

RESOLUTION DISALLOWING CLAIMS

The Town Board of the Town of Sanborn finds as follows:

1. WHEREAS, the following individual claimants/taxpayers in the Town of Sanborn have filed claims for excessive assessment under Wisconsin Statute 74.37 and claims for recovery of unlawful taxes under Wisconsin Statute 74.35:
 - a. Scott Bretting, parcel id #'s 022-01597-0200, 022-01605-0000, 022-01597-0100, 022-01597-0300, 022-01604-000, January 23, 2016
 - b. Darrell Klein, parcel id #'s 022-1593-0300, 022-01593-0310, 022-01593-0330, 022-01593-0340, January 25, 2016
 - c. Linda and Richard Mitchell, parcel id #'s 022-01367-0000, 022-05015-0000, 022-01855-0100, January 25, 2016
 - d. Jeannie Jablonski and Mary K. Magnuson, no parcel id # or date.
 - e. Bob Belsky, parcel id # 022-01514-0300, January 30, 2016
 - f. Tad Butterworth, parcel id # 022-01842-0000, January 25, 2016
 - g. Linda Clark, parcel id # 022-01591-0400, January 25, 2016
 - h. James Habas, parcel id # 022-01600-0410, January 27, 2016
 - i. Chad Zifko, parcel id # 022-01716-0300, January 31, 2016
2. WHEREAS, Wisconsin Statute 74.35(1) provides: "In this section 'Unlawful Tax' means a general property tax with respect to which one or more errors specified in s.74.33(1)(a) to (f) were made. 'Unlawful tax' does not include a tax in respect to which the alleged defect is solely that the assessor placed a valuation on the property that is excessive.", and;
3. WHEREAS, none of the aforementioned claimants/taxpayers have alleged, in respect to their claims for recovery of unlawful taxes under Wisconsin Statute 74.35, any one or more errors specified in Wisconsin Statute 74.33(1)(a) to (f) which were allegedly made. "Unlawful tax" does not include any tax which is alleged defective solely that the assessor placed a valuation on the property that is excessive, and;
4. WHEREAS, the jurisdiction of the Board of Review of the Town of Sanborn is limited to the consideration of the issues of value and classification of real estate pursuant to Wis. Stat. 70.32 only and does not include the issues of taxability or assessment of Indian land. The alleged claims of the claimants/taxpayers listed above, to the extent that they are broader issues of the taxability on assessment of Indian Land, are beyond the jurisdiction of the Board of Review and the parameters of Wisconsin Statute 74.37.
5. WHEREAS, the claimants/taxpayers Bretting, Mitchell and Klein have a lawsuit pending in Ashland County Circuit Court Case 16CV30 against the Town of Sanborn Board of Review alleging substantially the same issues as their above complaints, including, among other things, the taxability or assessment of Indian Land.

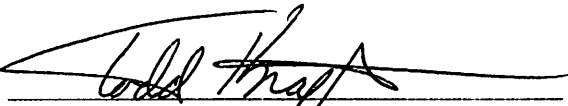
6. NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF SANBORN
RESOLVES AS FOLLOWS:

All of the alleged claims for excessive assessment under Wisconsin Statute 74.37 and/or
claims for recovery of unlawful taxes under Wisconsin Statute 74.3 filed by the above
listed claimants/taxpayers are hereby disallowed.


Dated this 11th day of April, 2016

TOWN OF SANBORN


by Luis Salas, Chairman


by Todd Kraft, Supervisor


by Mike Berlin, Supervisor


by Jamie Weaver, Town Clerk