilmot Road, MS #3301			Enter municipality -- Various	
City Deerfield	State IL	Zip 60015	Street address of property Any property in which Walgreen Co. has any right, interest or title, including tenant's interest, located in the State of Wisconsin.	
Parcel number Various - see property address	Phone () -		City Various	State WI
			Email	Fax () -

Section 2: Authorized Agent Information

Name / title Don Millis, Sara Rapkin, Shawn Lovell and Karla Nettleton			Company name Reinhart Boerner Van Deuren s.c.	
Mailing address 22 E. Mifflin Street, Suite 700, Madison, WI 53703			Phone (608) 229 - 2200	Fax (608) 229 - 2100
City Madison	State WI	Zip 53703	Email dmillis@reinahrtlaw.com	

Section 3: Agent Authorization

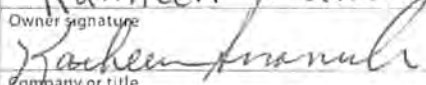
<p>Agent Authorized for: (check all that apply)</p> <p><input type="checkbox"/> Manufacturing property assessment appeals (BOA)</p> <p><input type="checkbox"/> Access to manufacturing assessment system (MAS)</p> <p><input type="checkbox"/> Wisconsin Department of Revenue 70.85 appeals</p> <p><input checked="" type="checkbox"/> Municipal Board of Review</p> <p><input type="checkbox"/> Other _____</p>	<p>Enter Tax Years of Authorization</p> <p>_____</p> <p>_____</p> <p>2019 (until revoked in writing)</p> <p>_____</p>
<p>Authorization expires: _____ (unless rescinded in writing prior to expiration)</p> <p style="text-align: center;">(mm - dd - yyyy)</p>	
<p>Send notices and other written communications to: (check one or both) <input checked="" type="checkbox"/> Authorized Agent <input checked="" type="checkbox"/> Property Owner</p>	

Section 4: Agreement/Acceptance

I understand, agree and accept:

- The assessor's office may divulge to the agent any information it may have on file concerning this property
- My agent has the authority and my permission to accept a subpoena concerning this property on my behalf, but this grant of authority and permission does not cure or waive any defect in the subpoena or the manner in which it was served
- Signing this document does not relieve me of personal responsibility for timely reporting changed to my property and paying taxes, or penalties for failure to do so, as provided under Wisconsin tax law.
- A photocopy and/or faxes copy of this completed form has the same authority as a signed original.
- If signed by a corporate officer, partner, or fiduciary on behalf of the owner, I certify that I have the power to execute this Agent Authorization form.

Section 5: Owner Grants Authorization

Owner Sign Here ▶	Owner name (please print)	Kathleen Sivanich	
	Owner signature		
	Company or title	Walgreen Co	Date (mm-dd-yyyy)

Objection to Real Property Assessment

To file an appeal on your property assessment, you must provide the Board of Review (BOR) clerk written or oral notice of your intent, under state law (sec. 70.47(7)(a), Wis. Stats.). You must also complete this entire form and submit it to your municipal clerk. To review the best evidence of property value, see the Wisconsin Department Revenue's *Property Assessment Appeal Guide for Wisconsin Real Property Owners*.

Complete all sections:

Section 1: Property Owner / Agent Information				* If agent, submit written authorization (Form PA-105) with this form			
Property owner name (on changed assessment notice) Walgreen Co. (tenant)				Agent name (if applicable) Reinhart Boerner Van Duren s.c., including but not limited to, Don. Millis, Sara Rapkin. Shawn Lovell & Karla Nettleton			
Owner mailing address 300 Wilmot, Mail Stop #3301				Agent mailing address 22 E. Mifflin Street, Suite 700			
City Deerfield	State IL	Zip 60014		City Madison	State WI	Zip 53703	
Owner phone	Email			Owner phone (608) 229-2200	Email dmillis@reinhartlaw.com		

Section 2: Assessment Information and Opinion of Value			
Property address 1441 Capitol Drive		Legal description or parcel no. (on changed assessment notice) PWV-0901-988	
City Pewaukee	State WI	Zip	
Assessment shown on notice - Total \$3,588,500		Your opinion of assessed value - Total \$2,500,000	

If this property contains non-market value class acreage, provide your opinion of the taxable value breakdown:

Statutory Class	Acres	\$ Per Acre	Full Taxable Value
Residential total market value			
Commercial total market value			
Agricultural classification: # of tillable acres	@	\$ acre use value	
# of pasture acres	@	\$ acre use value	
# of specialty acres	@	\$ acre use value	
Undeveloped classification # of acres	@	\$ acre @ 50% of market value	
Agricultural forest classification # of acres	@	\$ acre @ 50% of market value	
Forest classification # of acres	@	\$ acre @ market value	
Class 7 "Other" total market value		market value	
Managed forest land acres	@	\$ acre @ 50% of market value	
Managed forest land acres	@	\$ acre @ market value	

Section 3: Reason for Objection and Basis of Estimate	
Reason(s) for your objection: (Attach additional sheets if needed) Assessed value exceeds FMV because it is not uniform with the other assessments in the Village. The assessment also violates the Uniformity Clause of the Wisconsin Constitution	Basis for your opinion of assessed value: (Attach additional sheets if needed) See attached

Section 4: Other Property Information	
A. How was this property acquired: (check the box that applies) <input checked="" type="checkbox"/> Purchase <input type="checkbox"/> Trade <input type="checkbox"/> Gift <input type="checkbox"/> Inheritance	
Acquisition price \$ _____ leasehold rights _____ Date <u>10/1998</u> <small>(mm-dd-yyyy)</small>	
B. Were there any changes made to this property (ex: improvement, remodeling, addition) since acquiring it? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, describe: All improvement are on file as building permits	
Date of _____ Cost of _____	
Changes <u>_____</u> changes \$ _____ Does this cost include the value of all labor (including your own)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>(mm-dd-yyyy)</small>	
C. During the last five years, was this property listed/offered for sale? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, how long was the property listed (provide dates) _____ to _____ <small>(mm-dd-yyyy)</small> to <small>(mm-dd-yyyy)</small>	
Asking price \$ _____ List all offers received _____	
D. Was this property appraised within the last five years? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, provide: Date <u>1/2012</u> Value <u>\$2,250,000</u> Purpose of appraisal <u>Property tax challenge</u> <small>(mm-dd-yyyy)</small>	
If this property had more than one appraisal, provide the requested information for each appraisal. _____	

Section 5: BOR Hearing Information	
A. If you are requesting that a BOR member(s) be removed from your hearing, provide the name(s): n/a	
Note: This does not apply in first or second class cities.	
B. Provide a reasonable estimate of the amount of time you need at the hearing 30 minutes.	
Property owner or Agent signature <i>Don Millis</i>	Date (mm-dd-yyyy) 4/27/2020

Walgreens	2020
Income Approach	
1441 Capital Dr	
Pewaukee, Wisconsin	
PWV-0901-988	
14,820 square feet	
Market Rent \$ 15.00 NNN	

Income

Gross Potential Rent @ \$ 15.00	\$ 222,300
Vacancy & Collection Allowance	11,115
Effective Gross Income	<u>\$ 211,185</u>

Expenses

Administrative Expenses	7,391
Capital Reserves	4,224
Net Operating Income	<u>\$ 199,570</u>

Capitalization Rate 8.00%

Indicated Value -Walgreens \$ 2,494,623

Value per Square Foot \$ 168.33

Assessment	\$3,588,500
Asserted Value	\$2,500,000
Built	1999

Amended

5/19/20

Objection to Real Property Assessment

To file an appeal on your property assessment, you must provide the Board of Review (BOR) clerk written or oral notice of your intent, under state law (sec. 70.47(7)(a), Wis. Stats.). You must also complete this entire form and submit it to your municipal clerk. To review the best evidence of property value, see the Wisconsin Department Revenue's *Property Assessment Appeal Guide for Wisconsin Real Property Owners*.

Complete all sections:

Section 1: Property Owner / Agent Information				* If agent, submit written authorization (Form PA-105) with this form			
Property owner name (on changed assessment notice) Walgreen Co. (tenant)				Agent name (if applicable) Reinhart Boerner Van Duren s.c., including but not limited to, Don. Millis, Sara Rapkin, Shawn Lovell & Karla Nettleton			
Owner mailing address 300 Wilmot, Mail Stop #3301				Agent mailing address 22 E. Mifflin Street, Suite 700			
City Deerfield		State IL	Zip 60014	City Madison		State WI	Zip 53703
Owner phone		Email		Owner phone (608) 229-2200		Email dmillis@reinhartlaw.com	

Section 2: Assessment Information and Opinion of Value			
Property address 1441 Capitol Drive		Legal description or parcel no. (on changed assessment notice) PWV-0901-988	
City Pewaukee		State WI	Zip
Assessment shown on notice -- Total \$3,078,500		Your opinion of assessed value -- Total \$2,500,000	

If this property contains non-market value class acreage, provide your opinion of the taxable value breakdown:

Statutory Class	Acres	\$ Per Acre	Full Taxable Value
Residential total market value			
Commercial total market value			
Agricultural classification: # of tillable acres		@ \$ acre use value	
# of pasture acres		@ \$ acre use value	
# of specialty acres		@ \$ acre use value	
Undeveloped classification # of acres		@ \$ acre @ 50% of market value	
Agricultural forest classification # of acres		@ \$ acre @ 50% of market value	
Forest classification # of acres		@ \$ acre @ market value	
Class 7 "Other" total market value		market value	
Managed forest land acres		@ \$ acre @ 50% of market value	
Managed forest land acres		@ \$ acre @ market value	

Section 3: Reason for Objection and Basis of Estimate	
Reason(s) for your objection: (Attach additional sheets if needed) Assessed value exceeds FMV because it is not uniform with the other assessments in the Village. The assessment also violates the Uniformity Clause of the Wisconsin Constitution	Basis for your opinion of assessed value: (Attach additional sheets if needed) See attached

