

Objection to Real Property Assessment

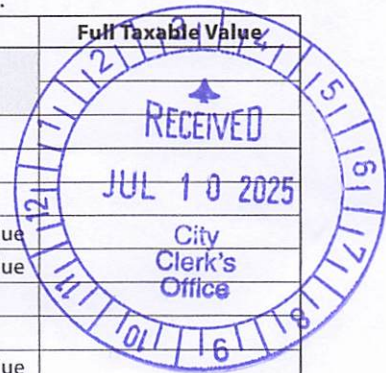
To file an appeal on your property assessment, you must provide the Board of Review (BOR) clerk written or oral notice of your intent, under state law (sec. [70.47\(7\)\(a\)](#), Wis. Stats.). You must also complete this entire form and submit it to your municipal clerk. To review the best evidence of 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) Myrna L Frank				Agent name (if applicable)			
Owner mailing address 1325 Nakomis Ave				Agent mailing address			
City LaCrosse		State WI	Zip 54603	City		State	Zip
Owner phone (608) 790- 5866		Email frankmyrna@hotmail.com		Owner phone () -		Email	
Section 2: Assessment Information and Opinion of Value							
Property address 1325 Nakomis Ave				Legal description or parcel no. (on changed assessment notice) 17-010672-090			
City LaCrosse		State WI	Zip 54603				
Assessment shown on notice - Total \$ 627,200				Your opinion of assessed value - Total \$ 350,000			

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

Statutory Class	Acre	\$ 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) My property does not have water access.	Basis for your opinion of assessed value: (Attach additional sheets if needed) SEE ATTACHMENTS

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 - - - - - <input type="checkbox"/> Purchase <input type="checkbox"/> Trade <input type="checkbox"/> Gift <input type="checkbox"/> Inheritance (mm-dd-yyyy)	
B. Within the last 10 years, did you change this property (ex: remodel, addition)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe _____ Date of changes - - - - - 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)	
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) - - - - - to - - - - - (mm-dd-yyyy) (mm-dd-yyyy) Asking price \$ _____ List all offers received _____	
D. Within the last five years, was this property appraised? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide: Date - - - - - Value _____ Purpose of appraisal _____ (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 <u>15</u> minutes.	
Property owner or Agent signature <i>Myrna Frank</i>	Date (mm-dd-yyyy) 07-09-2025

Written Appeal for Property Assessment

Date: July 9, 2025

To:

Board of Review
La Crosse Assessor's Office
400 La Crosse Street
La Crosse, WI 54601

Subject: Appeal of Property Assessment – Incorrect Waterfront Classification

Parcel Number: 17-10672-090

Property Address: 1325 Nakomis Ave., La Crosse, WI 54603

Dear Members of the Board of Review,

I am writing to formally appeal the waterfront classification and assessed valuation of my property referenced above. I believe this assessment is incorrect based on the following facts and legal grounds:

Summary of Facts and Issues

- My property **does not have direct water frontage**; it abuts a separate parcel that is owned by my daughters.
 - The adjacent parcel lies below my property, has **over 600 feet to the water frontage**, and it is **non-buildable and subject to occasional flooding**.
 - When flooding occurs, water comes near but **does not cross onto my property**.
 - I previously owned this adjacent parcel but deeded it to my daughters as I had no use or intention to develop the waterfront or install a dock.
 - Despite this, the municipality is assessing my property as waterfront property and justifies this using "perennial rights" — implying I retain water rights and access.
 - I dispute this classification as it inaccurately inflates my property value based on waterfront benefits I do not have.
-

Legal and Assessment Defenses

1. **No Direct Water Frontage:**
Waterfront classification requires direct adjacency to navigable water. My property line does not touch the water, and there is a legally distinct parcel between my property and the water.

2. **Severed Ownership and Rights:**

Upon deeding the adjacent parcel to my daughter, any riparian or littoral rights I once held were effectively severed. I no longer own or control the waterfront property or any associated water rights.

3. **Lack of Access or Use:**

I do not have any easement, right of way, or dock access over the adjacent parcel. I have never exercised water rights or used the water frontage for any purpose.

4. **Flood-Prone, Non-Buildable Parcel:**

The adjacent parcel's flooding and physical condition prevent improvements or beneficial use. This diminishes, rather than adds, value to my land.

