

**STATE OF WISCONSIN**

**CIRCUIT COURT**

**MILWAUKEE**

6682 LLC vs. City of West Allis

**Electronic Filing  
Notice**

Case No. 2024CV006390  
Class Code: Money Judgment

**FILED**  
08-07-2024  
Anna Maria Hodges  
Clerk of Circuit Court  
2024CV006390  
Honorable Thomas J.  
McAdams-07  
Branch 7

CITY OF WEST ALLIS  
7525 W. GREENFIELD AVENUE  
WEST ALLIS WI 53214

*8-12-24  
1:10 PM  
[Signature]*

Case number 2024CV006390 was electronically filed with/converted by the Milwaukee County Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases.

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If you are not represented by an attorney and would like to register an electronic party, you will need to enter the following code on the eFiling website while opting in as an electronic party.

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Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Registration is available to attorneys, self-represented individuals, and filing agents who are authorized under Wis. Stat. 799.06(2). A user must register as an individual, not as a law firm, agency, corporation, or other group. Non-attorney individuals representing the interests of a business, such as garnishees, must file by traditional means or through an attorney or filing agent. More information about who may participate in electronic filing is found on the court website.

If you have questions regarding this notice, please contact the Clerk of Circuit Court at 414-278-4140.

Milwaukee County Circuit Court  
Date: August 7, 2024

CITY OF WEST ALLIS  
12 AUG '24 PM 1:18

FILED

08-07-2024

Anna Maria Hodges

Clerk of Circuit Court

2024CV006390

Honorable Thomas J.

McAdams-07

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY

**6682 LLC**

6737 W. WASHINGTON ST., STE. 2220  
WEST ALLIS, WISCONSIN 53214,

PLAINTIFF,

MONEY JUDGMENT: 30301  
(OVER \$10,000)

v.

**CITY OF WEST ALLIS**

7525 W. GREENFIELD AVENUE  
WEST ALLIS, WISCONSIN 53214,

DEFENDANT.

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**SUMMONS**

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THE STATE OF WISCONSIN

To each person named above as a defendant.

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. The complaint, which is attached, states the nature and basis of the legal action.

Within twenty (20) days of receiving this summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the complaint. The Court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is 901 North 9<sup>th</sup> Street, Milwaukee, Wisconsin 53233, and to Alan Marcuvitz of the law firm of von Briesen & Roper, s.c., plaintiff's attorney, whose address is 411 East Wisconsin Avenue, Suite 1000, Milwaukee, Wisconsin 53202. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days, the Court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated at Milwaukee, Wisconsin this 7th day of August, 2024.

**VON BRIESEN & ROPER, s.c.**  
Attorneys for Plaintiff

By: Electronically signed by Alan Marcuvitz  
Alan Marcuvitz, SBN 1007942  
Joseph J. Rolling, SBN 1088439  
Katie L. Bireley, SBN 1106622

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411 E. Wisconsin Avenue, Suite 1000

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STATE OF WISCONSIN

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MILWAUKEE COUNTY

**6682 LLC**

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**CITY OF WEST ALLIS**

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WEST ALLIS, WISCONSIN 53214,

DEFENDANT.

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**COMPLAINT**

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Plaintiff, 6682 LLC by its undersigned counsel, von Briesen & Roper, s.c., for its Complaint against Defendant, City of West Allis (hereinafter, the "City"), alleges as follows:

**NATURE OF ACTION AND PARTIES**

1. This action is brought under WIS. STAT. §74.37(3)(d), for a refund of excessive property taxes imposed on real property in the City which has been excessively assessed by the City for the tax year 2024, plus statutory interest (the "Property").

2. 6682 LLC is a domestic limited liability company, with its principal office at 6737 W. Washington Street, Suite 2220, West Allis, Wisconsin.

3. 6682 LLC is responsible for the payment of real estate property taxes and the prosecution of property tax disputes involving the Property and is authorized to bring this action in its own name.

4. The City is a body corporate and politic, organized as a municipal corporation under Wisconsin law, with its principal office located at 7525 W. Greenfield Avenue in the City.

5. The Property is located at 6682 W. Greenfield Avenue in the City and identified on the City's records as Parcel 439-0001-048.