Section 4: Other Property Information	
<p>A. How was this property acquired: (check the box that applies) <input checked="" type="checkbox"/> Purchase <input type="checkbox"/> Trade <input type="checkbox"/> Gift <input type="checkbox"/> Inheritance</p> <p>Acquisition price \$ _____ leasehold rights Date <u>10/1998</u> (mm-dd-yyyy)</p> <p>B. Were there any changes made to this property (ex: improvement, remodeling, addition) since acquiring it? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe: All improvement are on file as building permits</p> <p>Date of Changes <u> </u> Cost of changes \$ _____ Does this cost include the value of all labor (including your own)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (mm-dd-yyyy)</p> <p>C. During the last five years, was this property listed/offered for sale? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, how long was the property listed (provide dates) <u> </u> to <u> </u> (mm-dd-yyyy)</p> <p>Asking price \$ _____ List all offers received _____</p> <p>D. Was this property appraised within the last five years? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide: Date <u>1/2012</u> Value <u>\$2,250,000</u> Purpose of appraisal <u>Property tax challenge</u> (mm-dd-yyyy)</p> <p>If this property had more than one appraisal, provide the requested information for each appraisal. _____</p>	

Section 5: BOR Hearing Information	
<p>A. If you are requesting that a BOR member(s) be removed from your hearing, provide the name(s): n/a _____</p> <p>Note: This does not apply in first or second class cities.</p> <p>B. Provide a reasonable estimate of the amount of time you need at the hearing 30 minutes.</p>	
Property owner or Agent signature <u>Don Millis</u>	Date (mm-dd-yyyy) 5/11/2020

Gimbel · Reilly · Guerin · Brown

LLP

Writer's Direct E-mail
cbrand@grgblaw.com

May 8, 2020

Via E-mail (csmith@villageofpewaukee.com) and Federal Express

Casandra Smith
Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Re: 2019 Request for Waiver of Board of Review (BOR) Hearing
Property Owner: CJM & W Investment Company, LLC (Wal-Mart)
Property Address: 411 Pewaukee Road, Pewaukee, WI 53072
Parcel Number: PWV 0901990003

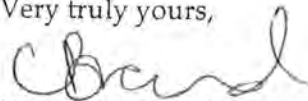
Dear Ms. Smith:

Enclosed please find an Agent Authorization signed by our client, CJM & W Investment Company c/o Wal-Mart, regarding the above referenced property. Please also find the completed Request for Waiver of Board of Review (BOR) Hearing and the Objection to Real Property Assessment.

We would like to waive the hearing of the attached objection. If the Waiver of Hearing is denied, we would like to request a telephone hearing with the Board of Review and have therefore enclosed a Request to Testify by Telephone.

Please let us know if you have any questions or require anything further from us. Thank you for your attention to this matter.

Very truly yours,



Cianna M. Brand
Paralegal

Enclosures

330 East Kilbourn Avenue
Suite 1170
Milwaukee, WI 53202
P: 414-271-1440
F: 414-271-7680
www.grgblaw.com

Objection to Real Property Assessment

To file an appeal on your property assessment, you must provide the Board of Review (BOR) clerk written or oral notice of your intent, under state law (sec. 70.47(7)(a), Wis. Stats.). You must also complete this entire form and submit it to your municipal clerk. To review the best evidence of property value, see the Wisconsin Department Revenue's *Property Assessment Appeal Guide for Wisconsin Real Property Owners*.

Complete all sections:

Section 1: Property Owner / Agent Information				* If agent, submit written authorization (Form PA-105) with this form			
Property owner name (on changed assessment notice) CJM & W Investment Company			Agent name (if applicable) Gimbel, Reilly, Guerin & Brown LLP				
Owner mailing address P.O. Box 8050			Agent mailing address 330 E. Kilbourn Ave., Suite 1170				
City Bentonville	State AR	Zip 72712	City Milwaukee	State WI	Zip 53202		
Owner phone (479) 204 - 3835		Email brandon.caplana@walmart.com	Owner phone (414) 271 - 1440		Email cstrohbehn@grglaw.com		

Section 2: Assessment Information and Opinion of Value			
Property address 411 Pewaukee Road		Legal description or parcel no. (on changed assessment notice) PWV 0901990003	
City Pewaukee	State WI	Zip 53072	
Assessment shown on notice - Total \$ 12,860,900		Your opinion of assessed value - Total \$ 5,100,000	

If this property contains non-market value class acreage, provide your opinion of the taxable value breakdown:

Statutory Class	Acres	\$ Per Acre	Full Taxable Value
Residential total market value			
Commercial total market value			
Agricultural classification: # of tillable acres	@	\$ acre use value	
# of pasture acres	@	\$ acre use value	
# of specialty acres	@	\$ acre use value	
Undeveloped classification # of acres	@	\$ acre @ 50% of market value	
Agricultural forest classification # of acres	@	\$ acre @ 50% of market value	
Forest classification # of acres	@	\$ acre @ market value	
Class 7 "Other" total market value		market value	
Managed forest land acres	@	\$ acre @ 50% of market value	
Managed forest land acres	@	\$ acre @ market value	

Section 3: Reason for Objection and Basis of Estimate	
Reason(s) for your objection: (Attach additional sheets if needed) Value is excessive based on other comparable big box stores and appraisals.	Basis for your opinion of assessed value: (Attach additional sheets if needed) Based on other comparable big box stores and appraisals.

Section 4: Other Property Information

A. How was this property acquired: (check the box that applies) Purchase Trade Gift Inheritance
 Acquisition price \$ 7,800,000 Date 11 - 16 - 2005 (mm-dd-yyyy)

B. Were there any changes made to this property (ex: improvement, remodeling, addition) since acquiring it? Yes No
 If Yes, describe Remodeling
 Date of changes - - 2012 Cost of changes \$ _____ Does this cost include the value of all labor (including your own)? Yes No (mm-dd-yyyy)

C. During the last five years, was this property listed/offered for sale? Yes No
 If Yes, how long was the property listed (provide dates) - - to - - (mm-dd-yyyy) (mm-dd-yyyy)
 Asking price \$ _____ List all offers received _____

D. Was this property appraised within the last five years? Yes No
 If Yes, provide: Date 12 - 17 - 2018 Value 5,100,000 Purpose of appraisal market valuation (mm-dd-yyyy)
 If this property had more than one appraisal, provide the requested information for each appraisal. _____

Section 5: BOR Hearing Information

A. If you are requesting that a BOR member(s) be removed from your hearing, provide the name(s): _____
Note: This does not apply in first or second class cities.

B. Provide a reasonable estimate of the amount of time you need at the hearing 15 minutes.

Property owner or Agent signature 	Date (mm-dd-yyyy) 05 - 08 - 2020
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Request for Waiver of Board of Review (BOR) Hearing

Section 70.47 (8m), Wis. Stats., states, "The board may, at the request of the taxpayer or assessor, or at its own discretion, waive the hearing of an objection under sub. (8) or, in a 1st class city, under sub. (16) and allow the taxpayer to have the taxpayer's assessment reviewed under sub. (13). For purposes of this subsection, the board shall submit the notice of decision under sub. (12) using the amount of the taxpayer's assessment as the finalized amount. For purposes of this subsection, if the board waives the hearing, the waiver disallows the taxpayer's claim on excessive assessment under sec. 74.37(3) and notwithstanding the time period under sec. 74.37(3)(d), the taxpayer has 60 days from the notice of hearing waiver in which to commence an action under sec. 74.37(3)(d)."

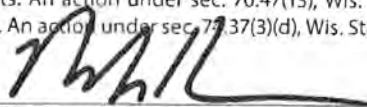
NOTE: The legal requirements of the Notice of Intent to Appear must be satisfied and the Objection Form must be completed and submitted as required by law prior to the Request for Waiver of Board of Review Hearing being submitted.

NOTE: Request for Waiver must be presented prior to the commencement of the hearing.

Municipality Village of Pewaukee	County Waukesha
Requestor's name CJM & W Investment Company	Agent name (if applicable)* Christopher L. Strohben
Requestor's mailing address P.O. Box 8050 Bentonville, AR 72712	Agent's mailing address Gimbel, Reilly, Guerin & Brown, LLP 330 E. Kilbourn Ave., Milwaukee, WI 53202
Requestor's telephone number (479) 204 - 3835	Agent's telephone number (414) 271 - 1440
<input checked="" type="checkbox"/> Land Line <input type="checkbox"/> Cell Phone	<input checked="" type="checkbox"/> Land Line <input type="checkbox"/> Cell Phone
Requestor's email address brandon.caplana@walmart.com	Agent's email address cstrohbeh@grgblaw.com

Property address 411 Pewaukee Rd. Pewaukee, WI 53072	
Legal description or parcel number PWV 0901990003	
Taxpayer's assessment as established by assessor - Value as determined due to waiving of BOR hearing \$ 12,860,900	
Property owner's opinion of value \$ 5,100,000	
Basis for request To take matter directly to Circuit Court.	
Date Notice of Intent to Appear at BOR was given 05 - 08 - 2020	Date Objection Form was completed and submitted 05 - 08 - 2020

All parties to the hearing understand that in granting of this waiver there can be no appeal to the Department of Revenue under sec. 70.85, Wis. Stats. An action under sec. 70.47(13), Wis. Stats., must be commenced within 90 days of the receipt of the notice of the waiving of the hearing. An action under sec. 74.37(3)(d), Wis. Stats., must be commenced with 60 days of the receipt of the notice of the waiving of the hearing.



Requestor's / Agent's Signature

*** If agent, attach signed Agent Authorization Form, PA-105**

Decision

Approved Denied

Reason _____

Board of Review Chairperson's Signature _____

Date _____

Taxpayer advised _____
Date _____

Request to Testify by Telephone or Submit a Sworn Written Statement at the Board of Review (BOR)

Section 70.47(8), Wis. Stats., states "...Instead of appearing in person at the hearing, the board **may** allow the property owner, or the property owner's representative, at the request of either person, to appear before the board, under oath, by telephone or to submit written statements, under oath, to the board. ..."

NOTE: The legal requirements of the Notice of Intent to Appear at the BOR must be satisfied and the Objection Form must be completed and submitted to the BOR as required by law prior to the Request to Testify by Telephone or Submit Sworn Written Statement form being submitted.

Municipality Village of Pewaukee	County Waukesha
Property owner's name CJM & W Investment Company	Agent name (if applicable) Christopher L. Strohbehn
Owner's mailing address P.O. Box 8050 Bentonville, AR 72712	Agent's mailing address Gimbel, Reilly, Guerin & Brown, LLP 330 East Kilbourn Avenue, Suite 1170, Milw., WI 53202
Owner's telephone number (479) 204 - 3835 <input checked="" type="checkbox"/> Land Line <input type="checkbox"/> Cell Phone	Agent's telephone number (414) 271 - 1440 <input checked="" type="checkbox"/> Land Line <input type="checkbox"/> Cell Phone
Owner's email address brandon.caplana@walmart.com	Agent's email address cstrohbehn@grglaw.com

Please provide the following information on the property and the assessment to which you are objecting. (Attach additional sheets, if necessary.)