5. **Misapplication of "Perennial Rights":**

The doctrine of perennial rights applies only where a property owner has actual, continuous water access from their land. Here, water access is legally and physically severed.

6. **Wisconsin Statutory Requirements:**

Under Wis. Stat. § 70.32(1), property must be assessed at fair market value considering its "highest and best use." My property cannot be reasonably used as waterfront, so the waterfront premium is unwarranted.

Requested Relief

In light of the above, I respectfully request:

1. The reclassification of my property as **non-waterfront**.
2. A reassessment reflecting its fair market value without waterfront premium.
3. Removal of any valuation adjustments based on "perennial rights" or waterfront access claims.

Supporting Documentation

I can provide the following documentation upon request:

- Deed transferring the adjacent parcel to my daughters
- Maps and aerial photos showing property boundaries and lack of water frontage
- Evidence of flooding on the adjacent parcel only
- Comparable assessments for nearby non-waterfront properties

Thank you for your time and consideration of my appeal. I look forward to a fair review and am available to provide additional information or appear in person if needed.

Sincerely,

Myrna Frank

Supplemental Document: Legal Citations & Case Law

The following Wisconsin statutes and legal principles support my appeal against the waterfront property assessment and the use of perennial rights:

1. **Wisconsin Statute § 70.32(1):**
Requires property to be assessed at fair market value considering the highest and best use. Properties without direct water access or legal water rights should not be assessed as waterfront.
2. **Wisconsin Statute § 70.05:**
Grants taxpayers the right to appeal erroneous assessments before the Board of Review.
3. **Riparian and Littoral Rights Doctrine:**
These rights generally attach to land physically adjoining water and do not transfer when ownership is severed unless specifically retained by easement or agreement.
4. **Relevant Case Law Themes:**
 - Courts in Wisconsin have held that property valuation must reflect actual use and legal rights to water, not hypothetical or severed rights.
 - Flood-prone, unimproved, separately owned land adjacent to water does not confer waterfront value to adjoining parcels without legal access or ownership.

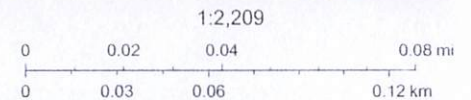
La Crosse County Web Map



6/30/2025, 12:54:32 PM

- Municipality Limits Labels
- Municipality Limits
- Road Centerlines
- County Highway
- Local Road
- Property Owners with Assessments
- Lake & River Labels
- Lakes & Rivers
- World Imagery

- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations



La Crosse County WI Zoning Planning and Land Information Department
212 6th St N, Suite 1300
La Crosse, WI 54601
<https://lacssecounty.org/zoning>



04-01241-004
JOHN R PFISTER
PEGGY P PFISTER

04-01241-005
MICHAEL L VOGEL
JANE M VOGEL

04-01241-003
MYRNA L FRANK

04-01241-007
TOWN OF
CAMPBELL

17-10290-010
GUY C
LACROIX

17-10672-110
JOHN R PFISTER
PEGGY P PFISTER

17-10672-100
MICHAEL L VOGEL
JANE M VOGEL

17-10672-090
MYRNA L FRANK

Measure
Line
653.12 ft
New measure

Comparable Market Analysis

1325 Nakomis Ave, La Crosse, WI, USA, Wisconsin, 54603

Prepared for Myrna Frank—Wednesday, July 9, 2025

Karla R. Frank

Bi-State Realty & Appraisals

114 2nd Avenue N.

