

MALLERY^{SC}

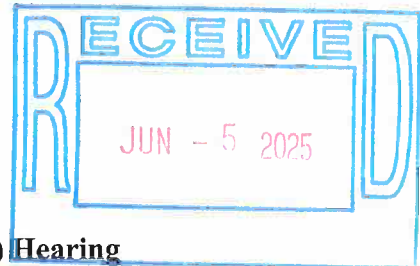
A LIMITED LIABILITY SERVICE CORPORATION

Writer's Direct E-mail
ctietjens@mallerysc.com

June 5th, 2025

Via E-mail (clerktreas@waukesha-wi.gov)

Ms. Katie Panella,
City of Waukesha Clerk
201 Delafield Street,
Waukesha, WI 53188



Re: 2025 Request for Waiver of Board of Review (BOR) Hearing

Property Owner: Wal-Mart Real Estate Business Trust

Property Address: 2000 South West Avenue, Waukesha, WI

Parcel Number: 1353.424.000

Dear Ms. Panella:

Enclosed please find an Agent Authorization signed by our client, Wal-Mart Real Estate Business Trust, regarding the above referenced property. Please also find the completed Request for Waiver 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,

CAROLINE E. TIETJENS
Paralegal

Enclosures

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 [Guide for 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) Wal-Mart Real Estate Business Trust | | | | Agent name (if applicable) Mallery, s.c. | | | | |
| Owner mailing address P.O. Box 8050 | | | | Agent mailing address 731 North Jackson Street, Suite 900 | | | | |
| City Bentonville | State AR | Zip 72716 | | City Milwaukee | State WI | Zip | | |
| Owner phone (479) 204 - 3835 | | Email brandon.caplena@walmart.com | | Owner phone (414) 271 - 2424 | | Email cstrohbehn@mallerysc.com/ rkarnes@mallerysc.com | | |
| Section 2: Assessment Information and Opinion of Value | | | | | | | | |
| Property address 2000 South West Avenue | | | | Legal description or parcel no. (on changed assessment notice) 1353.424.000 | | | | |
| City Waukesha | State WI | Zip 53189 | | | | | | |
| Assessment shown on notice - Total \$24,618,600 | | | | Your opinion of assessed value - Total \$7,110,000 | | | | |

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) Property is excessive based on other big box stores and appraisals. | Basis for your opinion of assessed value: (Attach additional sheets if needed) Based on other big box stores and appraisals. |
|--|--|

Section 4: Other Property Information

- A. Within the last 10 years, did you acquire the property? ☐ Yes ☒ No
If Yes, provide acquisition price \$ _____ 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 **Remodel: 4-25-2024 for \$7,891,801.49** Prior Remodel: **11-20-2016 for \$62,709**
Date of changes **04 - 26 - 24** Cost of changes \$ **7,891,801.49** 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 \$ _____ List all offers received _____
- D. Within the last five years, was this property appraised? ☒ Yes ☐ No
If Yes, provide: Date **10 - 21 - 2024** Value **\$7,110,000** Purpose of appraisal **Retrospective Market Valuation**
(mm-dd-yyyy)
If this property had more than one appraisal, provide the requested information for each appraisal **10-21-2024 (\$6,730,000 as of 01/01/2021, \$7,010,000 as of 01/01/2022 and \$7,110,000 as of 01/01/2023, and 02-22-2021 (\$8,420,000 as of 01/01/2020))**

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) 06-05-2025 |
|--|--|

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 | Mallery, s.c. | 731 North Jackson Street, Suite 900, Milwaukee, WI 53202 | cstrohbehn@mallerysc.com | 414-271-2424 |
| Russell J. Karnes | Attorney | Mallery, s.c. | 731 North Jackson Street, Suite 900, Milwaukee, WI 53202 | rkarnes@mallerysc.com | 414-271-2424 |
| Samantha B. Bailey | Attorney | Mallery, s.c. | 731 North Jackson Street, Suite 900, Milwaukee, WI 53202 | sbailey@mallerysc.com | 414-271-2424 |
| 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 |

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 type="checkbox"/> Village <input checked="" type="checkbox"/> City Enter municipality → I Sg] WZS | | County I Sg] WZS |
| Mailing address P.O. Box 8050 | | | Street address of property S' " " EagfZI W 3hWgW | | |
| City Bentonville | State AR | Zip 72716 | City I Sg] WZS | State I ; | Zip ' % #+ |
| Parcel number 1353.424.000 | Phone (8) + S' & % % | | Email brandon.caplena@walmart.com | | Fax () - |

