

**RESOLUTION  
AUTHORIZING A SETTLEMENT AGREEMENT WITH WAL-MART  
WITH REGARD TO ONGOING PROPERTY TAX ASSESSMENT  
LITIGATION**

**SPONSOR: MAYOR EMILY MCFARLAND  
FROM: FINANCE COMMITTEE**

**WHEREAS**, Wal-Mart Real Estate Business Trust vs. City of Watertown, Jefferson County Case Number 2021CV000264 is currently pending before the Circuit Court with regard to claims of excessive property tax assessment pursuant to Sec. 74.37 Wis. Stats., of the Wal-Mart retail store located at 1901 Market Way, tax parcel number 291-0815-1623-001 (the “Property”) in the City of Watertown for the 2021 tax year; and,

**WHEREAS**, Wal-Mart Real Estate Business Trust filed a Request for Waiver of Board of Review (BOR) Hearing for the 2022 tax year requesting to take the matter directly to Circuit Court as the 2021 matter is pending with regard to claims of excessive property tax assessment pursuant to Sec. 74.37 Wis. Stats., of the Wal-Mart retail store located at 1901 Market Way, tax parcel number 291-0815-1623-001 (the “Property”) in the City of Watertown; and,

**WHEREAS**, the City has a duty to protect the interests of all property taxpayers in its jurisdiction by ensuring that real estate and tangible personal property are assessed equitably at its full fair market value; and,

**WHEREAS**, the Parties have engaged in mediation and discovery and the outcome of litigation is inherently uncertain and would include the payment of interest pursuant to Sec. 74.37 Wis. Stats.; and,

**WHEREAS**, after consideration of the facts and the advice of legal counsel the City has determined that it is in the best interest of the City and its taxpayers to approve the settlement agreement with Wal-Mart, which provides for an assessed value of \$ 9,302,900 for the Property for the 2021 tax year and the 2022 tax year assessment shall remain at \$9,402,900 without any change and the refund of the taxes paid on the excess value of \$100,000 from 2021, for a total refund of approximately \$2,600 (of which the City will be refunded by other taxing jurisdictions in the amount of approximately \$614) and the waiver of the recovery of interest.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF WATERTOWN, WISCONSIN:**

That the proper City Officials and legal counsel be and are hereby authorized to enter into this settlement agreement with Wal-Mart.

	YES	NO
DAVIS		
LAMPE		

ADOPTED November 1, 2022

RUETTEN		
BARTZ		
LICHT		
SMITH		
SCHMID		
WETZEL		
ROMLEIN		
MAYOR MCFARLAND		
TOTAL		

---

CITY CLERK

APPROVED November 1, 2022

---

MAYOR