# City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, Wi 53202

## Meeting Agenda

## JUDICIARY & LEGISLATION COMMITTEE

***ALD. ASHANTI HAMILTON, CHAIR***
***Ald. Terry Witkowski, Vice-Chair***
***Ald. James Bohl, Jr., Ald. Joe Davis, Sr., and Ald. Robert Donovan***

***Staff Assistant, Linda Elmer, (414) 286-2232***
***Fax: (414) 286-3456, E-mail: lelmer@milwaukee.gov***

**Monday, September 14, 2009** | **1:30 PM** | **Room 301-B, City Hall**

**The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, September 14, 2009 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, pursuant to s. 19.85(1)(g), Wis. Stats. to confer with legal counsel who will render oral or written advice with respect to litigation in which the city is or is likely to become involved with concerning Item #1...Resolution to authorize settlement of benefit and interest claims made by Philip Sliwinski in Sliwinski v. City of Milwaukee relating to section 74.37, Wisconsin Statutes, lawsuits against the City of Milwaukee; Item #2....Resolution to settle claims for the defense of police officers; Jude v. City of Milwaukee; and to confer with legal counsel who will render oral or written advice with respect to litigation in which the city is or is likely to become involved; and then will go into open session for the regular agenda.**

**1.** **090387** Resolution to authorize settlement of benefit and interest claims made by Philip Sliwinski in Sliwinski v. City of Milwaukee.

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Fiscal Note

**2.** **090460** Resolution to settle claims for the defense of police officers.

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Attorney's Bill

*---This file includes payment of legal fees for Shawn Humitz.*

**2:15 P.M.**

**3.** **090599** Appointment of Barbara Ulichny to the Board of Review by the Mayor. (3rd Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** Appointment Letter
Resume
Hearing Notice List

**4.** **090394** Resolution approving revised Municipal Court Non-Traffic and Boating Deposit Schedules.

***Sponsors:*** THE CHAIR

***Attachments:*** Cover Letter and Schedules
Fiscal Note
Hearing Notice List

**5.** **090432** Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 tax rolls, plus interest applicable to date of repayment, if appropriate.

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Cover Letter
Table of Assessment Reduction
Assessment Reduction Letters
Hearing Notice List

**6.** **090431** Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key No. 498-1721-000-6, 2650-2700 S. Chase Avenue, (Klement Company), on the 2008 manufacturing tax roll, plus interest applicable to date of repayment, if appropriate.

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Cover Letter
Hearing Notice List

**7.** **081060** Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

***Sponsors:*** THE CHAIR

***Attachments:*** September 9 Report
September 1 Report Re Retention of Outside Counsel
June 23 Report
May 15 Report
April 1 Report
Jan 29 Report
Hearing Notice List

**Items below will be heard no earlier than 2:30 P.M.:**

**8.** **090486** Substitute resolution authorizing the return of real estate located at 3116-3118 N. 27th St., in the 7th Aldermanic District to its former owner. (Antione Woodland)

***Sponsors:*** THE CHAIR

***Attachments:***
- Fiscal Note
- Application for Vacation of In Rem Judgment
- Treasurer's Office
- Dept of Neighborhood Services
- Health Dept
- Dept of City Development
- Hearing Notice List

**9.** **090490** Substitute resolution authorizing the return of real estate located at 3278 N. 12th St., in the 6th Aldermanic District to its former owner. (Jerry Smith)

***Sponsors:*** THE CHAIR

***Attachments:***
- Fiscal Note
- Application for Vacation of Inrem Judgment
- Treasurer's Office
- Dept of Neighborhood Services
- Health Dept
- Dept of City Development
- Hearing Notice List

**10.** **090491** Substitute resolution authorizing the return of real estate located at 3710 N. Port Washington Ave., in the 6th Aldermanic District to its former owner. (Turnaround, LLC)

***Sponsors:*** THE CHAIR

***Attachments:***
- Fiscal Note
- Application for Vacation of Inrem Judgment
- Treasurer's Office
- Other Properties Owned by Turnaround
- Dept of Neighborhood Services
- Health Dept
- Dept of City Development
- Hearing Notice List

