

CITY OF LA CROSSE BOARD OF REVIEW

SUPPLEMENTAL ASSESSOR'S REPORT

ASSESSOR VALUATION METHODOLOGY

STATUTES AND DEFINITIONS



Assessor Valuation Methodology

Assessors are required to follow state law, court cases, and the Wisconsin Property Assessment Manual (WPAM). Other information is available for assessors to consider, including the Uniform Standards of Professional Appraisal Practice (USPAP) and standards from the International Association of Assessing Officers (IAAO). The WPAM specifies technical, procedural, and administrative practices. It also defines procedures, policies, legal decisions, and assessor performance expectations. Sec. 73.03, Wis. Stats., provides DOR with the authority to prepare and publish the WPAM.

Wisconsin has an annual assessment. This means that each year's assessment is a new assessment. The assessor is not obligated to keep the same assessment each year. The assessor may change an assessment because of building permits or sales activity even if the assessor did not inspect the property.

Assessment Compliance. Under state law (sec. 70.05(5)(b), Wis. Stats.), each municipality must assess all major classes of property within 10% of full value in the same year, at least once within a five-year period. A "major class" of property is defined as a property class that includes more than 10% of the full value of the taxation district. If a municipality is non-compliant after four consecutive years, DOR must notify the municipality of its non-compliance status. DOR issues the municipality a second non-compliance notice after five consecutive years of non-compliance and issues an order for supervised assessment after six consecutive years of non-compliance.

Mass Appraisal. Individual analyses and appraisal of properties are not practical for ad valorem tax purposes. While each property is unique, the need for a property value system that offers uniformity, accuracy, effectiveness, cost and time efficiency, but also mass use capabilities, led to the development of mass appraisal. Mass appraisal is the process of valuing a group of properties using common data, standardized methods, and statistical testing to determine market value for assessment purposes.

- Computer Assisted Mass Appraisal systems (CAMAs) or Automated valuation models (AVMs) are automated systems used for information management related to properties, valuations, owners' notifications and the security of taxation credibility through uniform valuation procedures as well as objectivity and uniformity.
- Relevant land, improvement, and location features are required for CAMA generation. CAMA systems also store and process relevant sales, cost, and income and expense data.
- CAMA systems do not rely on individual comparable sales. Instead, they use statistical models and algorithms to estimate values. This approach allows for assessment of numerous properties quickly and consistently.

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State Ex Rel. Markarian v. City of Cudahy, 45 Wis. 2d 683, 173 N.W.2d 627 (1970).

The valuation of real estate for tax purposes is governed by sec. 70.32 (1), Stats., [1] which requires it to be valued from the best information at "the full value which could ordinarily be obtained therefor at a private sale." Commonly stated, sec. 70.32 (1) requires real estate to be assessed at its fair market value, which has often been defined as the amount the property could be sold for in the open market by an owner willing and able but not compelled to sell to a purchaser willing and able but not obliged to buy. *State ex rel. Hennessey v. Milwaukee* (1942), 241 Wis. 548, 6 N.W.2d 718; *State ex rel. Farmers & Merchants State Bank v. Schanke* *686 (1945), 247 Wis. 182, 19 N.W.2d 264; *State ex rel. Baker Mfg. Co. v. Evansville* (1952), 261 Wis. 599, 608, 53 N.W.2d 795; *State ex rel. Evansville Mercantile Asso. v. Evansville* (1957), 1 Wis. 2d 40, 82 N.W.2d 899.

The "best information" of such value is a sale of the property or if there has been no such sale then sales of reasonably comparable property. In the absence of such sales, the assessor may consider all the factors collectively which have a bearing on value of the property in order to determine its fair market value. However, it is error to use this method "when the market value is established by a fair sale of the property in question or like property." *State ex rel. Enterprise Realty Co. v. Swiderski* (1955), 269 Wis. 642, 645, 70 N.W.2d 34.

