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Institute®**
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Real Estate Solutions*

Thursday,
Sept. 8, 2022

17TH ANNUAL



CONDEMNATION APPRAISAL SYMPOSIUM

Marquette University Law School Eckstein Hall

1215 W. Michigan St., Milwaukee, WI 53233

The Condemnation Appraisal Symposium is the go-to event of the year for those real estate and legal professionals engaged, or who wish to be more involved, in eminent domain matters. This high-level program provides the latest information and forum for open debate on condemnation case law, appraisal techniques and other timely topics presented by attorneys, appraisers, educators, and government officials, while offering valuable networking opportunities with those practitioners active in this specialty area.

8:15 - 8:45 a.m.	Registration
8:45 - 9:00 a.m.	Welcome – Dean Joseph Kearney
9:00 a.m. - 10:00 a.m.	Tax Effects of Condemnation <i>Ken Zacharias & Atty. Matthew Lee</i>
10:00 a.m. - 11:00 a.m.	Eminent Domain As An Urban Renewal Tool <i>Andrew Pitts & Attorney Stan Riffle</i>
11:00 - 11:15 a.m.	Break
11:15 - 12:15 p.m.	Case Law Update <i>Attorney John Van Lieshout</i>
12:15 - 1:00 p.m.	Lunch
1:00 - 2:30 p.m.	CASE STUDY 1: <i>Moderator: Atty. Alan Marcovitz Counsel for Owners: Atty. Adam Bazelon Counsel for Condemnors: Atty. Sara Beachy Appraiser for Owners: Art Sullivan Appraiser for Condemnors: Larry Nicholson</i>
2:30 - 2:45 p.m.	Break
2:45 - 4:15 p.m.	CASE STUDY 2: <i>Moderator: Atty. Alan Marcovitz Counsel for Owners: Atty. Tom Terwilliger Counsel for Condemnors: Atty. Smitha Chintamaneni Appraiser for Owners: Steve Vitale Appraiser for Condemnors: Scott Kellenberger</i>
4:15 - 4:45 p.m.	Q & A - Panel Discussion
4:45 - 5:45 p.m.	Social Hour

**See Speaker Bios on page 2.

CONTINUING EDUCATION CREDIT

Pending approval for the following hours of continuing education / recertification upon successful completion.

- ~ State Appraisal Certification: 6 hrs.
- ~ State Appraisal Licensure: 6 hrs.
- ~ Appraisal Institute: 6 hrs.
- ~ CLE(Legal) Credit is being applied for: 6 hrs.

This program was developed and is administered by the Wisconsin Chapter of the Appraisal Institute. Attendees are eligible to receive 6.0 hours of Appraisal Institute continuing education credit. (PENDING APPROVAL)

ASSESSOR CONTINUING EDUCATION CREDIT

- ~ Appraisal: 2 hrs.
- ~ Law/Management: 4 hrs.

Credit may be withdrawn in full or in part if the program actually presented does not conform to the duration or content of material as originally approved. The Appraisal Institute enforces the attendance requirements mandated by state regulatory agencies.

REGISTRATION AND FEES

~ \$125.00

Fee includes one day of instruction, refreshments, lunch, and course materials. Registration & fee must be received by Aug. 15, 2022. **A \$25 late fee will be imposed on any and all registrations postmarked after this date.** Seating is limited - please register early! **NO CONFIRMATION WILL BE SENT.** A full refund will be given if cancellation is made by Aug. 31, 2022. **After Aug. 31, 2022 no refunds will be made.**

Structure parking will be limited, so you may have to find street parking or park in the Wells Street structure, located at 1240 W. Wells Street.

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REGISTER TODAY, <http://www.appraisalinstitute.org/education/Wisconsin>

QUESTIONS? Please contact the Wisconsin Chapter of the Appraisal Institute, 414-271-6858, www.wisai.com.

SPEAKERS

Adam Bazelon is a shareholder at the law firm of von Briesen & Roper, s.c. and serves as co-Chair of the Real Estate Practice Group. His practice focuses on all types of real estate litigation, with an emphasis in eminent domain/condemnation, property tax assessment appeals and other matters involving real property, such as construction defect litigation, title claims and boundary and adverse possession disputes. Adam also maintains a statewide practice in condominium and HOA law. He currently serves as a Condemnation Commissioner for Milwaukee County, co-Chair of the Real Property Section of the Milwaukee Bar Association and sits on the Board of Appeals for the Village of Fox Point. Adam earned his undergraduate degree from the University of Michigan and J.D. from Marquette University.

Sara Beachy is a partner and member of the Litigation and Construction & Transportation Focus Groups at Axley Brynson, LLP in Madison, WI. Sara concentrates her practice in the areas of eminent domain/condemnation, municipal law, and commercial litigation. She advises both landowners and acquiring authorities and presents regularly on eminent domain, appraisal, and acquisition issues. She is also one of the authors of the State Bar of Wisconsin book, *Condemnation Law and Practice in Wisconsin* (2d ed. 2018). Before joining Axley, Sara served as an Assistant Attorney General at the Wisconsin Department of Justice, where she represented State agencies in eminent domain, transportation, and land use litigation. Sara has a B.A. and a J.D. from the University of Wisconsin.

