



Spencer Coggs  
City Treasurer

James F. Klajbor  
Deputy City Treasurer


Margarita M. Gutierrez  
Special Deputy City Treasurer

Robyn L. Malone  
Special Deputy City Treasurer

**OFFICE OF THE CITY TREASURER**  
**Milwaukee, Wisconsin**

March 1, 2022

To: Milwaukee Common Council  
City Hall, Room 205

From:  Erika Martinez  
Tax Collection and Enforcement Coordinator

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 3121501000  
Address: 539 541 W BURLEIGH ST  
Owner Name: ALL NATIONS PENTACOSTAL CHURCH OF  
HOLINESS, INC  
Applicant/Requester: BMO HARRIS BANK  
2021-2 Inrem File  
Parcel: 121  
Delinquent Tax Years: 2017-2021  
Case: 21-CV-003565

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 11/30/2021.

JFK/em





OFFICE OF THE CITY TREASURER
TAX ENFORCEMENT DIVISION

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2260 • FAX: (414) 286-3186 • TDD: (414) 286-2025

INTERESTED PARTY'S REQUEST TO VACATE
IN REM TAX FORECLOSURE JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

- 1. Type or print firmly with a black ballpoint pen.
2. Use separate form for each property.
3. Refer to the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem tax foreclosure judgment to the date of receipt of the request by the City Clerk.
4. Administrative costs totaling \$1,370 must be paid by Cashier's Check or cash to the City Treasurer prior to acceptance of this application.
5. Complete boxes A, B, C, and D, sign, and date the application.
6. Forward completed application to the City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS: 539-541 W. Burleigh Street, Milwaukee, Wisconsin 53212
TAX KEY NUMBER: 312-1501-000-X
NAME OF APPLICANT: BMO Harris Bank N.A.
MAILING ADDRESS: 790 North Water Street
Milwaukee WI 53202 877-849-6160 ext. 5426
CITY STATE ZIP CODE TELEPHONE NUMBER
EMAIL ADDRESS: brian.rettler@bmo.com & thomas@kdrilawyers.com

B. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE IN WHICH THE FORMER OWNER HAD AN OWNERSHIP INTEREST (If not applicable, write NONE.):
None
ADDRESS ZIP CODE
ADDRESS ZIP CODE
ADDRESS ZIP CODE
ADDRESS ZIP CODE
ADDRESS ZIP CODE
(Use reverse side, if additional space is needed.)

C. HAS WRITTEN CONSENT BEEN GIVEN TO THE APPLICANT BY THE FORMER OWNER TO REQUEST VACATION OF THE CITY'S IN REM TAX FORECLOSURE JUDGMENT?
YES [ ] Attach documentation. Go to Section G.
NO [x] You must complete Sections D, E, and F.

**D. WHAT EFFORTS WERE UNDERTAKEN BY THE APPLICANT TO SECURE THE WRITTEN CONSENT OF THE FORMER OWNER TO APPLY FOR THE VACATION OF THE CITY'S IN REM TAX FORECLOSURE JUDGMENT?**

BMO Harris Bank N.A. maintains an interest of record in the real property as set forth in its mortgage dated August 29, 2014, and recorded on September 12, 2014 as Document No. 10394167 in the Office of the Register of Deeds in and for Milwaukee County, Wisconsin (a true and correct copy of which is enclosed herewith). Throughout January and February 2022, BMO Harris Bank N.A. made several attempts to communicate with the contact person for the mortgagor (former owner). On January 21, 2022, the mortgagor contact person confirmed that she would resolve the matter and file the necessary application. A BMO Harris Bank N.A. representative followed-up on January 27, 2022 regarding the status of application filing. On February 1, 2022, the borrower's contact confirmed that she was working on the application. Thereafter, BMO Harris Bank NA. has heard no response or update to multiple email correspondence requesting a status update which were sent on 2/14/2022, and 2/19/ 2022, as well as voicemails left for the borrower's contact on 2/17/2022, 2/22/2022 and 2/23/2022.

**E. WHY WAS THE APPLICANT UNABLE TO SECURE THE REQUIRED WRITTEN CONSENT OF THE FORMER OWNER PRIOR TO APPLYING FOR THE VACATION OF THE CITY'S IN REM TAX FORECLOSURE JUDGMENT?**

Despite BMO Harris Bank N.A.'s multiple attempts to obtain a status update and consent from the former owner via email correspondence and telephone communication, the mortgagor's contact person has since failed to respond to BMO Harris Bank N.A.'s requests.

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**F. WHY IS IT IN THE BEST INTEREST OF THE CITY TO WAIVE THE REQUIREMENT THAT THE WRITTEN CONSENT OF THE FORMER OWNER BE ACQUIRED BY THE APPLICANT IN ORDER TO APPLY FOR THE VACATION OF THE CITY'S IN REM TAX FORECLOSURE JUDGMENT? IN RESPONDING TO THIS QUESTION, PLEASE EXPLAIN YOUR PLANS FOR THE PROPERTY, INCLUDING YOUR PLANS FOR ITS MAINTENANCE, REUSE, OR DISPOSITION.**

It is in the City's best interest to waive the requirement for written consent of the former owner because BMO Harris Bank N.A. suffer irreparable harm should the underlying real property be lost through municipal tax foreclosure. Moreover, BMO Harris Bank N.A. is prepared to immediately tender the delinquent amounts thereby bringing the property current its outstanding and delinquent tax amounts (which we believe relate to water/sewer charges assessed and rolled into the property tax bill). By doing so, it would also restore the previous ownership of All Nations Pentecostal Church of Holiness, Inc. Lastly, given the on-going COVID-19 pandemic, many institutions have been adversely affected by reduced patronage, closures and reduction in resources. BMO Harris Bank N.A.'s expectation is that the mortgagor (former owner) will be able to resume its regular activities within the property which would be a benefit to the community.

G. IS THE PROPERTY LISTED IN SECTION "A" CURRENTLY VACANT? YES  NO

H. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached.)  
YES  NO

I. IS THE APPLICATION COMPLETE AND HAS THE REQUIRED SUPPORTING DOCUMENTATION BEEN PROVIDED?  
YES  NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold the City harmless from and against any cost or expense, which may be asserted against the City as a result of its being in the chain of title to the property. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid. There are no refunds.

APPLICANT'S SIGNATURE: Brian Retter DATE: 2/24/22

APPLICANT'S NAME: Brian Retter

APPLICANT'S TITLE: AVP

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>	
1910	Delinquent Tax Collection		
	1911	City Treasurer Costs	220.00
	1912	DCD Costs	450.00
	1913	City Clerk Costs	200.00
	1914	City Attorney Costs	500.00
		Grand Total	<b>1,370.00</b>

Date 3/1/2022

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2021 - 2  
WholeTaxkey: 312-1501-000-  
Property Address: 539 541 W BURLEIGH ST  
Owner Name ALL NATIONS PENTACOSTAL  
CHURCH OF HOLINESS, INC  
Applicant: BMO HARRIS BANK  
Parcel No. 121  
CaseNumber: 21-CV-003565