The statutory rule of assessment of real estate is restricted to its sale value in the open market and is not concerned with its intrinsic value if the intrinsic value differs either more or less from the sale value. *State ex rel. Northwestern Mut. Life Ins. Co. v. Weiher* (1922), 177 Wis. 445, 448, 188 N.W. 598.

In reviewing a valuation of real estate on certiorari, the court must consider the evidence of value in the light of the presumption of correctness of the assessor's valuation, sec. 70.49 (2), Stats. See *Estate of Ryerson* (1941), 239 Wis. 120, 300 N.W. 782.

The assessor's valuation thus will not be set aside in the absence of evidence showing it to be incorrect. *State ex rel. Collins v. Brown* (1937), 225 Wis. 593, 75 N.W. 455; *State ex rel. Enterprise Realty Co. v. Swiderski, supra*.

We have also held that in certiorari proceedings a court should not disturb the findings of a board of review if the evidence presented in favor of the assessment furnishes a substantial basis for that evaluation, but both of these rules presuppose the method of evaluation is in accordance with the statutes. Errors of law should be corrected by the court on certiorari and the failure to make an assessment on the statutory basis is an error of law. *687 *Madison Aerie No. 623 F. O. E. v. Madison* (1957), 275 Wis. 472, 474, 475, 82 N.W.2d 207; *State ex rel. Garton Toy Co. v. Mosel* (1966), 32 Wis. 2d 253, 145 N.W.2d 129; see also *State ex rel. Boostrom v. Board of Review* (1969), 42 Wis. 2d 149, 166 N.W.2d 184.

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Markarian Case Law Assessor Valuation Methodology	Tier 1: <i>Recent Arm's-length Sale of Subject Property.</i>	Yes; Conclude Tier 1 Value.	Assessor may consider Tier 2 - but is may be considered unreasonable.
		No; Move to Tier 2.	
	Tier 2: <i>Recent Arm's-length sales of reasonably Comparable Property.</i>	Yes; Conclude Tier 1 and/or Tier 2 Value.	Assessor may consider Tier 3 - but it may be considered unreasonable.
		No; Move to Tier 3.	
	1.Tier 3: <i>No Recent Arm's-length sales of reasonably Comparable Property/Other Evidence.</i>	Yes; Conclude Tier 1 and/or Tier 2 and/or Tier 3 Value.	

Doneff v City of Two Rivers Board of Review, 184 Wis.2d 203, 516 N.W.2d 383 (1994).

"The WAPM on page 7-3 (1994 WPAM Revised 12/92) lists six conditions that are necessary for a sale to be considered a "market value" transaction as follows:

1. It must have been exposed to the open market for a period typical of the turnover time for the type of property involved.
2. It presumes that both buyer and seller are knowledgeable about the real estate market.
3. It presumes the buyer and seller are knowledgeable about the uses, present and potential, of the property.
4. It requires a willing buyer and a willing seller, with neither party compelled to act.
5. Payment for the property is in cash, or typical of normal financing and payment arrangements prevalent in the market for the type of property involved.
6. The sales price must include all the rights, privileges, and benefits of the real estate. For rental property, this includes both the lessor's and lessee's interests.

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Doneff Case Law Assessor Valuation Methodology: Consideration for Arm's-Length Transaction	STEP ONE: <i>It must have been exposed to the open market for a period typical of the turnover time for the type of property involved.</i>	NO; Not Arm's-Length. Reject Sale. <hr/> YES; Move to Step Two.
	STEP TWO: <i>It presumes that both buyer and seller are knowledgeable about the real estate market.</i>	NO; Not Arm's-Length. Reject Sale. <hr/> YES; Move to Step Three.
	1. STEP THREE: <i>2. It presumes the buyer and seller are knowledgeable about the uses, present and potential, of the property.</i>	NO; Not Arm's-Length. Reject Sale. <hr/> YES; Move to Step Four.
	1. STEP FOUR: <i>2. It requires a willing buyer and a willing seller, with neither party compelled to act.</i>	NO; Not Arm's-Length. Reject Sale. <hr/> YES; Move to Step Five.
	STEP FIVE: <i>Payment for the property is in cash, or typical of normal financing and payment arrangements prevalent in the market for the type of property involved.</i>	NO; Not Arm's-Length. Reject Sale. <hr/> YES; Move to Step Six.
	STEP SIX: <i>The sales price must include all the rights, privileges, and benefits of the real estate. For rental property, this includes both the lessor's and lessee's interests.</i>	NO; Not Arm's-Length. Reject Sale. <hr/> YES; Considered to be an Arm's-Length Sale.