**11.** **090492** Substitute resolution authorizing the return of real estate located at 1836 W. Fond du Lac Ave., in the 15th Aldermanic District to its former owner. (Leonard Brady, Agent for Jolen & Company)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**12.** **090493** Substitute resolution authorizing the return of real estate located at 6973 N. 79th Court, in the 9th Aldermanic District to its former owner. (Bass & Moglowsky, S.C. on behalf of Nationstar Mortgage, LLC)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**13.** **090494** Substitute resolution authorizing the return of real estate located at 1810-1812 S. 23rd St., in the 8th Aldermanic District to its former owner. (Gaspar Guerrero)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**14.** **090497** Substitute resolution authorizing the return of real estate located at 3320 N. 11th St., in the 6th Aldermanic District to its former owner. (Homecomings Financial)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**15.** **090498** Substitute resolution authorizing the return of real estate located at 3015-3017 N. 6th St., in the 6th Aldermanic District to its former owner. (Homecomings Financial)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**16.** **090500** Substitute resolution authorizing the return of real estate located at 3457 N. 58th St., in the 10th Aldermanic District to its former owner. (Alotta Properties, LLC)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**17.** **090501** Substitute resolution authorizing the return of real estate located at 5406 N. 20th St., in the 1st Aldermanic District to its former owner. (Jacqueline Holmon)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**18.** **090502** Substitute resolution authorizing the return of real estate located at 421 N. 30th St., in the 4th Aldermanic District to its former owner. (Prestyne Wallace)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**19.** **090504** Substitute resolution authorizing the return of real estate located at 1616-1618 S. Cesar E. Chavez Dr., in the 12th Aldermanic District to its former owner. (Maria de La Luz Hernandez)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**20.** **090507** Substitute resolution authorizing the return of real estate located at 3015 N. 12th St., in the 6th Aldermanic District to its former owner. (Wacheyne Evans)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application  for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**21.** **090529** Substitute resolution authorizing the return of real estate located at 2180 S. Robinson Ave., in the 14th Aldermanic District to its former owner. (Robert Heffernana, Agent for Berland/Heffernan, Inc.)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**22.** **090530** Substitute resolution authorizing the return of real estate located at 4656 N. 49th St., in the 7th Aldermanic District to its former owner. (Kelley Whiteley, Agent for Wilshire Credit Corporation)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**23.** **090572** Substitute resolution authorizing the return of real estate located at 1420 W. Arthur Ave., in the 12th Aldermanic District to its former owner. (CitiFinancial Services Company)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Application for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**24.** **090580** Substitute resolution authorizing the return of real estate located at 1680 S. Pearl St., in the 12th Aldermanic District to its former owner. (Stacy Edekter, Agent for GMAC Mortgage, LLC)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Request for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**25.** **090581** Substitute resolution authorizing the return of real estate located at 2931-2933 N. 2nd St., in the 6th Aldermanic District to its former owner. (Dennis Miskowski)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Request for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**26.** **090582** Substitute resolution authorizing the return of real estate located at 3117 W. Vine St., in the 15th Aldermanic District to its former owner. (Xa Yang)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Request for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**27.** **090619** Substitute resolution authorizing the return of real estate located at 3730 N. Port Washington Ave., in the 6th Aldermanic District to its former owner. (M&I Marshall & Ilsley Bankd)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Request for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**28.** **090620** Substitute resolution authorizing the return of real estate located at 3332-3332A N. 22nd St., in the 6th Aldermanic District to its former owner. (Pinnacle Trust Services)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Request for Vacation of Inrem Judgment
Treasurer's Office
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**29.** **090621** Substitute resolution authorizing the return of real estate located at 5205D S. 13th St., in the 13th Aldermanic District to its former owner. (Todd Brunner)

***Sponsors:*** THE CHAIR

***Attachments:*** Fiscal Note
Request for Vacation of Inrem Judgment
Treasurer's Office
Copy of Other Properties Owned
Dept of Neighborhood Services
Health Dept
Dept of City Development
Hearing Notice List

**Items below will be heard no earlier than 3:15 P.M.:**

**30.** **090386** Resolution relating to the claim of Southeastern Pediatric & Adolescent Medicine for property damage. (5th Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Claim
Hearing Notice List

*---$5,484.85*

**31.** **090434** Appeal of Hall Chrevrolet Co., Inc. for loss of property.

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Appeal
Hearing Notice List

*---$4,279.87*

**32.** **090487** Resolution relating to an appeal from John Zanger for property damage. (2nd Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Appeal
Hearing Notice List

*---$6,581.69*

**33.** **090514** Resolution relating to an appeal from Nationwide Insurance on behalf of Joseph and Susan Boucher for property damage.

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Appeal
Hearing Notice List

*---$4,608.76*

**34.** **090388** Resolution relating to the claim of Timothy Lock, Agent for Farmers Insurance on behalf of Robert Williams for property damage. (7th Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Claim
Hearing Notice List

*---$17,975.72*

**35.** **090398** Resolution relatng to the appeal of Eric Johnson for property damage. (7th Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Appeal
Hearing Notice List

*---$1,246.79*

**36.** **090397** Resolution relatng to the appeal of Jennifer and Thomas Grieve for property damage.

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Appeal
Hearing Notice List

*---$638.88*

**37.** **090505** Resolution relating to an appeal from Amy Lynn Guerrero for property damage.

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Appeal
Hearing Notice List

*---$121.44*

**38.** **090476** Resolution relating to the claim of Atty. Daniel Stevens on behalf of Jeslia Barajas for property damage. (12th Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter.doc
Claim
Hearing Notice List