Smitha Chintamaneni is a Partner with the firm of von Briesen & Roper, s.c. Her areas of practice include eminent domain, real estate, construction, and insurance coverage, with an emphasis on litigation. She regularly represents property owners and private and public sector clients in eminent domain, zoning and property tax disputes. She received her J.D. from Washington University in St. Louis in 2003. She is a member of the State Bar of Wisconsin, Wisconsin Commercial Real Estate Women, and Owners' Counsel of America. Smitha is admitted to practice law in Wisconsin and Illinois.

Scott Kellenberger, MAI, ASA is the Managing Director of Corporation Valuation Advisors' real estate practice. Drawing on over 25 years of experience, Scott focuses on solving his client's valuation and cost segregation needs. He coordinates and executes a wide range of engagements related to investment real estate; user-based, specialized real estate; and real estate-related enterprises. Scott joined Corporate Valuation Advisors in 2019. Prior to joining Corporation Valuation Advisors, Scott was managing member and founder of Kellenberger Valuation Group LLC, an independent real estate valuation firm. He began his career in 1996 as an associate appraiser with American Appraisal, the oldest and largest independent valuation firm at the time. Scott graduated from the Milwaukee School of Engineering, received a Master of Business Administration from Marquette University and has the MAI designation from the Appraisal Institute and is a Certified General Appraiser. He also served as a Wisconsin Chapter Officer of the American Society of Appraisers from 2006-2011.

Matthew D. Lee is a bankruptcy, restructuring, and business litigation attorney with the Madison office of Foley & Lardner LLP. Matt has represented Chapter 11 debtors, secured and unsecured creditors, official committees of unsecured creditors, and retained professionals in Chapter 11 cases. He has also represented defendants in avoidance actions filed under chapter 5 of the Bankruptcy Code. His business litigation practice encompasses, among other areas, eminent domain proceedings, consumer class actions, antitrust matters, construction disputes, real estate and commercial foreclosure litigation, and commercial contract disputes. He also counsels his clients before a dispute or insolvency arises on the issues of litigation avoidance, loss mitigation, and risk management. Matt earned his bachelor's degrees (magna cum laude) from the University of Notre Dame in 2002. He earned his J.D. (magna cum laude) from the University of Alabama School of Law in 2006, where he served as lead articles editor on the Journal of the Legal Profession.

Alan Marcovitz is a Shareholder with the firm of von Briesen & Roper, s.c. His areas of practice include eminent domain, property taxation and real estate development, in all of which he is acknowledged as exemplary counsel. While most of his practice is on behalf of the private sector, he has also provided significant representation to local governments. He is a member of the State Bar of Wisconsin, the Milwaukee Bar and American Bar Associations. He is also a member of Owners' Counsel of America. He received his B.S. degree from Marquette University's College of Business Administration and his J.D. degree from Marquette Law School.

Lawrence Nicholson, MAI is the owner The Nicholson Group, a Milwaukee-based commercial real estate valuation firm. Larry has over 35 years of real estate valuation and consulting experience. He has the MAI designation from the Appraisal Institute and is a Certified General Appraiser in Wisconsin. He has extensive experience with a variety of property types including office buildings, shopping centers, apartments, hotels, golf courses, waterparks, marinas, industrial facilities and land. He is an expert in condemnation-related appraisals as well as in partial interest valuation and frequently provides expert testimony and litigation support services. Larry served by Governor appointment to the Real Estate Appraisers Board for the State of Wisconsin from 2010 to 2018. Larry has taught the Valuation of Real Estate course at the University of Wisconsin-Madison School of Business where he graduated from in 1981 with a Master's degree in real estate appraisal and investment analysis.

Andrew Pitts is a graduate of University of Wisconsin, Madison (2004) and part owner of Pitts Brothers & Associates, LLC, a commercial real estate appraiser and sales firm serving Southeastern Wisconsin. Andy spent over five years training as a real estate appraiser under Michael A. Pitts and J. Martin Hogan, both Certified General Appraisers with the State of Wisconsin and became a Certified General Appraiser himself from the State of Wisconsin in 2006. Andy has extensive appraisal experience with a variety of property types including multi-family, industrial/flex, institutional/office, commercial, vacant land and special purpose properties. In addition to this, Andy has extensive experience in condemnation-related appraisals including working for private property owners, as well as, several municipalities. In addition to being active with the appraisal industry, Andy is also a licensed commercial real estate broker, serving Southeastern Wisconsin.