Statutes and Definitions

Definitions (Wis. Dept. of Revenue)

<i>Ad Valorem Tax</i>	In reference to property, a tax based upon the value of the property.
<i>Appraiser</i>	Generically, an appraiser is one who estimates value...If an individual is engaged in the property assessment function for the purpose of taxation (see assessor), the individual must obtain certification from the Wisconsin DOR. The act of appraising property then is part of the assessment process.
<i>Apportionment</i>	The process of dividing the tax levies for each taxing jurisdiction among all municipalities containing territory in the jurisdiction, based on each district's total value.
<i>Arm's-Length Sale:</i>	<p>Under State law, the best indicator of market value is a recent arm's-length sale of a property provided it is in line with recent arm's-length sales of reasonably comparable property. The assessor may not change the assessment or property based solely on the recent arm's-length sale of property without adjusting the assessed value of comparable properties in the same market area.</p> <p>Sales should be recent - those several years old may not reflect current market conditions.</p> <p>Sales must be arm's-length - there should be no relationship between the buyer and seller affecting the sales price (ex: sales between relative are typically not arm's-length sales).</p> <p>The Buyer and Seller are typically motivated.</p> <p>Both parties are well informed or well advised and are acting in what they consider to be their own best interests.</p> <p>Reasonable time is allowed for exposure in the open market.</p> <p>Payment is made in terms of U.S. cash dollars or in terms of comparable financial arrangements.</p> <p>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.</p>
<i>Assessed Value (Assessment)</i>	Dollar amount assigned to the taxable property by the assessor for the purpose of taxation. Assessed value is estimated as of January 1 and will apply to the taxes levied at the end of that year. Assessed value is called a primary assessment because a levy is applied directly against it to determine the tax due. Accurate assessed values ensure fairness between properties within the taxing jurisdiction. (see Equalized Value).
<i>Assessing</i>	Act of valuing a property for the purpose of establishing a tax base.
<i>Assessment Level (Level of Assessment)</i>	<p>Relationship between the total assessed value and the equalized value of non-manufacturing property minus corrections for the prior year over and under charges within a municipality - town, village, or city.</p> <p>For example, if the assessed value of all property subject to property tax in the municipality is \$2,700,000 and the equalized value in the municipality is \$3,000,000 then the "assessment level" is said to be 90% ($\\$2,700,000/\\$3,000,000=0.90$ or 90%).</p>
<i>Assessment Ratio</i>	<p>Relationship between the assessed value and the fair market value.</p> <p>Referring to the relationship between the assessed value of a property and its market value. It is a key component in determining property taxes, as it represents how much of a property's value is subject to taxation. The assessment ratio is typically expressed as a percentage and is used to calculate the taxable portion of a property's value, ensuring that properties are taxed in proportion to their market value. This ratio is crucial for maintaining equity in the tax system and ensuring that property owners are not unfairly burdened with higher taxes than their property is worth.</p> <p>For example, if the assessment of a parcel which sold for \$150,000 (fair market value) was \$140,000, the assessment ratio is said to be 93% ($140,000 / 150,000$).</p>