### **JURISDICTION AND VENUE**

6. This Court has personal jurisdiction over the City pursuant to Wis. Stat. §801.05(1).

7. Venue is appropriate in Milwaukee County pursuant to Wis. Stat. § 801.50(2)(a).

### **BACKGROUND FACTS**

8. For 2023, property tax was imposed on property in the City at the rate of \$28.332516 per \$1,000 of assessed value. The 2024 mill rate is not yet known.

9. For 2024, the City Assessor set the assessment of the Property at \$1,345,100.

10. 6682 LLC appealed the 2024 assessment of the Property by timely filing an objection with the City, pursuant to Wis. Stats. § 70.47(16), and otherwise complying with all of the requirements of Wis. Stats. § 70.47.

11. The Board of Review waived the Board of Review hearing, notifying 6882 LLC on June 13, 2024. Attached as **Exhibit A** is a true and correct copy of said Waiver. Such waiver allows 6882 LLC to appeal to the circuit court through this timely action pursuant to Wis. Stat. § 70.47(8m) and Wis. Stat. § 74.37(3)(d).

12. Based on the City's 2023 tax rate as described in paragraph 8, and the 2024 assessment of the Property, the City will impose an estimated property tax of \$38,110.07 on the Property.

### **CLAIM FOR RELIEF**

13. The allegations of paragraphs 1-12 are incorporated as if fully realleged herein.

14. The value of the Property as of January 1, 2024 was no higher than \$730,000, which was derived from the lease on the Property.

15. As a result, the 2024 assessment of the Property is excessive by at least \$615,100.

16. The correct 2024 estimated property tax on the Property is no higher than \$20,682.74.

17. Therefore, based on the City's 2023 tax rate of \$28.332516 per \$1,000 of assessed value, the real estate property tax estimated to be imposed on the Property for tax year 2024 will be excessive in about the amount of \$17,427.33.

18. 6682 LLC will be entitled to a refund of the 2024 tax on the Property in the amount of \$17,427.33, or such amount as may be determined to be due to 6682 LLC, plus statutory interest.

**WHEREFORE**, 6682 LLC prays:

- A. For a determination that the 2024 assessment of the Property should be \$730,000;
- B. For judgment in favor of 6682 LLC and against the City in the amount of \$17,427.33, plus statutory interest.
- C. For an award of all litigation costs incurred by 6682 LLC in this action, including the reasonable fees of its attorneys; and;
- D. For such other and further relief as the Court deems appropriate and just.

Dated at Milwaukee, Wisconsin this 7th day of August, 2024.

**VON BRIESEN & ROPER, s.c.**  
Attorneys for Plaintiff

By: Electronically signed by Alan Marcuvitz  
Alan Marcuvitz, SBN 1007942  
Joseph J. Rolling, SBN 1088439  
Katie L. Bireley, SBN 1106622

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Clerk's Office

[clerk@westalliswi.gov](mailto:clerk@westalliswi.gov)

June 13, 2024

6682 LLC  
6737 W Washington St Ste 2220  
West Allis, WI 53214

**RE: NOTICE OF DECISION**  
**City of West Allis 2024 Board of Review Property Assessment Objection**

Dear 6682 LLC,

The City of West Allis Board of Review (BOR) convened for the 2024 Annual Board of Review and voted to waive your objection to the real property assessment to circuit court pursuant to Wis. Stat. § 70.47(8m). This statutory mechanism allows an appeal directly to Circuit Court for parcel:

**JANUARY 1, 2024 ASSESSED**

<b>PARCEL NUMBER</b>	<b>PROPERTY ADDRESS</b>	<b>VALUE</b>
439-0001-048	9 63 St	\$1,345,100

As a result, a hearing will not be scheduled before the BOR for your objections. By operation of law and pursuant to Wis. Stat. § 70.47(8m), the assessed values remain as identified above. The taxpayer has 60 days from the notice of hearing waiver in which to commence an action under §70.47(8m).

If you have any further questions, please send an email to [clerk@westalliswi.gov](mailto:clerk@westalliswi.gov).

Respectfully,

Rebecca Grill  
City Administrator/Clerk