H. Stanley Riffle is a founding partner of Arenz, Molter, Macy, Riffle & Larson, S.C., serving as municipal attorneys to over 50 municipal clients. Attorney Riffle handles all municipal tax appeals and condemnation litigation for all firm clients. Over the years, Attorney Riffle has been involved in hundreds of tax and condemnation proceedings and has appeared before numerous condemnation commissions, circuit and appellate courts throughout Wisconsin. In addition to handling litigation in these matters in office, Attorney Riffle has served as the Waukesha County Condemnation Commissioner for the past 20 years, has been engaged by both condemnors and condemnees as an expert witness and has mediated a significant number of tax and condemnation disputes, at the request of prominent and experienced condemnation lawyers, government lawyers or the court. Attorney Riffle has also spoken at numerous continuing legal education classes on the tax appeal and condemnation process and topics of interest, appearing at the request of the State Bar of Wisconsin, League of Wisconsin Municipalities - Attorneys Institute and the Appraisal Institute - Wisconsin Chapter and others.

Art Sullivan, MAI, SR/WA, R/W-AC is the President of Appraisal Specialists of Wisconsin. As a certified general appraiser based in Oshkosh, Art travels the state providing valuation services on a wide variety of property types, most typically those being effected by condemnation proceedings. After obtaining his Masters in Education from the University of Wisconsin - Oshkosh (1988), Art began his career in real estate in the early 1990's as a salesperson. He entered the field of appraisal in 2004, training extensively in eminent domain and starting his own firm in 2008. Art has completed his MAI designation with the Appraisal Institute and SR/WA with the International Right of Way Association (IRWA). Art is also certified in right of way appraisal (R/W-AC) by the IRWA. He has worked for private property owners as well as several municipalities, providing appraisal and expert witness services in the field of eminent domain.

Thomas Terwilliger has represented clients in condemnation cases ranging from the taking of property for highway and road purposes to high voltage transmission lines and gas pipelines. Tom has extensive jury trial experience, having tried over 100 cases to verdict. Tom also has broad appellate experience, having argued before the Wisconsin Supreme Court and the Sixth and Seventh Circuits of the United States Court of Appeals. Tom's legal and trial abilities have been recognized by his peers. He has maintained the prestigious AV rating from Martindale-Hubbell for over 25 years. He was elected a Fellow of the American College of Trial Lawyers and a Fellow of the Wisconsin Law Foundation. Tom is listed in the Best Lawyers in America, Wisconsin Top Lawyers, and Wisconsin's Super Lawyers. He is admitted to practice before the United States Court of Military Justice, the United States Supreme Court, the Wisconsin Supreme Court, the Eastern and Western Federal District Courts of Wisconsin, the Sixth and Seventh Circuits of the United States Courts of Appeals, as well as the United States Court of Appeals for the Federal Circuit. Tom is a lifelong resident of Wausau and is an active member of the local community. He is also Chairman of the Board of Marathon Savings Bank.

John M. Van Lieshout is a shareholder with Reinhart Boerner Van Deuren, s.c. in Milwaukee, Wisconsin and is the co-author of "Wisconsin Condemnation Law and Practice" published in December 2009 by the State Bar of Wisconsin CLE Books. John is a shareholder in the firm's Environmental/Real Estate and Litigation practices where he has built a successful practice over the last three decades. He also has substantial experience representing municipalities and government agencies with Eminent Domain issues and has litigated several complicated creditor / debtor matters including mortgage foreclosures and actions against guarantors and receiverships. John received B.A. and J.D. degrees from Marquette University.

S. Steven Vitale, MAI is Senior Managing Director of Valbridge Property Advisors | Milwaukee, a commercial real estate appraisal firm based in Brookfield, WI. Valbridge Property Advisors launched in 2013 as a joint effort of over 40 independently owned appraisal firms from across the U.S. and is now among the Top 3 national commercial real estate valuation and advisory services firms with 200 MAIs, 70 office locations and 675 staff across the U.S. Vitale Realty Advisors, LLC (now dba Valbridge) was founded in 1998 and has established itself as a longtime appraisal services leader in Wisconsin. Steve received a Bachelor of Business Administration in 1988 with majors in finance and real estate from the University of Wisconsin - Milwaukee. Following a period working as a commercial real estate broker, Steve earned a Masters of Science degree in Real Estate Appraisal and Investment Analysis from the University of Wisconsin - Madison in 1991.

Ken Zacharias is a CPA with the firm of Clifton Larson Allen LLP. He is also a member of the firm's real estate team and serves on the CLA national real estate leadership group. Ken has a broad background in income tax planning and general business consulting. He has extensive experience in taxation issues concerning real estate, including like-kind exchanges, use of partnerships and LLCs, construction and developer issues, debt consolidation and restructure, and capital gains planning. Ken also serves clients in the manufacturing industry and is an active member of several client advisory boards. Ken received his Bachelor of Business Administration in accounting from St. Norbert College. He is a member of the American Institute of Certified Public Accountants, Certified Public Accountants in the state of Wisconsin, Wisconsin Institute of Certified Accountants and CLA Our Wisconsin region Real Estate team leader.