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	The difference in the assessment level and the assessment ratio is that the level typically refers to the taxation district; the ratio refers to the individual parcel. The assessment ratio does not apply to agricultural lands, agricultural forests, or undeveloped lands.
<i>Assessment Roll</i>	Official listing of all properties within a given municipality (town, village, city) by ownership, description, and location showing the corresponding assessed values for each. The completed assessment roll is an official listing which contains owners and legal descriptions of all property within a taxation district, acreages of most parcels, the statutory classification and assessed value, according to land and improvements, of general taxable parcels.
<i>Assessor</i>	An assessor is the official responsible for appraising all property within an assessment district and signing an affidavit to its correctness. The assessor values all taxable property to determine the share of the levy that each parcel will bear. The assessor also determines which property is exempt from the property tax. To engage in property assessment work, the assessor must obtain certification from the Wisconsin DOR. DOR keeps certification records on file and is authorized to inform an inquirer if an individual holds a valid credential. In Wisconsin, manufacturing property is assessed by DOR.
<i>Board of Review (BOR)</i>	A quasi-judicial board charged with the responsibility of raising or lowering assessments proven incorrect as well as correcting any errors in the assessment roll. The BOR consists of a clerk and selected municipal officers (other than the assessor) or citizens. It hears all objections to the amount or valuation of property if objections are made in writing and filed with its clerk prior to adjournment of public hearings. The BOR examines the assessment roll or rolls and corrects all apparent errors in description or computation, adds all omitted property to the assessment roll and determines whether an assessor's valuation is correct from evidence brought before it. The BOR cannot determine exempt or taxable status of property.
<i>CDU Rating</i>	Composite rating of the overall Condition, Desirability and Usefulness of a structure as explained in the Wisconsin Property Assessment Manual Vol. 2.
<i>Comparable Property:</i>	Property that is like your property, including: location, style, age, size and other physical features, depending on specific market preferences.
<i>Doomage Assessment</i>	The process of arriving at an assessment from the best information available when the assessor is denied the opportunity to physically inspect a property; making an assessment without viewing the property.
<i>Equalized Value</i>	Estimated value of all taxable property in each taxation district, by class, as of January 1 and certified by DOR on August 15 of each year. The value represents market value (most probable selling price).
<i>Equalization</i>	Process of establishing the January 1 market value (or use value for agricultural land) by class of property for each taxation district.
<i>Equity</i>	In reference to property taxes, a condition in which the tax load is distributed fairly (or equitably), based on the concept of uniformity provided in the state constitution (ex: each person's share of the tax is based on each property's value compared to the total value of all taxable property). Typically, this would require periodic reviews of the assessments (local revaluations) to account for the constantly changing economic factors impacting property.
<i>Estimated Fair Market Value (as found on tax bills)</i>	Assessed value of each locally assessed parcel (except those including agricultural land) divided by the entire taxation district's level of assessment (titled average assessment ratio on the tax bill). This estimate gives the property owner a basis for comparison of their perception of the market vs. what is being used to base their share of taxes on. Since the level of assessment is an average for the taxation district, there is naturally going to be some variance in the local assessor's accuracy on every parcel.