1. Property address 411 Pewaukee Rd. Pewaukee, WI 53072

2. Legal description or parcel number from the current assessment roll PWV 0901990003

3. Total Property Assessment _____

4. If agent, attach signed Agent Authorization form, PA-105

Testify by telephone * Submit sworn written statement

Basis for request To take matter directly to Circuit Court.

*If the request is approved, provide the best telephone number to reach you (414) 271 - 1440

Owner's or Agent's signature 	Date 05 - 08 - 2020
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For Board Use Only

Approved Denied

Reason _____

Taxpayer advised _____

Date

Agent Authorization for Property Assessment Appeals

If an agent is representing the property owner or municipality, the property owner or municipality must provide prior written authorization for the agent to represent the company or municipality when contacting the reviewing authority.

Section 1: Property Owner and Property Information

Company/property owner name Wal-Mart Real Estate Business Trust			Taxation district (Check one) <input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City County		
Mailing address P.O. Box 8050			Enter municipality → Pewaukee Waukesha		
City Bentonville			Street address of property 411 Pewaukee Road		
State AR	Zip 72712	City Pewaukee	State WI	Zip 53072	
Parcel number	Phone (479)204 - 3835	Email brandon.caplana@walmart.com	Fax () -		

Section 2: Authorized Agent Information

Name / title Attys Christopher L. Strohbehn and Russell J. Karnes			Company name Gimbel, Reilly, Guerin & Brown LLP		
Mailing address 330 E. Kilbourn Avenue, Suite 1170			Phone (414) 271 - 1440		
City Milwaukee			Fax (414) 271 - 7680		
State WI	Zip 53202	Email dstrohbehn@grgblaw.com rkarnes@grgblaw.com			

Section 3: Agent Authorization

<p>Agent Authorized for: (check all that apply)</p> <p><input type="checkbox"/> Manufacturing property assessment appeals (BOA)</p> <p><input type="checkbox"/> Access to manufacturing assessment system (MAS)</p> <p><input checked="" type="checkbox"/> Wisconsin Department of Revenue 70.85 appeals</p> <p><input checked="" type="checkbox"/> Municipal Board of Review</p> <p><input checked="" type="checkbox"/> Other _____</p>	<p>Enter Tax Years of Authorization</p> <p><u>2017, 2018, 2019, 2020</u></p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>Authorization expires: <u>12 - 31 - 2021</u> (unless rescinded in writing prior to expiration)</p> <p style="text-align: center;"><small>(mm - dd - yyyy)</small></p>	
<p>Send notices and other written communications to: (check one or both) <input checked="" type="checkbox"/> Authorized Agent <input checked="" type="checkbox"/> Property Owner</p>	

Section 4: Agreement/Acceptance

I understand, agree and accept:

- The assessor's office may divulge any information it may have on file concerning this property
- My agent has the authority and my permission to accept a subpoena concerning this property on my behalf
- I will provide all information I have that will assist in the discussion and resolution of any assessment appeal of this property
- Signing this document does not relieve me of personal responsibility for timely reporting changes to my property and paying taxes, or penalties for failure to do so, as provided under Wisconsin tax law
- A photocopy and/or faxed copy of this completed form has the same authority as a signed original
- If signed by a corporate officer, partner, or fiduciary on behalf of the owner, I certify that I have the power to execute this Agent Authorization form

Section 5: Owner Grants Authorization

Owner Sign Here ▶	Owner name (please print) Wal-Mart Real Estate Business Trust
	Owner signature <i>Wayne Hamilton</i>
	Company or title Wayne Hamilton, Vice President
	Date (mm-dd-yyyy) _____

ADDENDUM

LIST OF ADDITIONAL AUTHORIZED AGENTS

<u>Name</u>	<u>Title</u>	<u>Company Name</u>	<u>Mailing Address</u>	<u>Email</u>	<u>Phone</u>
Christopher L. Strohbehn	Attorney	Gimbel, Reilly, Guerin & Brown	330 E. Kilbourn Ave., Suite 1170, Milwaukee, WI 53202	cstrohbehn@grgblaw.com	414-224-3643
Russell J. Karnes	Attorney	Gimbel, Reilly, Guerin & Brown	330 E. Kilbourn Ave., Suite 1170, Milwaukee, WI 53202	rkarnes@grgblaw.com	414-224-8735
Erin Strohbehn	Attorney	Gimbel, Reilly, Guerin & Brown	330 E. Kilbourn Ave., Suite 1170, Milwaukee, WI 53202	estrohbehn@grgblaw.com	414-224-8666
D. Michael Guerin	Attorney	Gimbel, Reilly, Guerin & Brown	330 E. Kilbourn Ave., Suite 1170, Milwaukee, WI 53202	dmguerin@grgblaw.com	414-224-3654
Brianna Meyer	Attorney	Gimbel, Reilly, Guerin & Brown	330 E. Kilbourn Ave., Suite 1170, Milwaukee, WI 53202	bmeyer@grgblaw.com	414-224-3647
Jaclyn C. Kallie	Attorney	Gimbel, Reilly, Guerin & Brown	330 E. Kilbourn Ave., Suite 1170, Milwaukee, WI 53202	jkallie@grgblaw.com	414-271-1440
Lisa M. Rave	Paralegal	Gimbel, Reilly, Guerin & Brown	330 E. Kilbourn Ave., Suite 1170, Milwaukee, WI 53202	lrave@grgblaw.com	414-271-7126
Cianna M. Brand	Paralegal	Gimbel, Reilly, Guerin & Brown	330 E. Kilbourn Ave., Suite 1170, Milwaukee, WI 53202	cbrand@grgblaw.com	414-224-8739
Robert Hill	Attorney	Robert Hill Law, LTD.	1161 Wayzata Blvd East, Suite 399, Wayzata, MN 55391	rob@roberthilllaw.com	952-426-7373
Michael Wedl	Consultant	Robert Hill Law, LTD.	1161 Wayzata Blvd East, Suite 399, Wayzata, MN 55391	mike@usapta.com	763-259-3613
Bob Wentzel	Consultant	Alliance Property Consultants, Inc.	11985 Technology Drive, Suite 260, Eden, MN 55344	bobwentzel9@aol.com	952-942-6734
Bill Wentzel	Consultant	Alliance Property Consultants, Inc.	11985 Technology Drive, Suite 260, Eden, MN 55344	billw@alliancepropertyconsultants.com	952-942-6734



May 9, 2020

Village Clerk - Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Re: **2020 Objection to Real Property Assessment**
1357 Capital Drive
Pewaukee, WI 53072
Parcel Number: PWV0901984

Dear Board of Review Members:

We represent the client, Menard, Inc., and we are submitting an Objection to Real Property Assessment form for the Menards located at 1357 Capital Drive, Village of Pewaukee, WI (Parcel #PWV0901984). The current 2020 assessment is \$13,500,000.

We are submitting a restricted appraisal effective as of January 1, 2020 with a value range of \$6,500,000 - \$8,000,000. A full appraisal is being prepared and can be delivered to the Board of Review as soon as it is complete. We are requesting that the Board consider the high end of the value range. The appraiser has inspected the subject property, reviewed the comparable properties and is in the process of preparing the final appraisal report. In the essence of time, we wanted to provide as much information as possible for review by the Board.

Please let me know if you have any questions or require additional information.

Thank you.

Sincerely,

Debbie Pellegrino

Debbie Pellegrino
Consultant

Objection to Real Property Assessment

To file an appeal on your property assessment, you must provide the Board of Review (BOR) clerk written or oral notice of your intent, under state law (sec. 70.47(7)(a), Wis. Stats.). You must also complete this entire form and submit it to your municipal clerk. To review the best evidence of property value, see the Wisconsin Department Revenue's *Property Assessment Appeal Guide for Wisconsin Real Property Owners*.

Complete all sections:

Section 1: Property Owner / Agent Information				* If agent, submit written authorization (Form PA-105) with this form			
Property owner name (on changed assessment notice) Menard, Inc.				Agent name (if applicable) Paradigm Tax Group/Debbie Pellegrino			
Owner mailing address 5101 Menard Dr.				Agent mailing address 30 N. LaSalle #3520			
City Eau Claire	State WI	Zip 54703		City Chicago	State IL	Zip 60602	
Owner phone (715) 876 - 2297	Email dmichlig@menard-inc.com			Owner phone (312) 585 - 5519	Email dpellegrino@paradigmatx.com		

Section 2: Assessment Information and Opinion of Value			
Property address 1357 Capital Drive		Legal description or parcel no. (on changed assessment notice) PWV0901984	
City Pewaukee	State WI	Zip 53072	
Assessment shown on notice - Total \$ 13,500,000		Your opinion of assessed value - Total \$ 8,000,000	

If this property contains non-market value class acreage, provide your opinion of the taxable value breakdown:

Statutory Class	Acres	\$ Per Acre	Full Taxable Value
Residential total market value			
Commercial total market value			13,500,000
Agricultural classification: # of tillable acres		@ \$ acre use value	
# of pasture acres		@ \$ acre use value	
# of specialty acres		@ \$ acre use value	
Undeveloped classification # of acres		@ \$ acre @ 50% of market value	
Agricultural forest classification # of acres		@ \$ acre @ 50% of market value	
Forest classification # of acres		@ \$ acre @ market value	
Class 7 "Other" total market value		market value	
Managed forest land acres		@ \$ acre @ 50% of market value	
Managed forest land acres		@ \$ acre @ market value	

Section 3: Reason for Objection and Basis of Estimate	
Reason(s) for your objection: (Attach additional sheets if needed) Value is excessive based on appraisal.	Basis for your opinion of assessed value: (Attach additional sheets if needed) Based on subject store appraisal.