*---$50,000.00*

**39.** **090475** Resolution relating to the claim of Atty. Daniel Stevens on behalf of Deslie Lawrence for property damage. (2nd Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter.doc
Claim
Hearing Notice List

*---$22,000.00*

**40.** **090474** Resolution relating to the claim of Atty. Daniel Stevens on behalf of Gloria Coleman for property damage. (2nd Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter.doc
Claim
Hearing Notice List

*---$35,000.00*

**41.** **090473** Resolution relating to the claim of Atty. Daniel Stevens on behalf of Danielle Shakoor for property damage. (2nd Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter.doc
Claim
Hearing Notice List

*---$55,000.00*

**42.** **090472** Resolution relating to the claim of Atty. Daniel Stevens on behalf of James & Nora Luster for property damage. (2nd Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter.doc
Claim
Hearing Notice List

*---$50,000.00*

**43.** **090506** Resolution relating to an appeal from Bernice Lewis for property damage. (6th Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Appeal
Hearing Notice List

*---$3,125.00*

**44.** **090570** Resolution relating to an appeal from Kambi Washington for property damage. (6th Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Appeal
Hearing Notice List

*---$2,812.30*

**45.** **090583** Resolution relating to an appeal from Linda Collins for property damage. (14th Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Appeal
Hearing Notice List

*---$4,500.00*

**46.** **090391** Resolution relating to the claim of Emma Nash for property damage. (15th Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter
Claim
Hearing Notice List

*---$6,203.40*

**47.** **080890** Resolution relating to the claim of Bobbie J. Lathan for property damage. (1st Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** City Attorney Letter.doc
Claim
Hearing Notice List

*---$20,000.00*

## 4:00 P.M.

**48.** **090310** Resolution relative to legislative bills.

***Sponsors:*** THE CHAIR

***Attachments:*** Agenda 09-14-09.doc
AB-269 - Cusing injury to a law enforcement officer while resisting or obstructinc
AB-340 - Restricting access to and limiting information contained in the Consolic
SB-240 - Restoring the right to vote to certain persons barred from voting as a r
AB-353 Restoring the right to vote to certain persons barred from voting as a res
AB-403 - Local government property insurance fund premiums.
SB-282 - Local government property insurance fund premiums.
RE AB-269 Relating to causing injury to a law enforcement officer while resisti
RE AB-340 Relating to restricting access to and limiting information contained
RE SB-240 Relating to restoring the right to vote to certain persons barred fron
HACM Comments on AB-340.DOC
MPL Board Quorum.doc
Hearing Notice List

*AB-269 Causing injury to a law enforcement officer while resisting or obstructing an officer or while attempting to flee and providing a penalty.*

*AB-340 Restricting access to and limiting information contained in the Consolidated Court Automation Programs and providing a penalty.*

*SB-240/AB-353 Restoring the right to vote to certain persons barred from voting as a result of a felony conviction and changing the information required on voter registration forms.*

*AB-403/SB-282 Local government property insurance fund premiums.*

*Legislation to change the quorum requirement for the Milwaukee Public Library Board and legislation to change the language in Chapter 43 that limits the county executive's designee to a county supervisor who lives outside the city.*

**49.** **090590** Resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation amending the neighborhood improvement districts law with respect to mail notification of the city plan commission public hearings on the proposed creation or termination of a neighborhood improvement district.

***Sponsors:*** Ald. Donovan

***Attachments:*** Fiscal Note
Hearing Notice List

**50.** **090600** Reappointment of Lillian Carter-Pounds to the Deferred Assessment Board by the Mayor. (9th Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** Reappointment Letter
Attendance Record

**51.** **090467** Reappointment of Robert Spindell, Jr., to the Election Commission by the Mayor. (3rd Aldermanic District)

***Sponsors:*** THE CHAIR

***Attachments:*** Reappointment Letter
Attendance Record

**The following files may be placed on file as no longer needed:**

**52.** **060331** Substitute resolution directing the Election Commission to place an advisory referendum on the consolidation of certain City of Milwaukee and Milwaukee County government functions on the November 7, 2006, ballot.

***Sponsors:*** Ald. Witkowski

***Attachments:*** Fiscal Note
News media release of 7/20/06 by Ald. Witkowski
News media release of 8/10/06 by Ald. Witkowski
News media release by Ald. Davis
News media release of 9/19/06 by Ald. Witkowski

**53.** **070678** Resolution authorizing the remission of the real estate taxes, for the tax year 2005 and 2006 in the amount of $25,184.62, for the properties conveyed from K&L Trust and Kohl et al. to the Milwaukee County.

