



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

October 3, 2018

To: Milwaukee Common Council
City Hall, Room 205

From:  James F. Klajbor
Deputy City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 1710485000
Address: 4230 W THURSTON AV
Owner Name: WILLIE PAIGE
Applicant/Requester: OCWEN LOAN SERVICING LLC C/O
GRAY & ASSOCIATES LLP
2018-1 Inrem File
Parcel: 10
Delinquent Tax Years: 2015-2017
Case: 18-CV-003951

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

The City of Milwaukee acquired this property on 8/31/2018.

JFK/em





OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2260 • FAX: (414) 286-3188 • TDD: (414) 286-2026

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

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with a black ball point 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 Office of the City Treasurer prior to acceptance of this application.
5. Complete, sign, and date the application, providing the required supporting documentation.
6. Forward completed application to the City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS: 4230 W. Thurston Ave, Milwaukee, WI
 TAX KEY NUMBER: 1710485000
 NAME OF FORMER OWNER: Willie Paige
 NAME OF APPLICANT: _____
 MAILING ADDRESS: c/o Gray + Associates, LLP, 16345 W. Glendale DR.
New Berlin WI 53151 (414) 224-1741
 CITY STATE ZIP CODE TELEPHONE NUMBER

B. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE IN WHICH THE FORMER OWNER HAS AN OWNERSHIP INTEREST (If not applicable, write NONE.):

5714 N. 43rd St. 53209
 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 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?

None. This is a Foreclosure situation. Mr. Paige hasn't made a loan/mortgage payment since 2016. We were not able to serve him personally with the summons and complaint. He was served via publication and mailing. It appears the property was vacated as all mail sent to the property has been returned.

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?

See D. - Same situation Applies.
Foreclosure - Prior owner's whereabouts unknown.

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.

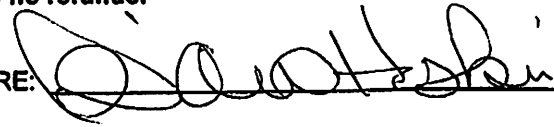
The loan servicer, Ocwen Loan Servicing, is ready to pay the required balance due upon receipt of the amount due. The property consists of a driveway and a garage and is part of 5714 N. 43rd St which is also being foreclosed. The mortgaged legal description has been reformed to secure both addresses (see attached Judgment of Foreclosure). After the redemption period has expired on Nov. 24, 2018, the property will be sold at Sheriff's sale. The property is currently being maintained by Ocwen Loan Servicing, LLC.

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: 

DATE: 10/1/18

APPLICANT'S NAME: D'Ann Haskins

APPLICANT'S TITLE: Gray + Associates, LLP - Paralegal
Attorneys for Owens Loan Federal

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check 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 judgment to the date of receipt of the request by the City Clerk.
4. Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 4230 W. Thurston Ave., Milwaukee, WI

TAXKEY NUMBER 1710485000

NAME OF APPLICANT Ocwen Loan Servicing, LLC / D'Ann Haskins

MAILING ADDRESS ^{c/o} Gray + Associates, 16345 W. Glendale DR.

New Berlin WI 53151 (414) 224-1741
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES _____ NO X

If no, describe interest in this property Property is part of property listed in C. Subject property is lot w/garage. Both properties are included in foreclosure case 18-CV-00055. Ocwen Loan is the mortgage servicing agent.

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

5714 N 43rd St.

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES X NO _____
↳ Attached

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES _____ NO X Pending Foreclosure

Registered.

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 City harmless from and against any cost or expense which may be asserted against 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.

APPLICANT'S SIGNATURE

D'Ann Haskins

DATE

9-26-18

Unpaid Principal Balance	\$20,443.44
Interest from 1/1/16 to 8/13/18 @ 4.25%	2,278.14
Accumulated Late Charges	22.65
Credits / Suspense	(3.50)
Positive Escrow Balance	(10,994.44)
BPO /Appraisal	110.00
Property Inspection Fees	159.00
Insurance Advance	3,693.90
Tax Advance	22,132.35
Maintenance	10,470.76
Landscaping	76.00
Certified Mail Cost	6.53
Title	295.00
Deferred Principal Balance	6,559.53
Attorney Fees	1,990.00
Disbursements	<u>1,110.40</u>
Total	<u>\$58,349.76</u>

3. That all sums hereafter advanced by the plaintiff for insurance, necessary repairs, post judgment attorneys fees and costs, preservation expenses and taxes not included in the judgment may be added to the judgment by order at any time after the entry thereof and before confirmation of sale upon the petition of the plaintiff's attorney.