Onalaska, WI 54650

608-317-1212

karlafrank2000@yahoo.com

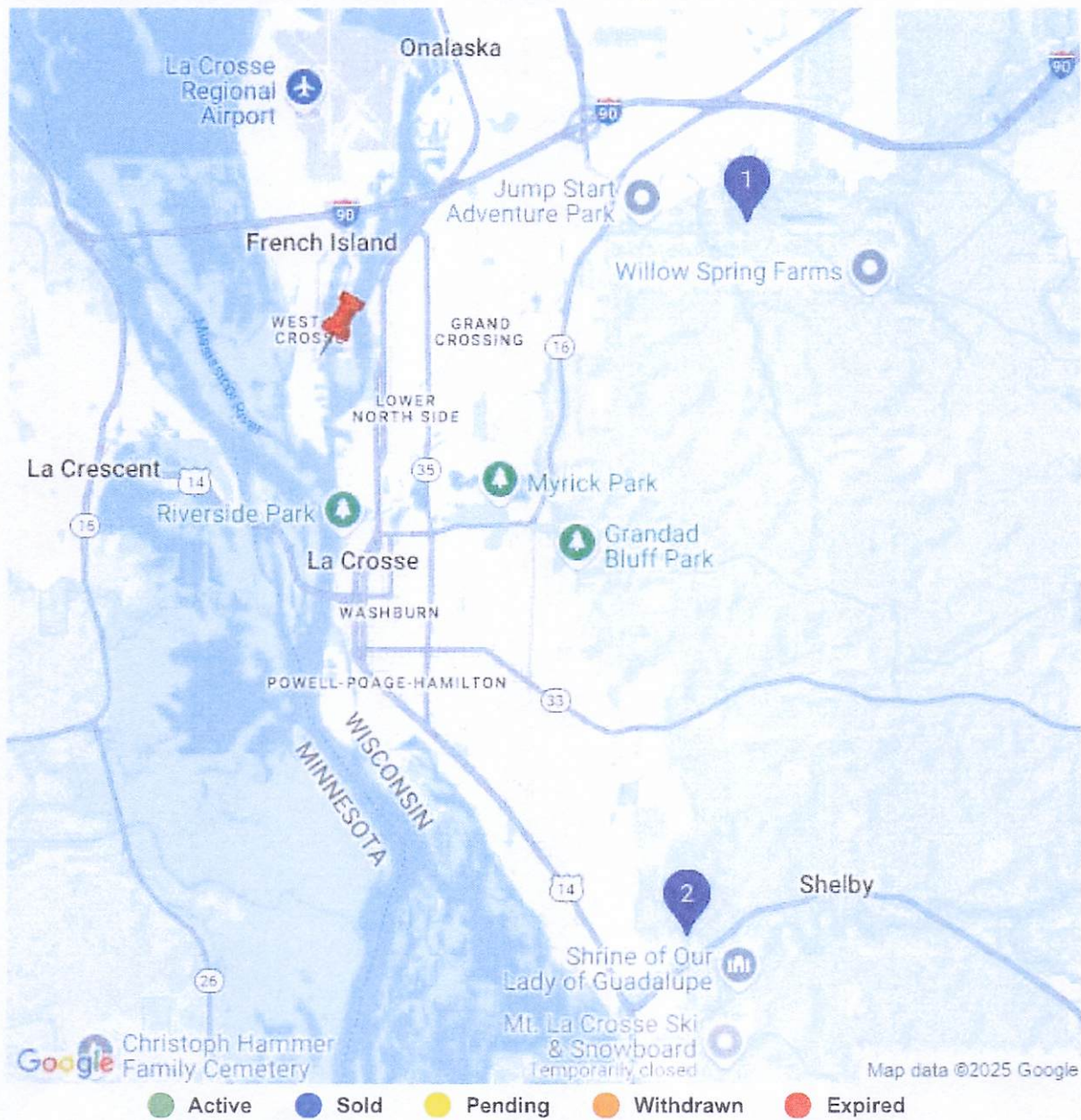
<http://www.bi-statehomesales.com>


License #: 50670-94

COMMENTS

this for the lot only

Map of Subject And Comparable Properties



	Address	MLS #	Status	Distance from Subject
 Subject	1325 Nakomis Ave , La Crosse, WI, USA Wisconsin 54603			
1	5273 Brackenwood Ct , La Crosse WI 54601	1901048	Sold	4.03m
2	4728 Bell Farm Grn , La Crosse WI 54650	1854604	Sold	6.39m

Subject

Address	1325 Nakomis Ave , La Crosse, WI, USA, Wisconsin 54603
Topography	level
County	La Crosse
Present Use	
Utilities Available	
Zoning	RES
Lot Description	
Est. Acreage	.46
Subdivision	
Water Front/Access	n/a
Body of Water	
School District	La Crosse
Taxes	
Tax Year	
Documents on File	
Terms/Misc	