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	Minor differences between the estimated fair market value and the property owner's opinion of value shouldn't raise concern. Large differences require further investigation.
<i>Fair Market Value:</i>	Synonymous with a property's full value, market value. Fair market value is "the amount the property will sell for in an arms-length transaction on the open market between a willing seller not obliged to sell the property and a willing buyer not obliged to purchase it."
<i>Full Value</i>	The value at 100%. This is the value that should be applied in assessing the property per Wisconsin statutes, Chapter 9 of the WPAM.
<i>Improvement</i>	A permanent addition to or a betterment of real property that enhances its capital value, involves the expenditure of labor or money, and is designed to make the property more useful or valuable as distinguished from ordinary repairs. Examples include buildings, structures, fixtures and any alterations, attachments or annexations to land that are intended to remain so permanently attached or annexed, such as sidewalks, trees, roads and drive ways, parking lots, tunnels, watermain access, drains, sewers and septic systems, electrical access and other utility access, landscaping including clearing, draining, grading, and the creation of berms, embankments, terraces and ponds.
<i>Market Value</i>	Definition of market value is the most probable price which a property should bring in a competitive and open market under all condition's 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 is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: a. Buyer and seller are typically motivated b. Both parties are well informed or well advised, and acting in what they consider their own best interests c. Reasonable time is allowed for exposure in the open market d. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto e. 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
<i>Manufactured Home</i>	Defined by state law (sec. 101.91(2), Wis. Stats.), for property taxation as: a structure that is designed to be used as a dwelling with or without foundation and that is certified by the federal department of housing and urban development as complying with the standards established under 42 USC 5401 to 5425 and includes any additions, annexes, foundations and appurtenances.
<i>Mobile Home</i>	"That which is, or was an originally constructed, designed to be transported by any motor vehicle upon a public highway and designed, equipped and used primarily for sleeping, eating, and living quarters, or is intended to be so used; and has the meaning given in sec. 101.91(10), Wis. Stats. And includes any additions, attachments, annexes, foundations and appurtenances."
<i>Mass Appraisal</i>	Process of valuing a universe of properties, as of a specified date, utilizing standard methodology, using common data and allowing statistical testing.
<i>Mass Appraisal Model</i>	Mathematical formula or equation reflects how supply and demand factors interact on a market level.
<i>Mill Rate</i>	Mill is one-thousandth of one dollar. Tax rates are often expressed in mills per dollar.
<i>Property Class</i>	Division of like properties generally defined by statutes and generally based upon their present use. The basis for establishing assessment ratios in a classified property assessment system.
<i>Ratio</i>	Referring to the relationship between the assessed value of a property and its market value. It is a key component in determining property

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	taxes, as it represents how much of a property's value is subject to taxation. The assessment ratio is typically expressed as a percentage and is used to calculate the taxable portion of a property's value, ensuring that properties are taxed in proportion to their market value. This ratio is crucial for maintaining equity in the tax system and ensuring that property owners are not unfairly burdened with higher taxes than their property is worth.
<i>Reassessment</i>	The redoing of the existing assessment roll because of substantial inequities. All the property of the district is viewed, valued, and placed in the new assessment roll, which is then substituted for the original roll.
<i>Revaluation</i>	Placing new values on all taxable property for the purpose of a new assessment. The previous year's assessment roll was not affected. The term is often used in conjunction with sec. 70.055, Wis. Stats., where expert help can be hired to work with the assessor in revaluing the district.
<i>Sales Ratio Study</i>	Statistical analysis of the distribution of assessment or appraisal-to-sale ratios of a sample of recent sales made for the purpose of drawing inferences regarding the entire population of parcels from which the sample was abstracted.
<i>Statutory Value</i>	Value of taxable property in a municipality at the value standard for each class as prescribed in Ch. 70, Wis. Stats.
<i>Tax Rate</i>	Rate generally expressed in dollars per hundred or dollars per thousand (mills) applied against the tax base (assessed value) to compute the amount of taxes. The tax rate is derived by dividing the total amount of the tax levy by the total assessed value of the taxing district. It is synonymous with levy rate.
<i>Uniformity</i>	Constitutional requirement that the taxable property must bear its proportionate share of ad valorem basis taxes. As applied to assessing, a condition wherein all properties are assessed at the same ratio to market value, or other standard of value depending upon the assessing practices. Following a 1974 amendment to the constitution, agricultural land may be non-uniform with other properties but must be uniform within its class. The standard for value for agricultural property is its value in use.
<i>Value Standard</i>	Basis for the methods used in estimating values for the equalized or assessed values. There are two basic values used in the process, the market value (full value), which is the basis for value of all property except agricultural land. The market value is based on the most probable selling price of the property. Agricultural land, as defined by administrative rule, is based on a valuation standard which analyzes the ability to generate income as it is currently being used, hence 'use-value.

Eight Statutory Classifications for Real Property (Wis. Dept. of Revenue)

<i>Residential (Class 1)</i> <i>Sec. 70.32(2)(c)3, Wis. Stats.:</i>	<u>Sec. 70.32(2)(c)3, Wis Stats.:</u> Any parcel (or part of a parcel) of untilled land, not suitable to produce row crops, on which a dwelling or other form of human abode is located. Vacant land where the most likely use is residential development. Mobile homes assessed as real property are classified as residential. Apartment buildings of up to three units are also classified as residential.
<i>Commercial (Class 2):</i>	Land and improvements are primarily devoted to buying and reselling goods. Includes the providing of services in support of residential, agricultural, manufacturing and forest uses.