Section 4: Other Property Information	
A. Within the last 10 years, did you acquire the property?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, provide acquisition price \$ _____ Date <u> </u> - <u> </u> - <u> </u> <small>(mm-dd-yyyy)</small> <input type="checkbox"/> Purchase <input type="checkbox"/> Trade <input type="checkbox"/> Gift <input type="checkbox"/> Inheritance	
B. Within the last 10 years, did you change this property (ex: remodel, addition)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, describe <u>Store remodel-expansion</u>	
Date of changes <u>03 - 14 - 2014</u> <small>(mm-dd-yyyy)</small> Cost of changes \$ <u>5,984,913</u> Does this cost include the value of all labor (including your own)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C. Within the last five years, was this property listed/offered for sale?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, how long was the property listed (provide dates) <u> </u> - <u> </u> to <u> </u> - <u> </u> <small>(mm-dd-yyyy)</small> to <small>(mm-dd-yyyy)</small>	
Asking price \$ _____ List all offers received _____	
D. Within the last five years, was this property appraised?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, provide: Date <u>01 - 01 - 2016</u> <small>(mm-dd-yyyy)</small> Value <u>5,350,000</u> Purpose of appraisal <u>PropertyTax Valuation 01-01-17 \$5,350,000</u>	
If this property had more than one appraisal, provide the requested information for each appraisal. <u>01-01-20 \$6,500,000-\$8,000,000</u>	

Section 5: BOR Hearing Information	
A. If you are requesting that a BOR member(s) be removed from your hearing, provide the name(s): _____ Note: This does not apply in first or second class cities.	
B. Provide a reasonable estimate of the amount of time you need at the hearing <u>15</u> minutes.	

Property owner or Agent signature <i>Debbie Pellegrino</i>	Date (mm-dd-yyyy) 05 - 09 - 2020
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Agent Authorization

for Property Assessment Appeals

If an agent is representing the property owner or municipality, the property owner or municipality must provide prior written authorization for the agent to represent the company or municipality when contacting the reviewing authority.

Section 1: Property Owner and Property Information

Company/property owner name Menard, Inc.		Taxation district (Check one) <input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City		County Waukesha
Mailing address 5101 Menard Drive		Enter municipality → Pewaukee		
City Eau Claire		Street address of property 1357 Capital Drive		
State WI	Zip 54703	City Pewaukee	State WI	Zip 53072
Parcel number PWV0901984	Phone (715) 876 - 2297	Email dmichlig@menard-inc.com		Fax () -

Section 2: Authorized Agent Information

Name / title Debbie Pellegrino / consultant		Company name Paradigm Tax Group	
Mailing address 30 N. LaSalle Street, Suite 3520		Phone (312) 585-5519	Fax () -
City Chicago	State IL	Zip 60602	Email dpellegrino@paradigmatax.com

Section 3: Agent Authorization

Agent Authorized for: (check all that apply)		Enter Tax Years of Authorization	
<input type="checkbox"/> Manufacturing property assessment appeals (BOA)			
<input type="checkbox"/> Access to manufacturing assessment system (MAS)			
<input type="checkbox"/> Wisconsin Department of Revenue 70.85 appeals			
<input checked="" type="checkbox"/> Municipal Board of Review		2020	
<input type="checkbox"/> Other _____			
Authorization expires:	12 - 31 - 2020	(unless rescinded in writing prior to expiration)	
	<small>(mm - dd - yyyy)</small>		
Send notices and other written communications to: (check one or both) <input checked="" type="checkbox"/> Authorized Agent <input type="checkbox"/> Property Owner			

Section 4: Agreement/Acceptance

I understand, agree and accept:

- The assessor's office may divulge any information it may have on file concerning this property
- My agent has the authority and my permission to accept a subpoena concerning this property on my behalf
- I will provide all information I have that will assist in the discussion and resolution of any assessment appeal of this property
- Signing this document does not relieve me of personal responsibility for timely reporting changes to my property and paying taxes, or penalties for failure to do so, as provided under Wisconsin tax law
- A photocopy and/or faxed copy of this completed form has the same authority as a signed original
- If signed by a corporate officer, partner, or fiduciary on behalf of the owner, I certify that I have the power to execute this Agent Authorization form

Section 5: Owner Grants Authorization

Owner Sign Here ▶	Owner name (please print) Menard, INC	
	Owner signature <i>[Signature]</i>	
	Company or title Tax Manager	Date (mm-dd-yyyy) 5-4-2020

ADDENDUM

LIST OF ADDITIONAL AUTHORIZED AGENTS

Name	Title	Company Name	Mailing Address	Email	Phone
John Booras	Consultant	Paradigm Tax Group	30 N. LaSalle St. #3520, Chicago, IL 60602	jbooras@paradigmmtax.com	312-300-5674
Debbie Pellegrino	Consultant	Paradigm Tax Group	30 N. LaSalle St. #3520, Chicago, IL 60602	dpellegrino@paradigmmtax.com	312-585-5519
Brendan Seyring	Consultant	Paradigm Tax Group	30 N. LaSalle St. #3520, Chicago, IL 60602	bseyring@paradigmmtax.com	312-252-0325
Krystle Williams	Consultant	Paradigm Tax Group	30 N. LaSalle St. #3520, Chicago, IL 60602	kwilliams@paradigmmtax.com	312-374-3581
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Brad Prchal	Consultant	Paradigm Tax Group	6636 Cedar Avenue S, Suite 160, Minneapolis, MN 55423	bprchal@paradigmmtax.com	612-246-3540
Russell Karnes	Attorney	Gimbel, Reily, Guerin & Brown	330 E. Kilbourn Ave, Suite 1170, Milwaukee, WI	rkarnes@grgblaw.com	414-271-1440
Chris Strohbehn	Attorney	Gimbel, Reily, Guerin & Brown	330 E. Kilbourn Ave, Suite 1170, Milwaukee, WI	chstrohbehn@grgblaw.com	414-271-1440

CONFIDENTIAL

Real Estate



RESTRICTED APPRAISAL REPORT

Retrospective Market Value
As of January 1, 2020

Menards®
161,640± SF Big Box Retail Building w/ Supportive Structures
1357 Capitol Drive
Pewaukee, Wisconsin



Prepared By
ValCore Appraisal LLC
1345 N Jefferson #198
Milwaukee, WI 53202

Prepared For
Menards®
5101 Menard Drive
Eau Claire, WI 54703



The information contained herein is of a confidential nature and is intended for the exclusive use of the Client, persons, or firm to whom it is furnished by us. Reproduction, publication, or dissemination of portions hereof may not be made without prior approval of ValCore Appraisal LLC.



ValCore Appraisal LLC
1345 N Jefferson St #198, Milwaukee, WI 53202
(414) 914-6411
Val-Core.com | @valcoremke

May 8, 2020

Menards®
5101 Menard Drive
Eau Claire, WI 54703

RE: Retrospective Market Value appraisal of the real property located at **1357 Capitol Drive, Pewaukee, Wisconsin**

Dear Menards®:

ValCore Appraisal® has prepared the attached Restricted Appraisal report regarding our opinion of **retrospective Market Value** of the Fee Simple Estate in the real property located at **1357 Capitol Drive, Pewaukee, Wisconsin**, and with tax parcel **#PWV-0901-984** (the "Subject"). Our opinion of value was prepared as of **January 1, 2020** (the effective date of the Subject's property assessment for calendar year 2020).

The **purpose** of this appraisal is to provide an opinion of the retrospective Market Value of the Fee Simple Estate in the Subject property, as of January 1, 2020. The **intended use** of this restricted appraisal report is for planning purposes by Menards® (the "Client") related to ad valorem property tax. The **intended users** of this report are Menards®, Paradigm Tax Group, the Village of Pewaukee, and the Wisconsin Court System. Neither receipt nor possession of this report by any other third party shall create any express or implied third-party beneficiary rights.

The above-captioned property has been valued using generally accepted appraisal principles and practices. This appraisal is presented in a **Restricted Report format** and is intended to comply with the development and reporting requirements set forth under Standard 1 and Standards Rule 2-2(b) of the *Uniform Standards of Professional Appraisal Practice* ("**USPAP**") and the Appraisal Institute.

We did not consider costs that might be incurred in selling the property. In addition, no consideration has been given to the impact of any environmental concerns that may or may not be associated with the Subject property, as this appraiser is not qualified to detect hazardous substances or quantify their impact on value.

As a result of our analysis, our opinion that the retrospective **Market Value** of the **Fee Simple Estate** in the Subject property, subject to the definitions, certifications, and limiting conditions set forth in the attached report, as of January 1, 2020, is between:

***Six Million Five Hundred Thousand Dollars, and
Eight Million Dollars
(\$6,500,000 - \$8,000,000)***

The property was valued as if offered in the open market for a reasonable time in which to find a buyer. We assumed the property to be available for development to its highest and best use, free and clear of all liens and encumbrances.

The Subject property was inspected by, and the report was prepared by, **Felix Castro, MAI, SRA**. If you have any questions concerning the report, please contact me at (414) 914-6411.

No investigation was made of the title to or any liabilities against the Subject property.

Respectfully submitted,



Felix Castro, MAI, SRA, GAA, RAA
Wisconsin Certified General Appraiser #2077-10
Managing Member and Senior Appraiser
Felix@Val-Core.com

ValCore Appraisal LLC

VALCORE APPRAISAL LLC

No third party shall have the right of reliance on this report, and neither receipt nor possession of this report by any third party shall create any express or implied third-party beneficiary rights.