***Sponsors:*** THE CHAIR

***Attachments:*** City Atty. Cover Letter
Fiscal Note
Fiscal Analysis.doc

**54.** **080396** Resolution authorizing settlement of US Oil v. City, tax assessment case.

***Sponsors:*** THE CHAIR

***Attachments:*** Notice List

**55.** **080605** Resolution approving and authorizing the settlement of judgment for delinquent taxes entered on behalf of the City of Milwaukee by the Kohn Law Firm against Golden Marina Causeway LLC.

***Sponsors:*** THE CHAIR

***Attachments:*** Cover Letter
Fiscal Note
Notice List

**56.** **081216** Resolution relating to introduction of state legislation to permit use of Tax Incremental District funds to finance infrastructure improvements citywide.

***Sponsors:*** Ald. Bohl

***Attachments:*** Hearing Notice List

**57.** **081217** Resolution urging the State of Wisconsin to allocate a portion of the state gasoline tax on gasoline sold in the City of Milwaukee to fund infrastructure improvements citywide.

***Sponsors:*** Ald. Bohl

***Attachments:*** Hearing Notice List

**58.** **081685** Resolution appropriating funds from the 2009 Common Council Contingent Fund to the Remission of Taxes Fund for settlement of three lawsuits (Servite, Rainbow, & Riverwood) against the City of Milwaukee regarding their 2006, 2007, and 2008 tax assessments.

***Sponsors:*** THE CHAIR

***Attachments:*** Hearing Notice List

**This meeting will be webcast live at www.milwaukee.gov/channel25.**

**Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action at this meeting.**

**Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.**

**Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.**

**Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. Registered lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at www.milwaukee.gov/lobby.**

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090387 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution to authorize settlement of benefit and interest claims made by Philip Sliwinski in Sliwinski v. City of Milwaukee. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS PAYMENT, LITIGATION, SUITS PAYMENT, SUITS SETTLEMENT | | |
| **Attachments:** | City Attorney Letter, Fiscal Note | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |



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**Number**
090387
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution to authorize settlement of benefit and interest claims made by Philip Sliwinski in *Sliwinski v. City of* Milwaukee.
**Analysis**
This resolution authorizes settlement of benefit and interest claims made by Philip Sliwinski in *Sliwinski v. City of* Milwaukee, Case No. 07-CV-004479 in the amount of $54,431.86 which represents payments for health and dental benefits and interest on unpaid back pay and the benefit payments from the time that Sliwinski was deemed by the Wisconsin Court of Appeals to have been improperly discharged until the time that Sliwinski was returned to the payroll pursuant to an order of the Circuit Court for Milwaukee County.
**Body**
Whereas, Philip Sliwinski filed an action seeking pay and benefits for that period of time from the date of his discharge from the Milwaukee Police Department until the date of a court-ordered rehearing of his discharge before the Fire and Police Commission; and

Whereas, The Circuit Court for Milwaukee County issued orders effectively requiring that Philip Sliwinski be returned to the Milwaukee Police Department payroll for the period of time between his first and second hearings before the Fire and Police Commission of the City of Milwaukee and that he be reimbursed for health and dental coverage he was required to purchase for the time in question and that he be paid interest on the amounts due to him until such time as he received the court-ordered pay and benefit reimbursements; and

Whereas, The Milwaukee Police Department has returned Philip Sliwinski to the payroll for the period of time in question and on July 9, 2009 paid him the back pay due to him; and

Whereas, The City of Milwaukee pursuant to the orders of the courts continues to owe Philip Sliwinski the reimbursement for the health and dental benefits he purchased as well as interest on the amounts due until paid; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to settle this lawsuit; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of $54,431.86, payable to Philip T. Sliwinski and the Trust Account of Cermele & Associates, S.C. which represents costs of the benefits purchased as well as the interest owed, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the Damages and Claims Fund, Account No. 0001 1490 S118 006300.
**Requestor**
City Attorney
**Drafter**
JAS



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1032-2007-1291:147642



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**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
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**PATRICIA A. FRICKER**
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**KATHRYN Z. BLOCK**
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**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
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**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

July 9, 2009

Honorable Common Council
Of the City of Milwaukee
City Hall—Room 205

Re: Proposed Settlement of *Milwaukee Police Association, et al. v. City of Milwaukee*
Case No. 07-CV-004479;

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary and Legislation with the following recommendation.

Philip Sliwinski has been employed as a detective in the Milwaukee Police Department. In November 2002, he was discharged from the Milwaukee Police Department. He appealed his discharge and in March 2004, the Milwaukee Fire and Police Commission heard his appeal. It upheld his discharge. He then sought review in the courts. In January 2006, the Wisconsin Court of Appeals concluded that the Commission had improperly excluded certain evidence from the hearing and ordered a new hearing.