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<i>Manufacturing (Class 3)</i> <i>Sec. 70.995, Wis. Stats.:</i>	State law (sec. 70.995, Wis. Stats.) provides for the state assessment of manufacturing property.
<i>Agricultural (Class 4)</i> <i>Sec. 70.32(2)(c)1g, Wis. Stats.:</i>	State law (sec. 70.32(2)(c)1g, Wis. Stats.) describes this as "land, exclusive of building and improvements, which is devoted primarily to agricultural use". Land is devoted primarily to the production of crops (excluding forestry operations) or the keeping, grazing or feeding of livestock. Building and dwellings associated with growing, production and associated services are classified as class 7 - other.
<i>Undeveloped (Class 5)</i> <i>Sec. 70.32(2)(c)4, Wis. Stats.:</i>	Areas commonly called marshes, swamps, thickets, bogs or wet meadows. Fallow tillable land (assuming agricultural use is the land's highest and best use). Road right-of-way ponds and depleted gravel pits. Land because of soil or site conditions is not producing or capable of producing commercial forest products.
<i>Agricultural Forest (Class 5M)</i> <i>Sec. 70.32(2)(c)1d, Wis. Stats.:</i>	State law (sec. 70.32(2)(c)1d, Wis. Stats.) defines agricultural forest as land producing or capable of producing commercial forest products, if the land satisfies any of the following: Forest land is contiguous to a parcel that is classified in whole as agricultural land. The forest land and the contiguous agricultural land must have the same owner. Contiguous includes separated only by a road. Forest land is located on a parcel containing agricultural land for January 1, 2004, assessment and on January 1 of the current assessment year. Forest land is located on a parcel where at least 50% of the acreage was converted to agricultural land for January 1, 2005, assessment year or thereafter.
<i>Productive Forest Land (Class 6)</i> <i>Sec. 70.32(2)(c)2, Wis. Stats.:</i>	Land producing or capable of producing commercial forest products. Forest land cannot include buildings and improvements. Forested areas that are managed or set aside to grow tree crops for "industrial wood" or to obtain tree products (ex: sap, bark, seeds). Forested areas with no commercial use made of the trees, including cutovers. Cherry orchard, apple orchards and Christmas tree plantations are classified as agricultural property. Lands designated forest crop and managed forest land must be listed as real property under state law (secs. 77.04(1) and 77.84, Wis. Stats.) . Forested areas primarily held for hunting, rapping or in the operation of game preserves, must be classified as forest, unless clearly operated as a commercial enterprise or exempt.
<i>Other (Class 7)</i> <i>Sec. 70.32(2)(c)1m, Wis. Stats.:</i>	Buildings and improvements on a farm (ex: houses, barns and silos along with the land necessary for their location and convenience)
<i>Classes of property are assessed:</i>	At 100% full value, 50% full value or use-value: 100% of Value: Residential, Commercial, Manufacturing (state-assessed), Productive Forest land, Other (farm buildings and farm sites) 50% full value: Undeveloped land, Agricultural Forest land Use-value: Agricultural land

Appraisal Definitions (Uniform Standards of Professional Appraisal Practice (USPAP))