Comparable Properties

Subject

1901048

1854604



1325 Nakomis Ave
La Crosse, WI, USA
Wisconsin 54603

5273 Brackenwood Ct
La Crosse WI

4728 Bell Farm Grn
La Crosse WI

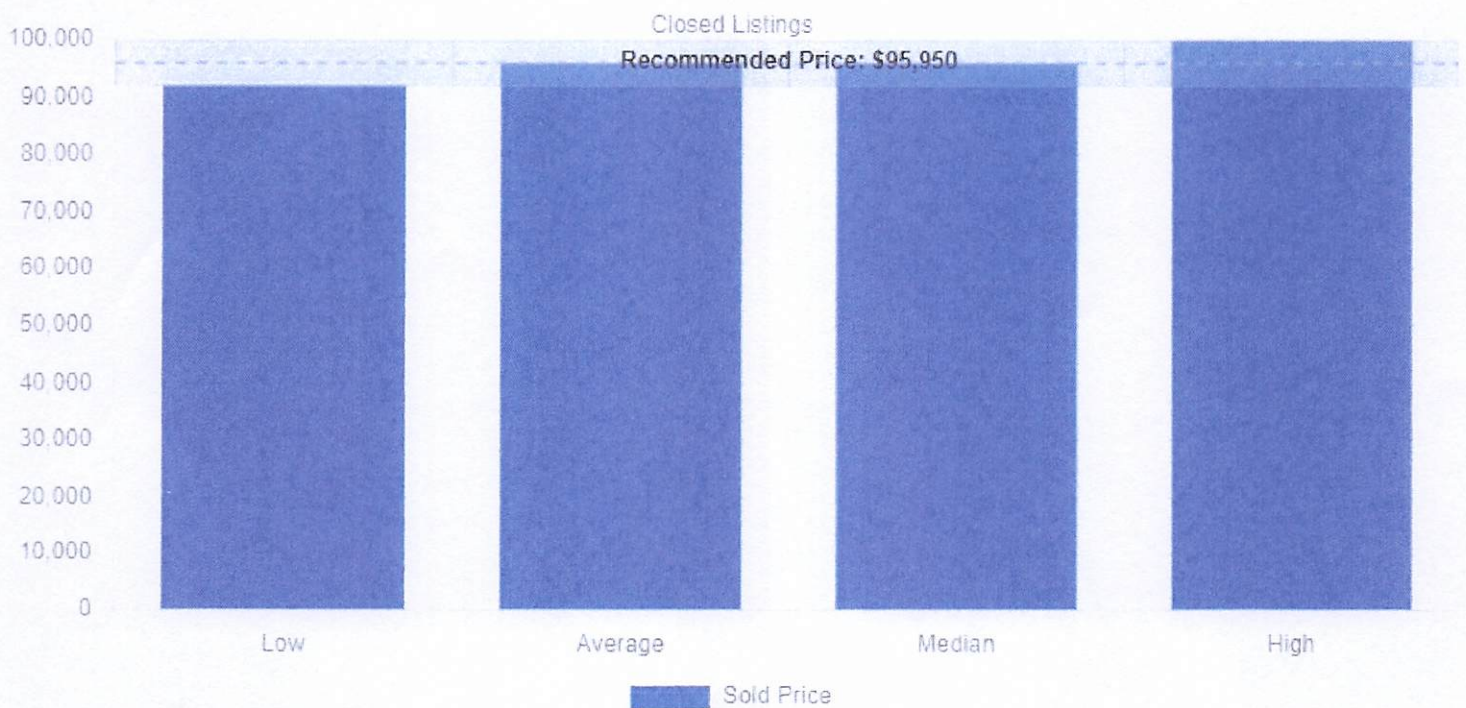
Distance From Subject		4.03	6.39		
List Price		\$99,900	\$95,000		
Original List Price		\$99,900	\$95,000		
Sold Price		\$99,900	\$92,000		
Status		Sold	Sold		
Status Date		05/12/2025	12/29/2023		
Days on Market		40	2		
Cumulative Days on Market		40	2		
Adjustment				+/-	+/-
Topography	level	Level	Level; Subdivision; Association		
County	La Crosse	La Crosse	La Crosse		
Present Use		Residential	None		
Utilities Available		Electricity Available; Natural Gas Available; Phone Available; Cable Available; High Speed Internet Available	Electricity Available; Natural Gas Available; Cable Available		
Zoning	RES	Residential - Single	Residential - Single		
Lot Description					
Est. Acreage	0.46	0.51	0.44		
Subdivision			Waterford Valley		
Water Front/Access	n/a				
Body of Water					
School District	La Crosse	La Crosse	La Crosse		
Taxes		0	893		
Tax Year		2024	2022		
Documents on File		Listing Contract	Listing Contract; Seller Condition		
Terms/Misc					
Adjusted Price	\$95,950	\$99,900	\$92,000		

