

January 21, 2015

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CLAIM FOR EXCESSIVE ASSESSMENT

SERVED BY PROCESS SERVER

Teri Lehrke, Clerk
City of La Crosse
400 La Crosse Street
La Crosse, WI 54601

Dear Clerk:

Re: Tax Parcel Nos. 17-10315-300 and 17-50298-030

Now comes Claimant, Sears Holdings Corporation., owner of parcel 17-10315-300 and tenant of parcel 17-50298-030 (the "Properties") in La Crosse, Wisconsin, by Claimant's attorneys Reinhart Boerner Van Deuren s.c., and files this Claim for Excessive Assessment against the City of La Crosse (the "City"), pursuant to Wis. Stat. § 74.37. You hereby are directed to serve any notice of disallowance on the undersigned agent of the claimant.

1. This Claim is brought under Wis. Stat. § 74.37(3)(d), for a refund of excessive real estate taxes imposed on Claimant by the City for the year 2014, plus statutory interest, with respect to the Properties.

2. Claimant is responsible for the payment of property taxes and the prosecution of property tax disputes involving the Properties and is authorized to bring this claim in its own name.

3. The City is a body corporate and politic, duly organized as a municipal corporation under Wisconsin law, with its principal office located at 400 La Crosse Street in the City.

4. The Properties are located at 4200 State Road 16 and 2415 State Road 33 within the City and are identified in the City records as Tax Parcel No. 17-10315-300 and 17-50298-030.

C: Atty
Assn.

Personally served
on JH

5. The Wisconsin Department of Revenue determined that the aggregate ratio of property assessed in the City was 95.6124557% as of January 1, 2014.

6. For 2014, property tax was imposed on property in the City at the rate of \$29.036821 per \$1,000 for of the assessed value for Property.

7. For 2014, the City's assessor set the assessments of the Properties as follows:

17-10315-300	\$6,809,800
17-50298-030	\$3,853,600

8. Claimant appealed the 2014 assessments of the Properties by filing timely objections with the City's Board of Review pursuant to Wis. Stat. § 70.47 and otherwise complying with all of the requirements of Wis. Stat. § 70.47, except Wis. Stat. § 70.47(13).

9. The City's Board of Review heard the Claimant's objections and based on that hearing reduced the assessments as follows:

17-10315-300	\$6,462,500
17-50298-030	\$3,670,600

10. The City imposed taxes on the Properties as follows:

17-10315-300	\$187,650
17-50298-030	\$106,583

11. Claimant timely paid the property taxes imposed by the City on the Properties for 2014, or the required installment thereof.

12. The fair market value of the Properties as of January 1, 2014 was no higher than the following:

17-10315-300	\$3,750,000
17-50298-030	\$1,800,000

13. Based on the aggregate ratio of 95.6124557%, the correct assessments of the Properties for 2014 is no higher than the following:

17-10315-300	\$3,585,467
17-50298-030	\$1,721,024

14. Based on the tax rate of \$29.036821 per \$1,000 of assessed value, the correct amount of property taxes on the Properties for 2014 should be no higher than the following:

17-10315-300	\$104,111
17-50298-030	\$49,973

15. The 2014 assessments of the Properties, as set by the City's Board of Review were excessive and, upon information and belief, violated Article VIII, Section 1 (i.e., the Uniformity Clause) of the Wisconsin Constitution. As a result, the property taxes imposed on the Properties for 2014 were excessive in at least the amount of \$140,149.

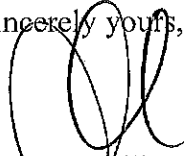
16. Claimant is entitled to a refund of 2014 tax in the amount of \$140,149, or such greater amount as may be determined to be due to Claimant, plus statutory interest.

17. The amount of this claim is \$140,149, plus interest thereon.

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Dated at Madison, Wisconsin, this 21st day of January, 2015.

Sincerely yours,

A handwritten signature in black ink, appearing to read "DM", with a large, stylized flourish extending from the end of the signature.

Don M. Millis
Agent for Claimant

DMILLIS/28763273