<i>Cost Approach</i>	One of three recognized approaches to value begins with the reproduction cost new or replacement cost new and deducts all forms of depreciation to determine an estimate of value. (It considers that the
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	maximum value of a property to a knowledgeable buyer would be that amount currently required to construct a new one of equal utility, adjusting for differences in age, condition, and any other depreciation factors.)
<i>Curable Depreciation</i>	Any form of depreciation that is economically feasible to remedy. (The resulting increases in utility and value are equal to or greater than the expenditure to cure).
<i>Economic Obsolescence</i>	Sometimes called external obsolescence; the loss in value or usefulness of a property caused by factors <u>external</u> to the property.
<i>Highest and Best Use</i>	The property use is based on what is physically possible, legally permissible, financially feasible, and maximally profitable.
<i>Income Approach</i>	One of the three recognized approaches to value that considers the present worth of future benefits derived from ownership, measured through capitalization at a specific level of income. [This approach may utilize an annualized capitalization method or a discounted cash flow (DCF) analysis.]
<i>Sales Comparison Approach</i>	<i>(also known as Market Comparable Approach)</i> One of the three recognized approaches whereby recent sales and offering prices of similar assets or items of similar utility are compared to the subject item. If necessary, the comparables are adjusted to reflect the characteristics of the subject asset. If the comparable is superior to the subject, a downward adjustment is applied; if the comparable is inferior to the subject an upward adjustment is applied. The resulting adjusted sale prices give an indication of the value of the subject.

Statutes, Chapter 70: General Property Taxes

General property taxes; upon whom levied. <i>Sec. 70.01, Wis. Stats.</i>	Taxes shall be levied, under this chapter, upon all general property in this state except property that is exempt from taxation. Real estate taxes and personal property taxes are deemed to be levied when the tax roll in which they are included has been delivered to the local treasurer under s. 74.03. When so levied such taxes are a lien upon the property against which they are charged. That lien is superior to all other liens, except a lien under s. 292.31 (8) (i) or 292.81, and is <u>effective as of January 1 in the year</u> when the taxes are levied. Liens of special assessments of benefits for local improvements shall be in force as provided by the charter or general laws applicable to the cities that make the special assessments.
Assessment as one parcel. <i>Sec. 70.28, Wis. Stats.</i>	No assessment of real property which has been or shall be made shall be held invalid or irregular for the reason that several lots, tracts or parcels of land have been assessed and valued together as one parcel and not separately, where the same are contiguous and owned by the same person at the time of such assessment.
Real Estate, how valued. <i>Sec. 70.32(1), Wis. Stats.</i>	Real property shall be valued by the assessor in the manner specified in the Wisconsin property assessment manual provided under s. 73.03 (2a) from actual view or from the best information that the assessor can practicably obtain, at full value which could ordinarily be obtained therefore at private sale. In determining the value, the assessor shall consider recent arm's-length sales of the property to be assessed if according to professionally acceptable appraisal practices those sales conform to recent arm's-length sales of reasonably comparable property; recent arm's-length sales of reasonably comparable property; and all factors that, according to professionally acceptable appraisal practices, affect the value of the property to be assessed.

Other Definitions (Wis. Dept. of Natural Resources)

<i>Waterway Regulations and the Public Trust Doctrine</i>	The Public Trust Doctrine applies to all <u>navigable waters, which are defined as any waterway on which it is possible to float a canoe or</u>
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(Navigable Waters)

small watercraft at some time during the year. The Public Trust Doctrine protects the people of Wisconsin's rights to:

- Transportation and navigation on waterways.
- Protection of water quality and aquatic habitat.
- Recreational activities, including boating, fishing, hunting and swimming in waterways.
- Enjoyment of scenic beauty while on the water.

The state and the DNR protect these rights through permitting requirements for water projects and enforcement actions to stop unauthorized impacts. Also, local zoning ordinances that limit development along navigable waterways help to ensure near-shore development does not result in unintended impacts that interfere with public rights.

*Riparian Rights and
Navigable Waterway Access*

Wisconsin law recognizes that an owner of land that borders lakes and rivers, known as a riparian owner - holds the right to use the water next to their property. Riparian rights include the use of the shoreline, reasonable use of the water, and a right to access the water. The Wisconsin State Supreme Court has ruled that when conflicts occur between the rights of riparian owners and public rights, the public's rights are primary, and the riparian owners are secondary.

*Concept of Attribution
(constructure
ownership/family)*

*Intrinsically Intertwined
(as it relates to
property ownership)*