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Exhibits

- A Subject Property Photographs
- B Certificate of Appraiser
- C Assumptions and Limiting Conditions
- D Qualifications of Appraiser

SUMMARY, OPINIONS AND CONCLUSIONS

Level of Report Provided:	Restricted Appraisal Report
General Property Description:	161,640± square foot big box retail building with supportive structures.
Property Address:	1357 Capitol Drive Pewaukee, WI
Parcel Number:	PWV-0901-984
Site Description:	<p>The Subject site is generally rectangular, level and contains 600,418± square feet (13.7837 acres). The site is bordered by a retention pond to the north, by an adjacent shopping center to the east, a private road to the south, and undeveloped vacant land on the immediate west. An aerial map of the Subject property is included in the Exhibits section of this report.</p>
Building Description:	<p>The Subject property is improved with a 161,640± square foot one story big box retail building that was originally built in circa 2000. This building is fully-sprinklered and contains a gently sloping roof (downward from south to north). This original building contains two storage mezzanine areas: one comprising of 9,907± square feet, and the other comprising of 1,133± square feet (which total to 11,040± square feet).</p> <p>The Subject property had the following additions constructed in 2014: 1) a detached, unheated, non-airconditioned, and partially-enclosed 28,656+ square foot building (lumber shed) along the northwest corner of the site; 2) an attached, unheated, non-airconditioned, and partially-enclosed 27,648± building along the east section (garden center); and 3) an attached, unheated, non-airconditioned, and partially-enclosed 9,720± square foot building along the northeast section (rear overhang).</p>

Land Improvements:	In addition to the building improvements, the Subject's site improvements consist of a 200,282+ square-foot parking lot along the southern half, 93,116+ square feet of asphalt paving along the east, north, and west perimeters, concrete paving for outdoor storage, concrete loading dock area, concrete bollards, concrete sidewalks along the pedestrian-oriented sections, concrete curbs throughout, exterior lighting, stockade fencing, a guard shed, and decorative shrubs and landscaping in the concrete islands in the parking lot.
Utilities Available:	All utilities are available to, and currently serving, the Subject site, including cable, electricity, gas, water and sewer, and telephone.
Zoning:	B-1 , Community Business District, and PUD (Planned Unit Development Overlay District) by the Village of Pewaukee, WI.
Date of Report:	May 8, 2020
Date of Property Inspection:	May 7, 2020
Effective Date of Value:	January 1, 2020

Opinions and Conclusions

Highest and Best Use as Vacant: A commercial-oriented planned development that would take advantage of the locational attributes and surrounding land uses, while complying with the use restrictions provided for by the applicable restrictive covenants.

Highest and Best Use as Improved: A commercial-oriented use, such as a big box retail store, health club, product distribution center, or multi-tenant retail shopping center.

Exposure Time: The appraiser's opinion of reasonable exposure time for the Subject property is 12 to 24 months, considering a reasonable and diligent effort has been made to market the Subject property. This is based upon historical exposure times of comparable properties within the Subject's immediate area.

Indications of Market Value,
of Fee Simple estate:

Cost Approach	Not Applied
Sales Comparison Approach	\$6,500,000 to \$8,000,000
Income Capitalization Approach	\$6,500,000 to \$8,000,000

Opinion of Market Value of Fee Simple estate: \$6,500,000 to \$8,000,000

Reconciliation

An investigation was made to located recent large tracts of comparable vacant land that were recently marketed for sale and sold at an arm's length transaction. Additionally, vacant comparable land in the immediate area was investigated. Given the sales uncovered vary from the Subject site by varying degrees, we determined that a reliable estimate of the underlying land value of the Subject could not be developed. In addition, the Subject property was built in different periods/years, and with varying types of construction materials. Lastly, a typical buyer may not consider the **cost approach** in a purchase decision. **Based on these reasons, the cost approach is not developed.** The **sales comparison approach** is quantified by strong and reliable market data, including several recent sales of comparable properties in similar condition in the Subject's market area, and marketed by local real estate firms. The **income capitalization approach** was applied, since an investigation of the marketplace did reveal enough arm's-length lease data relating to similar properties from which to derive a market rent (as well as a market-derived capitalization rate for comparable facilities).

In the final analysis, the sales comparison approach is given equal weight in the valuation of the Subject property as the income approach.

PREMISE OF APPRAISAL

This report is designed to inform the reader of all factors influencing the property's value in a clear and concise manner. The Summary and Premise of the Appraisal sections provide an overview of the property and general information.

Purpose, Intended User(s), and Intended Use of the Appraisal

The **purpose** of this appraisal is to provide an opinion of the retrospective Market Value of the Fee Simple Estate in the Subject property, as of January 1, 2020 (the effective date of the Subject's property assessment for calendar year 2020). The **intended use** of this restricted appraisal report is for planning purposes by Menards® (the "Client") related to ad valorem property tax. The **intended users** of this report are Menards®, Paradigm Tax Group, the Village of Pewaukee, and the Wisconsin Court System. Neither receipt nor possession of this report by any other third party shall create any express or implied third-party beneficiary rights.

Market Value Measurement and Relevant Definitions

Market Value is defined by the 2020-2021 Edition of **USPAP** as "a type of value, stated as an opinion, that presumes the transfer of a property (i.e., a right of ownership or a bundle of such rights), as of a certain date, under specific conditions set forth in the definition of the term identified by the appraiser as applicable in an appraisal."

Therefore, complying with **USPAP 2020-2021**, and the **2020 Wisconsin Property Assessment Manual**, our working definition of **Market Value** is taken from Part 323.2(g) of FDIC Rules and Regulations, presented as follows:

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

The property rights appraised are those associated with the **Fee Simple Estate**, which is defined as an “absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.”¹

Together with the **Market Value**, we have provided an estimate of **exposure time**. **Exposure time** is defined in **USPAP 2020-2021** as “the estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.” USPAP adds that “exposure time is a retrospective estimate based on an analysis of past events assuming a competitive and open market.”²

This **Restricted Appraisal Report** was developed in accordance with USPAP. As such, it presents only a portion of the full data used in the valuation process. Additional supporting information and analysis are retained within the work file. Therefore, this report may be utilized only for your internal needs as the client and is not designed to address the requirements of any third party. Additionally, the rationale for how this appraiser arrived at the opinions and conclusions set forth in this report may not be understood property without additional information that is located within our work file. The level of research and analysis is tailored specifically toward solving the appraisal problem.

Ad valorem tax is defined as “a tax levied in proportion to the value of the thing(s) being taxed. Exclusive of exemptions, use-value assessment provisions, and the life, the property tax is an ad valorem tax. (IAAO).”³

Big box store is defined as “A single-use store, typically between 10,000 and 100,000 square feet or more, such as a large bookstore, office-supply store, pet store, electronics store, or toy store (ICSC).”⁴

Retrospective Value Opinion is defined as “a value opinion effective as of a specified historical date. The term *retrospective* does not define a type of value. Instead, it identifies a value opinion as being effective at some specific prior date. Value as of a historical date is frequently sought in connection with property tax appeals, damage models, lease renegotiation, deficiency judgments, estate tax, and condemnation. Inclusion of the type of value with this term is appropriate, e.g., ‘retrospective market value opinion’.”⁵

¹The Dictionary of Real Estate Appraisal, 6th edition, Appraisal Institute, 2015, p. 90

²The Dictionary of Real Estate Appraisal, 6th edition, Appraisal Institute, 2015, p. 83

³The Dictionary of Real Estate Appraisal, 6th edition, Appraisal Institute, 2015, p. 5

⁴The Dictionary of Real Estate Appraisal, 6th edition, Appraisal Institute, 2015, p. 22

⁵The Dictionary of Real Estate Appraisal, 6th edition, Appraisal Institute, 2015, p. 201

Compliance and Competency Provision

I am aware of the compliance and competency provisions of USPAP, and within my understanding of those provisions, the author of this report complies with all mandatory requirements. **Felix Castro, MAI, SRA**, inspected the Subject property and conducted the primary research, analysis, and writing of this report.

This is a **Restricted Appraisal Report** that is intended to comply with the development and reporting requirements set forth under Standard 1 and Standards Rule 2-2(b) of **USPAP**, and the Appraisal Institute.

Consistent with **USPAP 2020-2021**, the appraiser is also required to disclose if he/she has served as an appraiser or in any other capacity regarding the Subject property in the three years prior to immediate agreement to perform this assignment. **This appraiser has not provided real property services (nor has he served in any other capacity) regarding the property that is the Subject of this report within the previous three years.**

CONFIDENTIAL

THE PROPERTY APPRAISED

The real property appraised is located at **1357 Capitol Drive, Pewaukee, Wisconsin**, and is briefly described below.

Subject Improvements

The Subject property is improved with a 161,640± square foot one story big box retail building that was originally built in circa 2000. This building is fully-sprinklered and contains a gently sloping roof (downward from south to north). This original building contains two storage mezzanine areas: one comprising of 9,907± square feet, and the other comprising of 1,133± square feet (which total to 11,040± square feet).

The Subject property had the following additions constructed in 2014: 1) a detached, unheated, non-airconditioned, and partially-enclosed 28,656+ square foot building (lumber shed) along the northwest corner of the site; 2) an attached, unheated, non-airconditioned, and partially-enclosed 27,648± building along the east section (garden center); and 3) an attached, unheated, non-airconditioned, and partially-enclosed 9,720± square foot building along the northeast section (rear overhang).

In addition to the building improvements, the Subject's site improvements consist of a 200,282± square-foot parking lot along the southern half, 93,116± square feet of asphalt paving along the east, north, and west perimeters, concrete paving for outdoor storage, concrete loading dock area, concrete bollards, concrete sidewalks along the pedestrian-oriented sections, concrete curbs throughout, exterior lighting, stockade fencing, a guard shed, and decorative shrubs and landscaping in the concrete islands in the parking lot.

Pictures of the Subject property are included in the Exhibits section of this report.

Zoning

The Subject property is zoned **B-1: Community Business District**, and **PUD: Planned Unit Development Overlay District**, by the Village of Pewaukee, WI. Given the permitted, limited, and special uses allowed in these zoning districts, all the Subject property improvements appear to conform to the applicable zoning code.

Sales History

As required by USPAP Standards Rule 1-5(b), an investigation was made to ascertain any sales history of the Subject properties for the last three years. Ownership of the Subject real estate has not transferred within the three years immediately preceding the effective date of this appraisal.

SCOPE OF WORK AND VALUATION

Before arriving at our opinion of value, we reviewed information regarding the designated property, studied market conditions, and considered the following:

- Location, size, and utility of the land,
- Highest and best use of the land and of the property as improved,
- Sales of and asking prices of comparable properties in the market area and surrounding neighborhood,
- Contractual and asking lease/rental rates of comparable facilities in the market area
- Prevailing real estate market conditions and the relative desirability of the property in the market as of the effective date of the valuation

The micro and/or macro market environments were reviewed with respect to physical and economic factors relevant to the valuation process. Information regarding taxes, zoning, and other limitations on site utilization was obtained from various public sources. The surrounding area was toured, and research was conducted to develop an understanding of demographic and submarket trends in the area. Additionally, sales of improved properties like the Subject property were researched and analyzed.

Data was gathered using appropriate and accepted appraisal methodology. We collected information from available published data, discussions with local market participants, and/or other various resources. Comparable properties considered pertinent to the valuation of the Subject property were also identified. The data was analyzed to arrive at a probable value indication through each applicable approach to value.