Since that time, and while awaiting a rehearing, Sliwinski filed the above-noted lawsuit seeking an order that the City return him to the payroll and restore his benefits until the time that the rehearing takes place. On September 11, 2007, the Milwaukee County Circuit Court initially denied the request for such an order. Upon appeal, however, the Wisconsin Court of Appeals on June 17, 2008 reversed and ordered pay and benefits for Sliwinski. Upon remand, the circuit court on September 18, 2008 first ordered Slwinski to be provided his pay and benefits going forward and he was actually returned to the payroll on September 12, 2008. On June 15, 2009, the circuit court entered a further order requiring the city to pay Sliwinski his pay and benefits for the period of time from March 18, 2004 to September 12, 2008. In the meantime, fire and police commission conducted the rehearing and on April 22, 2009, reversed the decision to discharge Sliwinski altogether.

In compliance with the circuit court order of June 15, the police department has issued a payroll check to Sliwinski for his pay from March 2004 until September 2008. Pursuant to this order, however, the city must still pay Sliwinski the amounts he paid for health and dental insurance during that time period as well as interest at the statutorily-prescribed rates. The total of these amounts is $54,431.86.

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend payment of this proposed settlement amount and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

GFL:JAS

Encls.

1032-2007-1291:147703

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE:** July 14, 2009

**FILE NUMBER:**

X **ORIGINAL FISCAL NOTE** _____ **SUBSTITUTE** _

**SUBJECT:** Resolution for proposed settlement of lawsuit, Milwaukee County Circuit Court Case *Philip Sliwinski v. City of Milwaukee*, Case No. 07-CV-004479

**B) SUBMITTED BY** name/title/dept./ext.): Jan A. Smokowicz, Assistant City Attorney; City Attorney; Ext. 8014

**C) CHECK ONE:**

xx ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
____ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
____ LIST ANTICIPATED COSTS IN SECTION G BELOW.
___ NOT APPLICABLE/NO FISCAL IMPACT.

**D) CHARGE TO:**

☐ DEPARTMENTAL ACCOUNT (DA)
☐ CONTINGENT FUND (CF)
☐ CAPITAL PROJECTS FUND (CPF)
☐ SPECIAL PURPOSE ACCOUNTS (SPA)
☐ PERM. IMPROVEMENT FUNDS (PIF)
☐ GRANT & AID ACCOUNTS (G& AA)
X OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| SALARIES/WAGES: | | | | | |
| | | | | | |
| | | | | | |
| SUPPLIES: | | | | | |
| | | | | | |
| MATERIALS: | | | | | |
| | | | | | |
| NEW EQUIPMENT: | | | | | |
| | | | | | |
| EQUIPMENT REPAIR: | | | | | |
| | | | | | |
| OTHER: - **Settlement of lawsuit** | Damages and claims fund<br><br>Proposed settlement of Sliwinski v. City of Milwaukee | 0001 1490<br>S118<br>006300 | | | |
| TOTALS | | | $54,431.86 | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY.**

| | | |
|---|---|---|
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

#31206

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090460 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution to settle claims for the defense of police officers. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS PAYMENT | | |
| **Attachments:** | City Attorney Letter, Attorney's Bill | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |



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Number
090460
Version
Original
Sponsor
THE CHAIR
Title
Resolution to settle claims for the defense of police officers.
Drafter
CityAtty.
em
7/27/09



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**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
**JOHN J. HEINEN**
**DAVID J. STANOSZ**
**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
**PATRICIA A. FRICKER**
**HEIDI WICK SPOERL**
**KURT A. BEHLING**
**GREGG C. HAGOPIAN**
**ELLEN H. TANGEN**
**MELANIE R. SWANK**
**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

September 10, 2009

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Michael J. Steinle, Terschan, Steinle & Ness, legal fees for Police Officer Shawn Humitz

Dear Council Members:

Returned herewith is a document filed by Attorney Michael J. Steinle for attorney's fees for representing Police Officer Shawn Humitz. The claim is in the amount of $50,950.00, including $14,725.00 in private investigator expenses. The claim for legal fees is for 120.75 hours of service billed at the rate of $300.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by a criminal prosecution. Officer Humitz was found not guilty at the conclusion of the trial.

This claim represents the first opportunity for the Common Council to consider such a request under the amended Wis. Stats. §895.35(2). The pertinent language in that statute is the following: "the city...shall reimburse a protective services officer for *reasonable attorney fees* incurred by the officer in connection with a criminal proceeding arising from the officer's conduct in the performance of official duties..." except for certain circumstances that do not apply here. (Emphasis supplied). The amended statute thus removes discretion from the City over whether to pay such claims arising from certain criminal proceedings, but does not specify what are to be deemed "reasonable" attorneys fees.