4. That the mortgaged premises is non owner occupied based upon the property inspection records maintained by the plaintiff and/or the affidavits of service.

5. That the mortgaged premises consists of property with a residential structure located thereon more particularly described as follows:

PARCEL I: The South 20 feet of Lot 11, all of Lot 12 and the North 5 feet of Lot 13, including the West ½ of vacated alley abutting said Lots to the East, Block 9, G.A. West & Co.'s Addition to North Milwaukee, Southwest ¼, Section 25, Township 8 North, Range 21 East, City of Milwaukee, County of Milwaukee, State of Wisconsin.
 PARCEL II: Lot 16 and the East ½ of vacated alley abutting said Lot to the West, and the South ½ of vacated alley abutting said Lot to the North, Block 9, G.A. West & Co.'s Addition to North Milwaukee, Southwest ¼, Section 25, Township 8 North, Range 21 East, City of Milwaukee, County of Milwaukee, State of Wisconsin.

The legal description in the plaintiff's mortgage which is attached as Exhibit B to the Complaint and the deed attached as Exhibit E to the Complaint and, if necessary, any assignments thereof are hereby reformed to reflect that the legal description appearing above is the true and correct legal description of the subject encumbered

property as of the date of the conveyances.

6. That the mortgaged premises cannot be sold in parcels without injury to the interests of the parties and unless sooner redeemed, the plaintiff may elect to have the premises sold at public auction under the direction of the sheriff, at any time after **three month(s)** from the date of entry of judgment. That if the purchaser at said auction is a party or person other than the plaintiff or its assignee, then the sheriff shall require that ten percent (10%) of the purchaser's bid be paid at the sale in cash, cashier's check or certified funds. The balance due upon confirmation of the sale shall be paid to the clerk of courts by cash, cashier's check or certified funds. That after deducting the fees and expenses of sale, the proceeds of sale shall first be applied to the amounts due plaintiff, together with interest at the rate provided in the mortgage note and that the surplus, if any, shall be subject to the further order of this court.

7. That in the event the State of Wisconsin Department of Veterans Affairs is or should become a party to this action, notice of the sheriff's sale shall be given by certified mail, return receipt requested, to the department at Madison, Wisconsin, at least three weeks prior to the date of sale.

8. That following the sale of the mortgaged premises as authorized herein and upon the court's confirmation of said sale, the defendants and all persons claiming an interest in said premises subsequent to the filing of the lis pendens herein shall be forever barred and foreclosed of all right, title, interest, claim, lien or equity of redemption in and to said premises and any part, parcel or portion thereof.

9. That the owner(s) remain entitled to possession of the mortgaged premises and are entitled to all rents, issues and profits therefrom to the date of confirmation of sale.

10. That leave is hereby granted to the plaintiff to add defendants herein pursuant to section 846.09, Wis. Stats.

11. That after the sheriff's sale, the sheriff shall make due report thereof to the court, and the purchaser shall be let into possession of the premises upon confirmation of the sheriff's sale and all parties to this action or other persons acquiring possession after the date the lis pendens was recorded shall deliver possession to said purchaser.

12. **THAT NO DEFICIENCY JUDGMENT MAY BE OBTAINED AGAINST ANY**

DEFENDANT.

13. That all parties and all persons claiming under them are enjoined from committing waste upon the premises.

14. That in the event the United States is a party to this action, it shall have the post-sale redemption rights specified by 28 U.S.C. 2410(c).

15. That the plaintiff may take all necessary steps to secure and winterize the subject property in the event it is abandoned by the defendants and becomes unoccupied during the redemption period or until such time as this matter is concluded.

Dated this 13th day of August, 2018

BY THE COURT:

Electronically signed by William S. Pocan
Circuit Court Judge

Gray & Associates, L.L.P. is attempting to collect a debt on our client's behalf and any information obtained will be used for that purpose. If you have previously received a discharge in a chapter 7 bankruptcy case, this communication should not be construed as an attempt to hold you personally liable for the debt.

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	1,370.00

Date 10/3/2018

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2018 - 1

WholeTaxkey: 171-0485-000-

Property Address: 4230 W THURSTON AV

Owner Name WILLIE PAIGE

Applicant: OCWEN LOAN SERVICING LLC C/O GRAY &
ASSOCIATES LLP

Parcel No. 10

CaseNumber: 18-CV-003951