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**CLAIM FOR UNLAWFUL TAX (s.74.35, Wis. Stats.)**

TO: Clerk, City of Wauwatosa  
7725 West North Avenue  
Wauwatosa, Wisconsin 53213

Now comes Froedtert Thedacare Health, Inc. f/k/a Froedtert Health, Inc. ("Claimant"), owner of real property Tax Key No. 409-0059-002 located at 10000 West Bluemound Road, Wauwatosa, Wisconsin (the "Property"), by Claimant's attorneys, von Briesen & Roper, s.c., and files this Claim for Unlawful Tax against the City of Wauwatosa ("City") pursuant to Wis. Stat. sec 74.35.

1. Claimant is the owner of the Property, which is located at 10000 West Bluemound Road in the City.

2. For 2023, property in the City was assessed at 76.62% of its fair market value as of January 1, 2023 and was taxed at \$21.404419 per \$1,000 of assessed value.

3. The 2023 assessment of the Property was set by the City Assessor at \$26,626,400.

4. On, February 28, 2023, the Claimant filed a Property Tax Exemption Request (PR-230) with the City, which was denied, at least in part.

5. In August, 2023, the Board of Review stipulated to reduce the 2023 assessment to \$15,446,500.

6. Based on the 2023 assessment as set by the City, the City imposed a net tax of \$330,563.24 on the Property.

7. The value of the Property for 2023 is \$7,741,800 because it is partially exempt as a nonprofit hospital pursuant to sec. 70.11(4m)(a), Wis. Stats. The assessment of the property based on 76.62% of its fair market value is \$5,931,767.

8. The maximum 2023 property tax on the Property is \$126,966.03.

9. As a result of the unlawful assessment of the Property for 2023, unlawful tax in at least the amount of \$203,597.21 was imposed on the Property.

10. On January 2, 2024, Claimant paid the full amount of 2023 taxes on the Property in the amount of \$330,563.24.

11. Wherefore, Claimant requests that the Common Council cancel the unlawful 2023 tax assessment on the Property, and because of the unlawful tax imposed and paid on the Property for 2023, Claimant requests refund of said unlawful tax of \$203,597.21.

Dated at Milwaukee, Wisconsin, this 25<sup>th</sup> day of January, 2024.

von Briesen & Roper, s.c.

A handwritten signature in blue ink, appearing to be 'Alan Marcuvitz', written over a horizontal line.

Alan Marcuvitz

Katie L. Bireley

Barry R. White