We have been able to obtain the agreement between Attorney Steinle and Officer Humitz regarding this matter. The agreement indicates that Humitz was required to pay no more than $20,000 in fees to Steinle (an initial retainer fee of $5,000 and a final fee of no more than $15,000). That, of course, is considerably less than the $36,225.00 attorneys' fee bill that Steinle presented to the city, even though the agreement refers to an hourly fee of

at least $350.00. The agreement, however, makes clear that costs and services (including, presumably, investigator fees) are separate and, therefore, additional items.

As to the proper definition of "reasonable" attorney fees, such a requirement has been interpreted by the Wisconsin Supreme Court in the past in a comparable context. *Village of Shorewood v. Steinberg*, 174 Wis. 2d 191, 204-5, 496 N.W.2d 57 (1993). In doing so, it referred to one of its rules, SCR 20:1.5, relating to fees that attorneys may charge. The factors prescribed by that rule include: 1) time and labor required, 2) novelty and difficulty of the questions involved; 3) skill required to perform services; 4) apparent likelihood that lawyer will be precluded from other work; 5) the fee customarily charged; 6) amount involved and results obtained; 7) limitations imposed by client or circumstances; 8) nature and length of the relationship; 9) experience and ability of the lawyer; and, 10) whether the fee is fixed or contingent. Given what we know of this situation, none of these factors are of much help but one. The fee was fixed at no more than $20,000.

Under all the circumstances, therefore, we would recommend that the City pay $20,000 for attorneys' fees in this matter. As for the investigator's bill, the statute by its language does not apparently require payment and such a payment thus remains subject to your discretion. In the past, however, when such bills for attorneys' fees have been the subject of city discretion, the city has paid for investigators bills, although it has not paid for meal expenses, which total $30.00 in the investigator's bill here.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS
Enc.

1032-2008-2026:149748

TERSCHAN, STEINLE & NESS

ATTORNEYS

**Michael J. Steinle**

June 18, 2008

Mr. Ronald Leonardt
City Clerk
200 E. Wells Street
Rm. 205
Milwaukee, WI 53202

Re: State of Wisconsin v. Shawn Humitz
Case No.: 07-CM-1593

Dear Mr. Leonardt.

This claim is being submitted under §895.35(2), STATS., which provides that:

> Notwithstanding sub (1), the County...shall reimburse a protective services officers for reasonable attorney fees incurred by the officer in connection with a criminal proceeding arising from the officer's conduct in the performance of official duties, unless, in relation to that conduct any of the following applies:
>
> a. The officer is convicted of a crime;
> b. The officer's employment is terminated for cause;
> c. The officer resigned for reasons other than retirement before the attorney's fees are incurred;
> d. the officer is demoted or reduced in rank
> e. The officer is suspended without pay for 10 or more working days.

Officer Humitz is considered a "protective services officer" under the statute. He has incurred the fees compiled in this claim as a direct result of his being prosecuted for a actions taken within his official capacity, and in the performance of his duties, in connection with the use of force as a police officer. Moreover, none of the "exceptions" apply.

The incident resulted in the District Attorney initiating two criminal charges of battery against Officer Humitz for an incident on December 10, 2006. The State criminal

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309 NORTH WATER STREET, SUITE 215 • MILWAUKEE, WI 53202
TEL 414-258-8200 • FAX 414-258-8080 • E-MAIL MJS@TSN-LAW.COM

proceeding qualifies as a "proceeding" which mandates payment under §895.35(2), STATS.

Criminal charges were filed against Mr. Humitz on March 13, 2007 and he was found not guilty by a jury trial on December 17, 2007.

Officer Humitz was not convicted of a crime, terminated for cause, resigned prior to incurring the fees associated with this claim, or demoted or suspended without pay for more than ten days.

Please submit this claim to the appropriate committee of the City and for review in its entirety.

If you need any further documentation for this claim, please let me know.

Sincerely,

MICHAEL J. STEINLE
Attorney at Law

MJS: plk

TERSCHAN, STEINLE & NESS

ATTORNEYS

**Michael J. Steinle**

June 18, 2008

Statement for Services Rendered
Re: State of Wisconsin v. Shawn Humitz
Case no.: 07-CM-1593

| Date | Services Rendered | Time |
|---|---|---|
| 3/10/07 | Meet with Client | 1.5 |
| 3/12/07 | Meet with ADA Doug Simpson | 1.0 |
| 3/12/07 | Meet with Client | 0.5 |
| 3/13/07 | Initial Appearance | 2.0 |
| 3/13/07 | Prepare Motions | 1.25 |
| 3/14/07 | File Motions | 1.0 |
| 3/17/07 | Assemble, index and organize Discovery | 1.75 |
| 3/16/07 | Review all Discovery materials | 2.5 |
| 3/18/07 | Meet with Client | 1.5 |
| 3/20/07 | Meet with Client and Private Investigator | 1.0 |
| 4/04/07 | Meet with Client and Private Investigator | 2.0 |
| 4/16/07 | Court Appearance | 1.0 |
| 5/10/07 | Meet with Client | 0.75 |