In the process of formulating our opinion of Market Value, we communicated with and/or obtained information relating to the Subject property the current property contact, Menards® staff, public records, and the municipal assessor. The information received pertaining to the Subject property has been verified to the extent possible.

In completing this appraisal of the designated property, we considered the three traditional approaches to value (cost, sales comparison, and income capitalization) and applied only the most appropriate techniques considering the use of this appraisal. The theory of these traditional approaches is outlined as follows:

- **Cost Approach**

In the cost approach, value is established based on the cost of reproducing or replacing the property, less depreciation from physical deterioration, functional obsolescence, and economic/external obsolescence.

Reproduction cost new is defined by the American Society of Appraisers as “the cost of reproducing a new replica of a property on the basis of current prices with the same or closely similar materials, as of a specific date.”⁶

Replacement cost new is defined by the American Society of Appraisers as “the current cost of a similar new property having the nearest equivalent utility as the property being appraised, as of a specific date.”⁷

Physical deterioration is defined as the loss in value resulting from wear and tear in operation and exposure to the elements.

Functional obsolescence is defined as the loss in value caused by conditions within the property such as changes in design, materials, or process and resulting in inadequacy, overcapacity, excess construction, lack of utility, or excess operating costs.

Economic/external obsolescence is defined as an incurable loss in value caused by conditions external to the property such as the local economy, economics of the industry, availability of financing, encroachment of objectionable enterprises, loss of material and labor sources, lack of efficient transportation, shifting of business centers, passage of new legislation, adverse impact of governmental regulations and restrictions, and changes in ordinances.

- **Sales Comparison Approach**

In the sales comparison, or market, approach, the value of the Subject property is estimated through an analysis of recent sales of comparable real property. Similar properties that have recently sold or are offered for sale in the current market are analyzed and compared with the property being appraised, with adjustments being made for differences in such factors as interest conveyed, cash equivalency, time of sale, location, type, and condition of the improvements, and prospective use. This approach is typically the most widely accepted for the valuation of land and existing improved properties where enough market data is available.

- **Income Capitalization Approach**

In the income capitalization approach, value is developed based on capitalization of the net earnings that would be generated if a specific stream of income can be attributed to an asset or a group of assets. This approach is most applicable to investment and general-use properties where there is an established and identifiable rental market.

We have considered the usefulness of the three approaches to value. Considering the availability of data, the current state of the real property, and the use of the appraisal, **we determined to provide the sales comparison approach and the income approach, as they are the most appropriate for the valuation of the Subject property. An analysis of the cost approach was not conducted. As stated previously, additional supporting information and analysis are retained within the work file.**

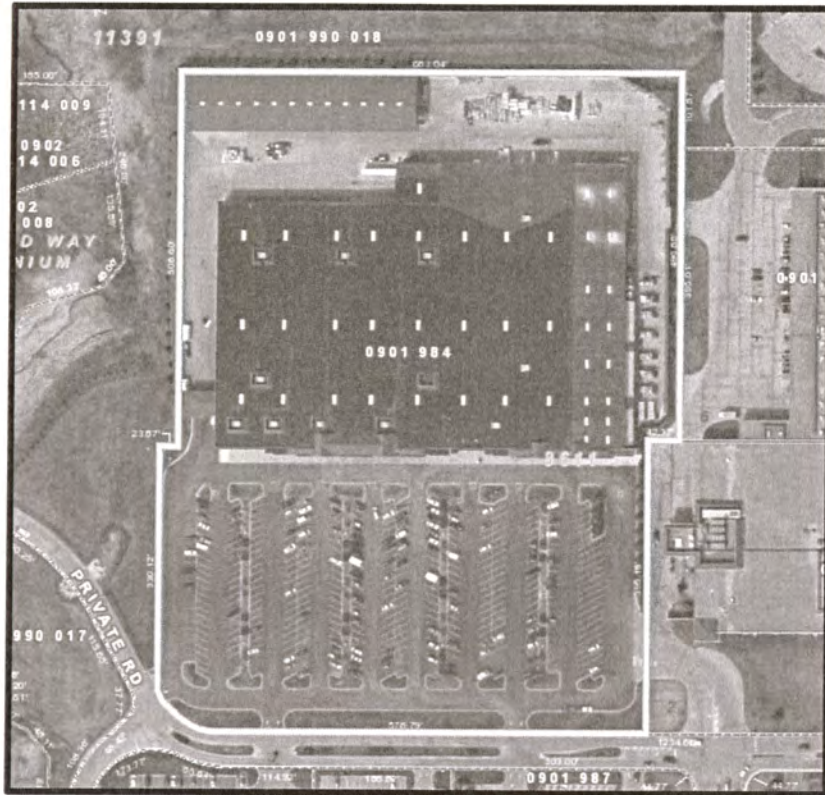
⁶*Valuing Machinery and Equipment: The Fundamentals of Appraising Machinery and Technical Assets*, third edition, American Society of Appraisers, 2011, p. 557

⁷*Ibid.*, p. 556

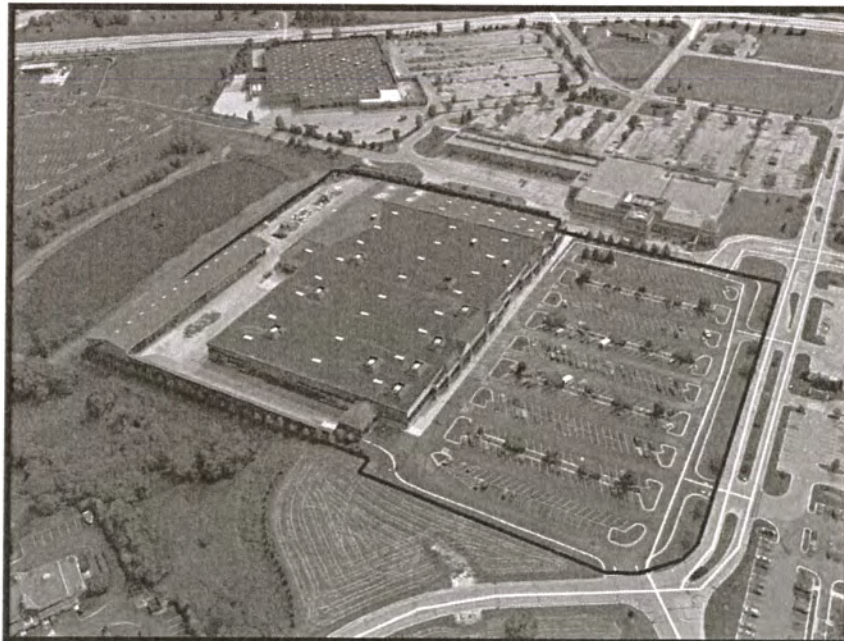


Exhibit A

Subject Photographs



Waukesha County GIS Aerial



Google Earth Aerial with Approximate Boundary Lines - Facing Northeast

Subject Photographs: Taken 5/7/2020



West and South Elevations - Facing Northeast



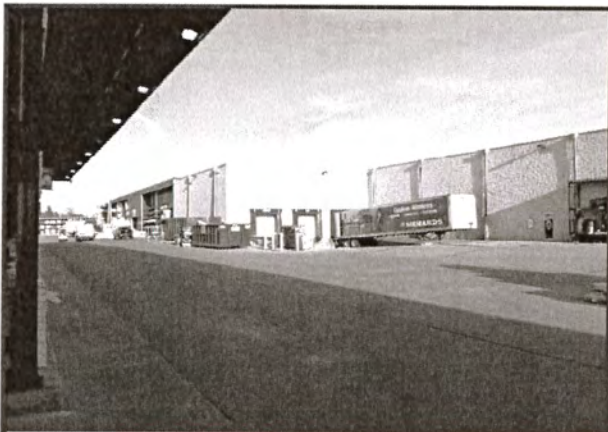
View of South Elevation



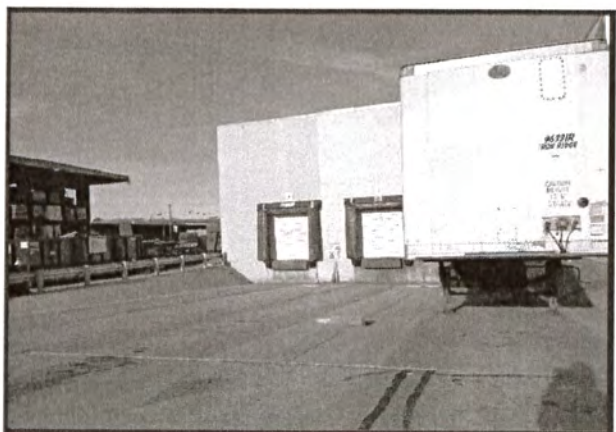
View Along West Boundary - Facing North



North and West Elevations - Facing Southeast



North Elevation



Loading Docks along North Portion (Three)

Subject Photographs: Taken 5/7/2020



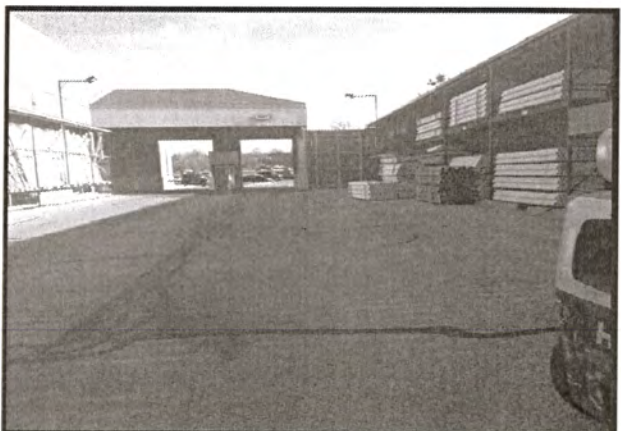
Northeast Section of Building (2014 Addition)



Northeast Section of Building (2014 Addition)



Facing South along East Boundary



Facing South along West Boundary



Lumber Shed - East Elevation (Exit)



Lumber Shed Interior - Facing East



Exhibit B

Certificate of Appraiser

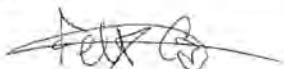
CERTIFICATE OF APPRAISER

I certify that, to the best of my knowledge and belief,

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and represent my impartial and unbiased professional analyses, opinions, and conclusions and those of ValCore Appraisal®.
- ValCore Appraisal® and I personally have no present or prospective interest in the property that is the Subject of this report and no personal interest with respect to the parties involved.
- ValCore Appraisal® and I personally have no bias with respect to the property that is the Subject of this report or to the parties involved with this assignment
- My and ValCore Appraisal's engagement in this assignment was not contingent upon the development or reporting of predetermined results.
- My and ValCore Appraisal's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that factors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice, and the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- No one provided significant professional assistance in the production of analyses, opinions, and conclusions that are contained in this report.
- I have inspected the real property that is the Subject of this report on **May 7, 2020**.
- **I have performed no services** (as an appraiser or in any other capacity, regarding the property that is the Subject of this report) within the three-year period immediately preceding the agreement to perform this assignment.

