

GRANT F. LANGLEY
City Attorney

MIRIAM R. HORWITZ
ADAM B. STEPHENS
MARY L. SCHANNING
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

STUART S. MUKAMAL
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
KATHRYN Z. BLOCK
KEVIN P. SULLIVAN
THOMAS D. MILLER
ROBIN A. PEDERSON
JEREMY R. MCKENZIE
PETER J. BLOCK
NICHOLAS P. DESIATO
JOANNA FRACZEK
JENNY YUAN
KAIL J. DECKER
ALLISON N. FLANAGAN
LA KEISHA W. BUTLER
PATRICK J. LEIGL
HEATHER H. HOUGH
ANDREA J. FOWLER
PATRICK J. MCCLAIN
NAOMI E. GEHLING
CALVIN V. FERMIN
BENJAMIN J. ROOVERS
ELLENY B. CHRISTOPOULOS
RACHEL S. KENNEDY
TYRONE M. ST. JUNIOR
HANNAH R JAHN
Assistant City Attorneys

July 6, 2017

Honorable Common Council
City Hall, Room 205

**RE: Resolution authorizing settlement of claims in the lawsuit
entitled *Bay Development Co., LLC v. City of Milwaukee***


Honorable Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation for the committee to take appropriate action, with the following recommendation.

The above-referenced lawsuit was commenced by the owner of the North Bay shopping center at 6003-6045 North Teutonia Avenue. The Plaintiff claimed the City excessively assessed its property for tax years 2015 and 2016. The Plaintiff's appraiser opined the fair market value was \$1,195,000 for 2015 and \$1,235,000 for 2016. The Plaintiff sought a refund of property taxes in the amount of \$27,473.23. The parties mediated the case on June 9, 2017, and the City Assessor and Plaintiff agree that the fair market value of the property was \$1.5 million for both the 2015 and 2016 tax years. This value would result in a refund of taxes to the Plaintiff in the amount of \$9,555.26. Although the City would initially have to pay this amount, after the Wisconsin Department of Revenue charges back the reduction in assessments to the other taxation districts, the City's portion of the \$9,555.26 will be approximately \$3,283.70.

In consultation with the City Assessor, the City Attorney now recommends settlement of this matter for the mediated refund, inclusive of all interests and costs. In exchange for this settlement and payment, the Plaintiff will stipulate to dismiss the case and release all claims against the City arising out of this matter.

Very truly yours,


For **GRANT F. LANGLEY**
City Attorney



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HANNAH R. JAHN
Assistant City Attorney

Enclosure

1056-2016-1330