



Legislation Text

File #: 121001, **Version:** 0

121001
ORIGINAL

ALD. PEREZ

Resolution approving final certified survey map and release of deed restriction on 922-928 S. Third Street.

This resolution approves a certified survey map to alter boundaries for parcels at 922-928 S. Third Street. The resolution also approves the release of a deed restriction affecting these parcels.

Whereas, In 2007, George D. Prentice, Jr. owned both parcels at 922-924 S. Third Street (herein called Lot 7) and 928 S. Third Street (herein called Lot 8); and

Whereas, On June 11, 2007, George D. Prentice recorded in the Milwaukee County Register of Deeds Office a Quit Claim Deed (Document No. 09445129), subjecting the parcels at 922-924 and 928 S. Third Street to a restrictive covenant and deed restriction (the "Deed Restriction") that the two parcels effectively be joined, "as though they were in fact one parcel," and prohibiting conveyance of either parcel apart from the other "without first obtaining written consent therefore from the City of Milwaukee;" and

Whereas, The City Assessor's Office recognized the recorded Deed Restriction, and in 2007, the Assessor combined both parcels into a new key number, 431-0928-114, with an address of 922-928 S. Third Street; and

Whereas, Despite that Deed Restriction, without any written consent from the City, George D. Prentice then recorded with the Register of Deeds a Declaration of Condominium (Document No. 09653511) that subjected only a part of the combined parcels to a new condominium called the Hanover Condominium - Lot 7 and the North 1.23 feet of Lot 8; and

Whereas, George D. Prentice continues to own part of what used to be Lot 8, and also Unit No. 924, being one of the two units in the Hanover Condominium, with the other unit (No. 922) being owned by the Federal Home Loan Mortgage Corporation; and

Whereas, George D. Prentice, to readjust borders, resolve the Deed Restriction issue and resolve other certified survey map, tax parcel and condominium issues, submitted to the City the proposed certified survey map that is part of this file, along with the following documents (herein called "Corrective Documents") a proposed deed from the Hanover Condominium unit owners to George D. Prentice, an easement for a driveway and air conditioning, and an amendment to the Hanover Condominium Declaration; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the certified survey map attached to this file is approved; and, be it

Further Resolved, The Department of City Development, after reviewing and approving executed originals of Corrective Documents, and receiving appropriate assurances from the unit owners and George D. Prentice of the proper recording of same in proper order, is authorized to execute and record against title a release of Deed Restriction to release the parcels in the certified survey map from the Deed Restriction.

City Attorney
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11/2/2012