As of the date of this report, I have completed the Standards and Ethics Education Requirement for MAI and SRA Members of the Appraisal Institute.

Date: May 8, 2020



Felix Castro, MAI, SRA, GAA, RAA
State of Wisconsin, Certified General Appraiser, 2077-10
License Expiration: 12/14/2021



Exhibit C

Assumptions and Limiting Conditions

ASSUMPTIONS AND LIMITING CONDITIONS

Unless otherwise stated in the report, the following assumptions and limiting conditions apply to the service performed:

- **Information Relied Upon from Others**

To the best of our knowledge, all information, including historical and projected financial data, estimates, and market data relied on in developing the opinions and conclusions in this report was gathered from reliable sources and is true and accurate. However, no guarantee is made of, nor liability assumed for, the accuracy of information provided by others.

- **Valid Title**

No investigation was made of the title to or any liabilities against the property identified in the report. We assumed that all property rights are valid and marketable and that no encumbrances exist that cannot be cleared through normal processes.

- **Report Purpose and Use**

This report and the associated opinions and/or conclusions are only for the specific purpose and use stated in the report, and they are invalid for any other purpose and use.

- **Effective Date**

The opinions and/or conclusions stated in this report are based on the status of the market and the purchasing power of the currency as of the specific effective date stated in this report and are valid only as of that date.

- **No Publication and No Third-Party Rights**

No portion of this report may be published or given to any third parties without the prior written consent of ValCore Appraisal®. No third party shall have the right of reliance on this report, and neither receipt nor possession of this report by any third party shall create any express or implied third-party beneficiary rights.

- **Property Description**

Any property areas, sizes, dimensions, or descriptions in this report are included for identification purposes only and should not be used in a conveyance or other legal document. We did not verify the property areas, sizes, dimensions, or descriptions used in this analysis. Any plat in this report is intended only as a visual aid regarding the property and its environment and should not be considered a survey or scaled to size.

- **Regulation Compliance**

We assumed that the property has been responsibly managed; all applicable governmental regulations, including zoning and use regulations and restrictions, have been complied with; and all required licenses and permits have been or can be obtained or renewed for the use that is relevant to this analysis. Further, we assumed

that the improvements, as well as the utilization of the land and improvements, are within the boundaries of the property described and that no encroachment or trespass exists.

▪ **Environmental and Structural Conditions**

We assumed that all applicable environmental laws have been complied with. We made no environmental impact study, and the opinions or conclusions contained in this report exclude the impact of any potentially hazardous substances such as asbestos, urea-formaldehyde foam insulation, and environmental contamination.

We do not opine on, and are not responsible for, the structural integrity of the property, including conformity to specific code requirements, such as fire, building and safety, Americans with Disabilities Act, earthquake, and occupancy, or any physical defects not readily apparent during an inspection.

We recommend the reader of this report consult a qualified structural engineer or industrial hygienist to evaluate any possible structural or environmental defects, if the existence of such defects is relevant and could have a material impact on the results of the analysis expressed in the report.

▪ **Subsurface Rights and Conditions**

No soil analysis or geological studies were ordered or made in conjunction with the service performed, nor were any water, oil, gas, or other subsurface mineral and use rights or conditions investigated.

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Exhibit D

Qualifications of Appraiser



Felix Castro, MAI, SRA, GAA, RAA

Managing Member and Senior Appraiser

Summary

Proficient in all phases of commercial real estate valuation and evaluation, including appraisal, feasibility analysis, market study, and investment analysis of industrial facilities, retail stores, strip centers, neighborhood and regional shopping centers, office buildings, apartment complexes, raw land, and special-purpose properties.

Experience

Mr. Castro has been in the real estate appraisal industry since he completed his **first appraisal in 2010, while an undergraduate at the University of Wisconsin-Madison Real Estate Program**. Mr. Castro has worked at various local, regional, and international commercial real estate appraisal firms since graduating, including Duff & Phelps and American Appraisal.

Mr. Castro has experience in the valuation of general purpose and user-based specialized real estate. He has determined the market value of properties in multiple US states for multiple purposes, including purchases, sales, property tax purposes, internal planning, financial reporting, and insurance.

Mr. Castro has experience appraising residential and commercial real estate, comprising a variety of property types, including big box retail, shopping centers, multifamily, lakefront estates, development land, manufacturing, office, retail, warehouse/distribution, medical, and multifamily. He has contributed to property valuations involving fee simple, leased fee, and leasehold estates.

Education

University of Wisconsin-Madison

Bachelor of Business Administration Degree: Double Major

Real Estate & Urban Land Economics; Management and Human Resources

State Certifications

State of Wisconsin, Certified General Appraiser, #2077-10 (Issued 12/2014)

State of Wisconsin, Real Estate Broker, #57316-90 (Issued 6/2013)

State of Texas, Certified General Appraiser, TX1380844G (Expires 11/30/20)

State of Virginia, Certified General Appraiser, #4001017764 (Exp 11/30/20)

Professional Affiliations

Appraisal Institute

MAI Designation, awarded 8/2018

SRA Designation, awarded 10/2018

National Association of REALTORS®

General Accredited Appraiser (**GAA**) Designation, awarded 9/2018

Residential Accredited Appraiser (**RAA**) Designation, awarded 10/2018

Wisconsin Real Estate Alumni Association (WREAA)

Commercial Association of REALTORS® Wisconsin (CARW)



*Professional
Development*

Appraisal Institute

- 7 Hour National USPAP Update Course
- 15 Hour National USPAP Equivalent Course
- Advanced Concepts & Case Studies
- Advanced Income Capitalization
- Advanced Market Analysis and Highest & Best Use
- Basic Appraisal Principles
- Basic Appraisal Procedures
- Business Practices and Ethics
- Condemnation Appraising: Principles & Applications
- FHA Appraising - Principles and Procedures
- Fundamentals of Separating Real Property, Personal Property, and Intangible Business Assets
- General Appraiser Income Approach Part I
- General Appraiser Income Approach Part II
- General Appraiser Market Analysis and Highest & Best Use
- General Appraiser Report Writing and Case Studies
- General Appraiser Sales Comparison Approach
- General Appraiser Site Valuation and Cost Approach
- General Demonstration Report Writing
- Quantitative Analysis
- Real Estate Finance, Statistics, and Valuation Modeling
- Valuation by Comparison: Residential Analysis and Logic

Other Professional Education

- **CCIM Institute**
 - CI 101: Financial Analysis for Commercial Investment Real Estate
 - CI 102: Market Analysis for Commercial Investment Real Estate
- **CoreLogic**
 - Marshall & Swift Commercial Cost Approach Certification
- **McKissock**
 - Divorce and Estate Appraisals: Elements of Non-Lender Work
 - Introduction to Expert Witness Testimony for Appraisers

Objection to Real Property Assessment

To file an appeal on your property assessment, you must provide the Board of Review (BOR) clerk written or oral notice of your intent, under state law (sec. 70.47(7)(a), Wis. Stats.). You must also complete this entire form and submit it to your municipal clerk. To review the best evidence of property value, see the Wisconsin Department Revenue's *Property Assessment Appeal Guide for Wisconsin Real Property Owners*.

Complete all sections:

Section 1: Property Owner / Agent Information				* If agent, submit written authorization (Form PA-105) with this form			
Property owner name (on changed assessment notice) Forest Crossroads Investments LLC				Agent name (if applicable) Chad Zeznanski			
Owner mailing address P.O. Box 180469				Agent mailing address 10000 Innovation Drive, Suite 250			
City Delafield	State WI	Zip 53018		City Milwaukee	State WI	Zip 53226	
Owner phone () -		Email		Owner phone (262) 225-1784		Email czeznanski@wipfli.com	

Section 2: Assessment Information and Opinion of Value			
Property address 285 Forest Grove Drive		Legal description or parcel no. (on changed assessment notice) Parcel Number: PWV-0903-101-004	
City Pewaukee	State WI	Zip 53072	
Assessment shown on notice - Total \$2,246,000		Your opinion of assessed value - Total \$1,600,000	

If this property contains non-market value class acreage, provide your opinion of the taxable value breakdown:

Statutory Class	Acres	\$ Per Acre	Full Taxable Value
Residential total market value			
Commercial total market value			
Agricultural classification: # of tillable acres		@ \$ acre use value	
# of pasture acres		@ \$ acre use value	
# of specialty acres		@ \$ acre use value	
Undeveloped classification # of acres		@ \$ acre @ 50% of market value	
Agricultural forest classification # of acres		@ \$ acre @ 50% of market value	
Forest classification # of acres		@ \$ acre @ market value	
Class 7 "Other" total market value		market value	
Managed forest land acres		@ \$ acre @ 50% of market value	
Managed forest land acres		@ \$ acre @ market value	

Section 3: Reason for Objection and Basis of Estimate	Basis for your opinion of assessed value: (Attach additional sheets if needed)
Reason(s) for your objection: (Attach additional sheets if needed) The subject property's 2020 assessed value exceeds the subject's fair market value as of January 1, 2020.	Sales approach

Section 4: Other Property Information

A. Within the last 10 years, did you acquire the property? Yes No
 If Yes, provide acquisition price \$ Not applicable Date - - (mm-dd-yyyy) Purchase Trade Gift Inheritance

B. Within the last 10 years, did you change this property (ex: remodel, addition)? Yes No
 If Yes, describe Not applicable
 Date of changes Not applicable Cost of changes \$ _____ Does this cost include the value of all labor (including your own)? Yes No
 (mm-dd-yyyy)

C. Within the last five years, was this property listed/offered for sale? Yes No
 If Yes, how long was the property listed (provide dates) - - to - - (mm-dd-yyyy) (mm-dd-yyyy)
 Asking price \$ Not applicable List all offers received _____

D. Within the last five years, was this property appraised? Yes No
 If Yes, provide: Date Not applicable Value _____ Purpose of appraisal _____
 (mm-dd-yyyy)
 If this property had more than one appraisal, provide the requested information for each appraisal. Not applicable

Section 5: BOR Hearing Information

A. If you are requesting that a BOR member(s) be removed from your hearing, provide the name(s): Not applicable
Note: This does not apply in first or second class cities.