Price Analysis

List, Sold and Adjusted Prices



Low, Average, Median, and High Sold Prices



Summary of Sold Listings

MLS #	Address	List Price	DOM	CDOM	Sold Date	Sold Price	Total Adjustments	Adjusted Price
1901048	5273 Brackenwood Ct, La Crosse WI	\$99,900	40	40	05/12/2025	\$99,900	-	\$99,900
1854604	4728 Bell Farm Grn, La Crosse WI	\$95,000	2	2	12/28/2023	\$92,000	-	\$92,000

Low, Average, Median, and High Comparisons

	Closed	Overall
Low	\$92,000	\$92,000
Average	\$95,950	\$95,950
Median	\$95,950	\$95,950
High	\$99,900	\$99,900

Overall Market Analysis (Unadjusted)

Status	#	List Vol.	Avg. List Price	Sold Vol.	Avg. Sold Price	Avg. Sale/List Price	Avg. Est. Total Sq. Ft.	Avg. List \$/Est. Total Sq. Ft.	Avg. Sold \$/Est. Total Sq. Ft.	Avg. DOM	Avg. CDOM
Sold	2	194,900	97,450	191,900	95,950	0.98	0	0.00	0.00	21	21
Overall	2	194,900	97,450	191,900	95,950	0.98	0	0.00	0.00	21	21

SELECTION CRITERIA FOR COMPARABLE PROPERTIES

Specified listings from the following search: Metro MLS, WIREX - except Metro MLS; Property type ; Status of ; Municipality of ; Sold Date between '01/01/2023' and '07/09/2035'.

Listing Price Recommendation

Low	\$92,000
High	\$99,900
Recommended	\$95,950

Address: 5273 Brackenwood Ct La Crosse, Wisconsin 54601 Taxed by: La Crosse

MLS #: 1901048



Property Type: Vacant Land
Status: Sold
County: La Crosse
Seller Offers Concessions: Yes

List Price: \$99,900
Tax Key: 017010414060
Taxes: \$0
Tax Year: 2024
Est. Acreage: 0.51

1 Story SqFt Min: 0
2 Story 1st Flr SqFt: 0
2 Story SqFt Min: 0

Flood Plain: No
Zoning: Res

School District: [La Crosse](#)
High School:
Middle School:
Elem. School:

Subdivision:
Subd. Dues/Yr.: \$
Body of Water:
Days On Market: 40

Directions: Hwy 16, east on Cty B, east on Sablewood, north on Brackenwood.

Topography:	Level	Buildings Included:	None
Location:	Suburban; Cul-de-sac	Miscellaneous:	Existing Curb/Gutter
Present Use:	Residential	Development Status:	Finished Lots
Utilities Available:	Electricity Available; Natural Gas Available; Phone Available; Cable Available; High Speed Internet Available	Water/Waste Available:	Water Municipal; Sewer
		Water/Waste Required:	Water Municipal; Sewer
Conveyance Options:	Sell in Entirety	Occupancy:	Immediate
Road Frontage:	Town/City Road; Paved Road		
Zoning:	Residential - Single		
Municipality:	City		

Remarks: Quiet cul de sac lot in the charming Oneota Mesa neighborhood. Perfect location to build your dream home. You'll be surrounded by other beautiful homes in this high end neighborhood. Centrally located between Onalaska, LaCrosse, and West Salem. This elevated lot looks north over the LaCrosse River Marsh and distant bluffs. Lot may offer some opportunity for exposed lower level windows. Large retaining wall already present to increase yard space for the lot.

Sold Price: \$99,900

Closing Date: 05/12/2025

Pending Date: 01/12/2025

Listing Office: RE/MAX Results: 5058

LO License #: 834617-91

The information contained herein is provided for general information purposes only. If any of the above information is material or being utilized to determine whether to purchase the property, the buyer should personally verify same or have it confirmed by a qualified expert. The information to independently verify and confirm includes but is not limited to total square footage formula, total square footage / acreage figures, land, building or room dimensions and all other measurements of any sort or type. Equal housing opportunity listing. Copyright 2025 by Multiple Listing Service, Inc. See [copyright notice](#).

Prepared by Karla R. Frank on Wednesday, July 09, 2025 2:34 PM.