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| | | |
|---|---|---|
| 6/19/07 | Meet with Client and Private Investigator | 1.0 |
| 6/20/07 | Prepare Court Orders regarding Discovery | 1.75 |
| 6/21/07 | Final Pretrial | 1.0 |
| 6/23/07 | Pickup Medical Records and review with RN | 2.75 |
| 6/26/07 | Meet with Client and Private Investigator at Scene | 2.0 |
| 8/1/07 | Meet with Client | 0.75 |
| 8/4/07 | Research & Prepare Jury Instructions (non-Pattern?) | 4.5 |
| 8/6/07 | File Jury Instructions and Case Law | 1.0 |
| 8/08/07 | Meet with Client and Private Investigator/Interview Witnesses | 2.0 |
| 8/9/07 | Meet with Client | 1.25 |
| 8/10/07 | Trial Preparation | 3.75 |
| 8/11/07 | Meet with witnesses/Trial Preparation | 3.0 |
| 8/13/07 | Trial-wait for Court to commence Trial | 2.75 |
| 8/13/07 | Scheduling Conference | 1.0 |
| 11/3/07 | Meet with Client | 1.25 |
| 11/5/07 | Final Pretrial | 1.0 |
| 12/03/07 | Meet with Client and Private Investigator | 1.0 |
| 12/4/07 | Prepare and file final Witness List | 2.25 |
| 12/4/07 | Meet with Client | 0.75 |
| 12/7/07 | Interview and Prep Witnesses | 5.75 |
| 12/8/07& 12/9/07 | Trial Preparation and Meet with Client | 6.0 |

| | | |
|---|---|---|
| 12/10/07 | Trial | 7.5 |
| | Preparation | 1.0 |
| 12/11/07 | Trial | 7.5 |
| | Preparation | 1.5 |
| 12/12/07 | Trial | 7.5 |
| | Preparation | 1.5 |
| 12/13/07 | Trial | 7.5 |
| | Preparation | 1.5 |
| 12/14/07 | Trial | 7.5 |
| 12/17/07 | Trial | 6.0 |

| | |
|---|---|
| TOTAL TIME | 120.75 Hours |
| HOURLY RATE | $300.00 |
| TOTAL DUE | $36,225.00 |

BEYOND THE SHIELD

Private Investigators / Security Consultants
PO Box 13444, Milwaukee WI 53213-0444

Phone (414) 258-4647 Fax (414) 258-4647 E-Mail-
jb@beyondtheshield.com

**James Becker** **Dennis Murphy** **Jim Gauger**

# *INVOICE*

ATTORNEY MICHAEL STEINLE
309 N. WATER STREET, SUITE 215
MILWAUKEE, WISCONSIN 53202

**CLAIMANT: Shawn Humitz**
**CLAIM NUMBER:**

Investigation Time

| | | |
|---|---|---|
| 3-20-07 | Investigators Murphy and Gauger Traveled to Attorney Steinle's office. Met client, Shawn Humitz. Conducted interview, received and copied reports. 2.5 hrs each. | 5 hrs. |
| 3-24-07 | Reviewing and setting up investigative file on Humitz investigation. 4 hrs. each. | 8 hrs. |
| 3-26-07 | Reviewing and setting up files on the Humitz investigation. 3 hrs. each. | 6 hrs. |
| 3-27-07 | Reviewing reports and setting up interviews with police witnesses. 3 hrs. each | 6 hrs. |
| 3-29-07 | Humitz investigation, Investigator Murphy conducted interviews with witnesses. | 3 hrs. |
| | Reports | 1 hr. |
| 4-04-07 | Investigators Murphy & Gauger traveled to Atty. Steinle's office for a meeting with Client, Shawn Humitz. 2 hr. meeting .5 hr. travel each. | 5 hrs. |
| 4-05-07 | Interview of P.O. Jeanine See, Jose Alba and Thomas Kresa. 4 hrs. Reports 1 hr. | 5 hrs. |
| 4-09-07 | Interview of P.O. Adam Grochowski. 1 hr. reports .5 hr. | 1 ½ hrs. |
| 4-16-07 | Appeared in court with Attorney Steinle and Shawn Humitz. Parking $6.00 | 1 ½ hrs.. |
| 4-17-07 | Interview of P.O. Torrey Lea. Investigation 1.5 hr. Reports .5 hrs. | 2 hrs. |
| 5-16-07 | Interview of Sgt. Kevin Barnes Investigation 1 hr. Reports ¼ hr. | 1 ¼ hr. |
| 6-19-07 | Investigators Murphy and Gauger met with Atty. Steinle and client Shawn Humitz. We reviewed statements and discussed the case. 1 hr. investigation ½ hr. travel each. | 3 hrs. |
| 6-21-07 | Traveled to the Courthouse for proceedings on the Humitz case. 1hr. inv. ½ hr. travel | 1 ½ hr. |
| 6-22-07 | Investigator Gauger traveled twice to Open Records for reports. | 1 ½ hrs |
| 6-26-07 | Murphy and Gauger met Attorney Steinle and Client at the scene. Took photos and Measurements. 2 hrs. each | 4 hrs. |