B. Provide a reasonable estimate of the amount of time you need at the hearing 30 minutes.

Property owner or Agent signature 	Date (mm-dd-yyyy) 5/8/2020
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Agent Authorization – Property Assessment

(Please print or type)

Part 1 Property Owner's Name		Spouse Name	Date
See Exhibit A - Property List		---	May 6, 2020
Property Owner's Address (number and street)		Spouse Address (if different from taxpayer)	Telephone Number – Daytime
P.O. Box 180469		---	(---)
City, State, and Zip Code	City, State, and Zip Code	E-mail Address	
Delafield, WI 53018	---	---	
Parcel number	Parcel Address		
See Exhibit A - Property List	See Exhibit A - Property List		

Personal Property Account Name:

Part 2 I hereby authorize the following individual(s) to act as my agent to represent me in property tax assessment matters concerning the property specified above.

Name	Address	Telephone Number
Chad Zeznanski	10000 Innovation Drive, Suite 250, Milwaukee, WI 53226	(262) 225-1784
		()
		()

Part 3 This authorization expires: _____ / _____ / _____ Does not expire until I revoke it in writing

MM / DD / YYYY

- I understand, agree and accept:
- The assessor's office may divulge any information it may have on file concerning this property.
 - My agent has the authority and my permission to accept a subpoena concerning this property on my behalf.
 - I will provide all information I have that will assist in the discussion and resolution of any assessment appeal of this property.
 - Signing this document does not relieve me of personal responsibility for timely reporting changes to my property and paying taxes, or penalties for failure to do so, as provided under Wisconsin tax law.
 - A photocopy and/or faxed copy of this completed form has the same authority as a signed original.
 - If signed by a corporate officer, partner, or fiduciary on behalf of the taxpayer, I certify that I have the power to execute this Agent Authorization form.

Part 4 Send notices and other written communications to: Authorized Agent OR Property Owner

► I understand, agree, and accept:
 If the Authorized Agent box is checked, any notices and written communications will be sent to only the Authorized Agent, except as required by statute. If the property owner box is checked, any notices and written communications will be sent to only the property owner. If no box is checked or both boxes are checked, any notices and written communications will be sent only to the property owner.

Part 5		
Signature	Title	Date
	MANAGING MEMBER	5/7/20
Signature	Title	Date

This authorization is not valid unless signed by the individual(s), corporate officer, partner or fiduciary.

Exhibit A - Property List

Parcel Number	Property Address	Owner
302-0187-000	9100 West Locust Street, Milwaukee, Wisconsin	Duane S. Reed & Osbie Reed
PWV-0903-101-004	285 Forest Grove Drive, Pewaukee, Wisconsin	Forest Crossroads Investments LLC
PWV-0903-108	1166 Quail Court, Pewaukee, Wisconsin	Quail Crossroads Investments LLC
15-030-01-014.00	1500 West Market Street, Mequon, Wisconsin	Daystar Properties LLC
BR C1116984005	15850 West Bluemound Road, Brookfield, Wisconsin	Duane S. Reed & Osbie Reed
0710-221-0413-8	2820 Walton Commons, Madison, Wisconsin	Maranda Estate LLC

(070934307054) 2118 W. Beltline Hwy
MADISON WIS. 5

GENCAP Beltline LLC

Objection to Real Property Assessment

To file an appeal on your property assessment, you must provide the Board of Review (BOR) clerk written or oral notice of your intent, under state law (sec. 70.47(7)(a), Wis. Stats.). You must also complete this entire form and submit it to your municipal clerk. To review the best evidence of property value, see the Wisconsin Department Revenue's *Property Assessment Appeal Guide for Wisconsin Real Property Owners*.

Complete all sections:

Section 1: Property Owner / Agent Information				* If agent, submit written authorization (Form PA-105) with this form			
Property owner name (on changed assessment notice) Quail Crossroads Investments LLC				Agent name (if applicable) Chad Zeznanski			
Owner mailing address P.O. Box 180469				Agent mailing address 10000 Innovation Drive, Suite 250			
City Delafield	State WI	Zip 53018		City Milwaukee	State WI	Zip 53226	
Owner phone () -	Email			Owner phone (262) 225-1784	Email czeznanski@wipfli.com		

Section 2: Assessment Information and Opinion of Value			
Property address 1166 Quail Court			Legal description or parcel no. (on changed assessment notice) Parcel Number: PWV-0903-108
City Pewaukee	State WI	Zip 53072	
Assessment shown on notice - Total \$3,577,200		Your opinion of assessed value - Total \$2,500,000	

If this property contains non-market value class acreage, provide your opinion of the taxable value breakdown:

Statutory Class	Acres	\$ Per Acre	Full Taxable Value
Residential total market value			
Commercial total market value			
Agricultural classification: # of tillable acres		@ \$ acre use value	
# of pasture acres		@ \$ acre use value	
# of specialty acres		@ \$ acre use value	
Undeveloped classification # of acres		@ \$ acre @ 50% of market value	
Agricultural forest classification # of acres		@ \$ acre @ 50% of market value	
Forest classification # of acres		@ \$ acre @ market value	
Class 7 "Other" total market value		market value	
Managed forest land acres		@ \$ acre @ 50% of market value	
Managed forest land acres		@ \$ acre @ market value	

Section 3: Reason for Objection and Basis of Estimate	
Reason(s) for your objection: (Attach additional sheets if needed) The subject property's 2020 assessed value exceeds the subject's fair market value as of January 1, 2020.	Basis for your opinion of assessed value: (Attach additional sheets if needed) Sales approach

Section 4: Other Property Information

A. Within the last 10 years, did you acquire the property? Yes No
 If Yes, provide acquisition price \$ Not applicable Date - - Purchase Trade Gift Inheritance
(mm-dd-yyyy)

B. Within the last 10 years, did you change this property (ex: remodel, addition)? Yes No
 If Yes, describe Not applicable
 Date of changes Not applicable Cost of changes \$ Does this cost include the value of all labor (including your own)? Yes No
(mm-dd-yyyy)

C. Within the last five years, was this property listed/offered for sale? Yes No
 If Yes, how long was the property listed (provide dates) - - to - -
(mm-dd-yyyy) (mm-dd-yyyy)
 Asking price \$ Not applicable List all offers received Not applicable

D. Within the last five years, was this property appraised? Yes No
 If Yes, provide: Date Not applicable Value Purpose of appraisal Not applicable
(mm-dd-yyyy)
 If this property had more than one appraisal, provide the requested information for each appraisal. Not applicable

Section 5: BOR Hearing Information

A. If you are requesting that a BOR member(s) be removed from your hearing, provide the name(s): Not applicable
Note: This does not apply in first or second class cities.

B. Provide a reasonable estimate of the amount of time you need at the hearing 30 minutes.

Property owner or Agent signature 	Date (mm-dd-yyyy) 5/8/2020
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Agent Authorization – Property Assessment

(Please print or type)

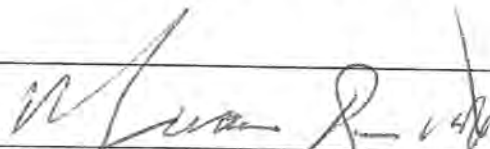
Part 1 Property Owner's Name		Spouse Name	Date
See Exhibit A - Property List		---	May 6, 2020
Property Owner's Address (number and street)		Spouse Address (if different from taxpayer)	Telephone Number – Daytime
P.O. Box 180469		---	(---)
City, State, and Zip Code	City, State, and Zip Code	E-mail Address	
Delafield, WI 53018	---	---	
Parcel number	Parcel Address		
See Exhibit A - Property List	See Exhibit A - Property List		
Personal Property Account Name:			
Part 2 I hereby authorize the following individual(s) to act as my agent to represent me in property tax assessment matters concerning the property specified above.			
Name	Address	Telephone Number	
Chad Zeznanski	10000 Innovation Drive, Suite 250, Milwaukee, WI 53226	(262) 225-1784	
		()	
		()	
Part 3 This authorization expires: <input type="checkbox"/> _____ / _____ / _____ <input checked="" type="checkbox"/> Does not expire until I revoke it in writing			
MM / DD / YYYY			
I understand, agree and accept:			
<ul style="list-style-type: none"> • The assessor's office may divulge any information it may have on file concerning this property. • My agent has the authority and my permission to accept a subpoena concerning this property on my behalf. • I will provide all information I have that will assist in the discussion and resolution of any assessment appeal of this property. • Signing this document does not relieve me of personal responsibility for timely reporting changes to my property and paying taxes, or penalties for failure to do so, as provided under Wisconsin tax law. • A photocopy and/or faxed copy of this completed form has the same authority as a signed original. • If signed by a corporate officer, partner, or fiduciary on behalf of the taxpayer, I certify that I have the power to execute this Agent Authorization form. 			
Part 4 Send notices and other written communications to: <input checked="" type="checkbox"/> Authorized Agent OR <input type="checkbox"/> Property Owner			
▶ I understand, agree, and accept:			
If the Authorized Agent box is checked, any notices and written communications will be sent to only the Authorized Agent, except as required by statute. If the property owner box is checked, any notices and written communications will be sent to only the property owner. If no box is checked or both boxes are checked, any notices and written communications will be sent only to the property owner.			
Part 5			
Signature	Title	Date	
X 	MANAGING MEMBER	5/7/20	
Signature	Title	Date	
This authorization is not valid unless signed by the individual(s), corporate officer, partner or fiduciary.			

Exhibit A - Property List

Parcel Number	Property Address	Owner
302-0187-000	9100 West Locust Street, Milwaukee, Wisconsin	Duane S. Reed & Osbie Reed
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15-030-01-014.00	1500 West Market Street, Mequon, Wisconsin	Daystar Properties LLC
BR C1116984005	15850 West Bluemound Road, Brookfield, Wisconsin	Duane S. Reed & Osbie Reed
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GENCAP Beltline LLC