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July 25, 2008

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution relating to the claim of Samuel L. Grayer
C.I. File No. 08-L-54

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the committee on Judiciary & Legislation with the following recommendation.

Claimant, Samuel L. Grayer, 4940 North 89th Street, Milwaukee, WI 53225 alleges that he had recorded a lien on a property located at 610 West Hadley and was entitled to proceeds from a sale of the property after the City had filed a foreclosure action. He seeks \$5,499.45.

Our investigation reveals that the Treasurer's Office records indicate that Mr. Grayer had a recorded lien on the property and as such he was an interested party. Mr. Grayer was notified of the foreclosure action as required under Wisconsin Statutes. In the notification he received, it stated that if he wanted to retain his interest in the property he would have to pay the taxes, interest and penalty due. Mr. Grayer did not do this.

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Mr. Grayer was therefore not entitled to proceeds from the sale.

The City followed proper procedure in this matter. As such, the City would not be liable. therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1060-2008-1849:135002