Address: 4728 Bell Farm Grn Onalaska, Wisconsin 54650 Taxed by: La Crosse

MLS #: 1854604



Property Type: Vacant Land
 Status: Sold
 County: La Crosse
 Seller Offers Concessions: No

List Price: \$95,000
 Tax Key: 017050771010
 Taxes: \$893
 Tax Year: 2022
 Est. Acreage: 0.44

1 Story SqFt Min: 0
 2 Story 1st Flr SqFt: 0
 2 Story SqFt Min: 0

Flood Plain: No
 Zoning: Residential

School District: La Crosse
 High School:
 Middle School:
 Elem. School:

Subdivision: Waterford Valley
 Subd. Dues/Yr.: \$1800
 Body of Water:
 Days On Market: 2

Directions: Hwy 14 to Waterford valley first left lot on left

Topography:	Level; Subdivision; Association	Buildings Included:	None
Location:	City; Cul-de-sac	Miscellaneous:	Other
Present Use:	None	Development Status:	Finished Lots
Utilities Available:	Electricity Available; Natural Gas Available; Cable Available	Water/Waste Available:	Water Lateral to Lot; Sewer Lateral to Lot
Conveyance Options:	Sell in Entirety	Water/Waste Required:	Water Lateral to Lot; Sewer Lateral to Lot
Road Frontage:	Private Road	Occupancy:	Immediate
Zoning:	Residential - Single		
Municipality:	City		
Documents:	Seller Condition		

Remarks: One of the last lots left in the highly desirable Waterford Valley neighborhood, where you can enjoy the association's ponds and nature areas as well as the playground, pool, tennis and basketball courts. Sold prior to listing.

Sold Price: \$92,000

Closing Date: 12/28/2023

Pending Date: 10/16/2023

Listing Office: Gerrard-Hoeschler, REALTORS: 500601

LO License #: 834038-91

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Prepared by Karla R. Frank on Wednesday, July 09, 2025 2:34 PM.



Neighborhood: 54603





State Bar of Wisconsin Form 1-2003
QUITCLAIM DEED

Document Number

Document Name

E-RECORDED

simplifile*

ID: 1835630
County: La Crosse
Date: 07/07/2025 Time: 8:31 AM

THIS DEED, made between Myrna L. Frank, an unmarried person

(Grantor, whether one or more),
and Kristina L. Mahachek, a married person and Karla R. Frank, an unmarried
person as joint tenants

(Grantee, whether one or more).
Grantor, for a valuable consideration, conveys to Grantee the following described real
estate, together with the rents, profits, fixtures and other appurtenant interests, in
La Crosse County, State of Wisconsin ("Property") (if more space is
needed, please attach addendum):

Part of Outlot 1 of Terpstra Addition to Hiawatha Islands Addition, Town of
Campbell, La Crosse County, Wisconsin, described as follows: All that part of said
Outlot 1 lying South of the Westerly extension of the North line of Lot 9 of said
Terpstra Addition to Hiawatha Islands Addition, EXCEPT that part of said Outlot 1
described as follows: Beginning at the Southwest corner of said Lot 9, said point
lying on the North line of County Road B; thence along said North line, on the arc of a
curve, concave South, the chord of which bears South 88° 18' 39" West and measures
87 feet; thence North 6° 11' 08" East, 112.48 feet; thence South 89° 46' East, 75.28
feet to the Northwest corner of said Lot 9; thence South 0° 14' West along the West
line thereof, 108.95 feet to the point of beginning of this EXCEPTION.

Recording Area

Name and Return Address

Karla Frank
724 Powell Street
La Crosse, WI 54603

04-01241-003

Parcel Identification Number (PIN)

This is not homestead property.
(is) (is not)

Dated July 3rd, 2025

Myrna L. Frank (SEAL) _____ (SEAL)
* Myrna L. Frank *

* _____ (SEAL) _____ (SEAL)
* _____ *

AUTHENTICATION

Signature(s) _____

authenticated on _____

* _____

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 108.06)

THIS INSTRUMENT DRAFTED BY:
Dawn Faherty FBO Myrna L. Frank

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
La Crosse COUNTY)

Personally came before me on July 3rd, 2025,
the above-named Myrna L. Frank

to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

Kassandra Proulx
* Kassandra Proulx

Notary Public, State of Wisconsin
My Commission (is permanent) (expires: 06-27-2029)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED

© 2003 STATE BAR OF WISCONSIN

FORM NO. 1-2003

* Type name below signatures.