Section 2: Authorized Agent Information

| | | | | | |
|--|--------------------|---------------------|--|--|---------------------|
| Name / title Attys. Christopher L. Strohbehn, Russell J. Karnes Andrew G. Frank, Reza Hajisanei, and Samantha S. Bailey | | | Company name Mallery, s.c. | | |
| Mailing address 731 North Jackson Street, Suite 900 | | | Phone (414) 271 - 2424 | | Fax () - |
| City Milwaukee | State WI | Zip 53202 | Email cstrohbehn@mallerysc.com/rkarnes@mallerysc.com | | |

Section 3: Agent Authorization

| | | |
|--|--|---|
| Agent Authorized for: (check all that apply) <input checked="" type="checkbox"/> Manufacturing property assessment appeals (BOA) <input checked="" type="checkbox"/> Wisconsin Department of Revenue 70.85 appeals <input checked="" type="checkbox"/> Municipal Board of Review <input type="checkbox"/> Other _____ | | Enter Tax Years of Authorization 2018-2025 |
| Authorization expires: <u>12 - 31 - 2025</u> (mm - dd - yyyy) | | (unless rescinded in writing prior to expiration) |
| 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: <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 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) Jerry Aucoin, CMI |
| | Owner signature |
| | Company or title Walmart Real Estate Business Trust - Sr. Prop. Tax Mgr. <div style="float: right; padding-top: -20px;"> Date (mm-dd-yyyy) 03-20-2025 - - </div> |

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 City of Waukesha | County Waukesha |
| Requestor's name Wal-Mart Real Estate Business Trust | Agent name (if applicable)* Mallery, s.c. |
| Requestor's mailing address P.O. Box 8050 Bentonville, AR 72716 | Agent's mailing address 731 North Jackson Street, Suite 900 Milwaukee, WI 53202 |
| Requestor's telephone number (479) 204 - 3835 | Agent's telephone number (414) 271 - 2424 |
| <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Land Line <input type="checkbox"/> Cell Phone </div> | <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Land Line <input type="checkbox"/> Cell Phone </div> |
| Requestor's email address brandon.caplana@walmart.com | Agent's email address cstrohbehn@mallerysc.com/rkarnes@mallerysc.com |

| | |
|---|---|
| Property address 200 South West Avenue, Waukesha, WI | |
| Legal description or parcel number 1353.424.000 | |
| Taxpayer's assessment as established by assessor - Value as determined due to waiving of BOR hearing \$ 24,618,600 | |
| Property owner's opinion of value \$ 7,110,000 | |
| Basis for request To take matter directly to Circuit Court, as 2019-2024 Tax Years are already in litigation. | |
| Date Notice of Intent to Appear at BOR was given 06 -02 - 2025 | Date Objection Form was completed and submitted 06- 05 -2025 |

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.

Brandon L. Caplana

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 <p style="text-align: center;">City of Waukesha</p> | County <p style="text-align: center;">Waukesha</p> |
| Property owner's name <p style="text-align: center;">Wal-Mart Real Estate Business Trust</p> | Agent name (if applicable) <p style="text-align: center;">Mallery, s.c.</p> |
| Owner's mailing address <p style="text-align: center;">P.O. Box 8050 Bentonville, AR 72716</p> | Agent's mailing address <p style="text-align: center;">731 North Jackson Street, Suite 900 Milwaukee, WI 53202</p> |
| Owner's telephone number (479) 204-3835 <div style="float: right;"> <input checked="" type="checkbox"/> Land Line <input type="checkbox"/> Cell Phone </div> | Agent's telephone number (414) 271-2424 <div style="float: right;"> <input checked="" type="checkbox"/> Land Line <input type="checkbox"/> Cell Phone </div> |
| Owner's email address <p style="text-align: center;">brandon.caplana@walmart.com</p> | Agent's email address <p style="text-align: center;">cstrohbehn@mallerysc.com/rkarnes@mallerysc.com</p> |

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

1. Property address 2000 South West Avenue

2. Legal description or parcel number from the current assessment roll 1353.424.000

3. Total Property Assessment \$24,618,600

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

☒ Testify by telephone* ☐ Submit sworn written statement

Basis for request To save on travel time and costs.

* If the request is approved, provide the best telephone number to reach you _____

| | |
|--|---|
| Owner's or Agent's signature <p style="text-align: center;"></p> | Date <p style="text-align: center;">06-05-2025</p> |
|--|---|

For Board Use Only

☐ Approved ☐ Denied

Reason _____

☐ Taxpayer advised _____
Date