| | | |
|---|---|---|
| 6-27-07 | Inv. Murphy picked up court order to obtain reports from the M.P.D. | 1 hr. |
| 6-28-07 | Served the court order at the internal affairs office of the M.P.D. for reports and files. | 2 hrs. |
| 7-13-07 | Contacted Det. Sutter at internal affairs regarding booking photos and reports. | 1 hr. |
| 7-17-07 | Drafted a diagram of the scene where the offense occurred. For court. | 2 hrs. |
| 7-30-07 | Picked up and served subpoenas at the Police Academy. Conducted interviews. | 2 ½ hrs. |
| 7-31-07 | Investigators Murphy and Gauger met with Humitz at his residence and reviewed Reports and statements. 3 ½ hrs each | 7 hrs. |
| 8-01-07 | Contacted several officers and set up interviews at Steinle's office. | 1 hr |
| 8-02-07 | Gauger served sobpoenas on Sgts., Police Officers and Sheriffs Deputies. | 3 ½ hrs. |
| 8-03-07 | Gauger served a subpoena on Deputy Inspector Ball | 1 hr. |
| 8-06-07 | Review of witness statements prior to meeting with Attorney Steinle and client. | 2 hrs. |
| 8-08-07 | Investigator Murphy met with Atty. Steinle, witnesses and client. 2 hr inv. ½ hr. travel | 2 ½ hr. |
| 8-09-07 | Gauger put together a photo log of the scene. | 1 hr. |
| 8-10-07 | Gauger delivered photo log to Attorney Steinle's office. | 1 hr. |
| 8-12-08 | Gauger subpoened Sgt. McCoy for court. | ½ hr. |
| 8-13-07 | Murphy was in court all day waiting for trial to commence. | 7 hrs. |
| 8-14-07 | Murphy picked up new subpoenas from Atty. Steinles office for service. | 1 hr. |
| 8-21-07 | Gauger served subpoenas at #5 District, Police Administration Building, Sheriffs' Department and the Watertown Plank Road Office. | 3 hrs. |
| 10-24-07 | Murphy picked up additional subpoenas from Steinles' office. | 1 hr. |
| 11-23-07 | Murphy served subpoenas on P.O. Alba and See | 1 hr. |
| 12-03-07 | Meeting with Humitz, Steinle and Murphy regarding the trial. | 1 hr. |
| 12-05-07 | Murphy reviewed the files and set up a time line for the trial. | 3 hrs. |
| 12-06-07 | Murphy reviewed all witness, states and defense statements for trial. | 4 hrs. |
| 12-10-07 | Humitz Trial Judge Mertens Court. Parking $11.00, lunch $6.00 | 9 hrs. |
| 12-11-07 | Humitz Trial. Parking $11.00, lunch $6.00 | 9 hrs. |
| 12-12-07 | Humitz Trial. Parking $11.00, lunch $6.00 | 9 hrs. |
| 12-13-07 | Humitz Trial Parking $11.00, lunch $6.00 | 9 hrs. |
| 12-14-07 | Humitz Trial Parking $11.00, lunch $6.00 | 7 hrs. |
| 12-17-07 | Humitz Trial NOT GUILTY VERDICT. | |

| | |
|---|---|
| Total Time | 147.25 hours |
| Hourly Rate | $100.00 |
| Total Due | $14,725.00 |

Tax Number 39-1965320

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090599 **Version:** 0 | | |
| **Type:** | Appointment | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Appointment of Barbara Ulichny to the Board of Review by the Mayor. (3rd Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | APPOINTMENTS, BOARD OF REVIEW | | |
| **Attachments:** | Appointment Letter, Resume, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/9/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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## Number
090599
## Version
ORIGINAL
## Reference

## Sponsor
THE CHAIR
## Title
Appointment of Barbara Ulichny to the Board of Review by the Mayor. (3rd Aldermanic District)
## Requestor
Mayor
## Drafter
CC
dkf
9/1/09



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September 1, 2009

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to appoint Barbara L. Ulichny, 3061 East Newport Court, Milwaukee, Wisconsin 53211, to replace Amoun Sayaovong on the Board of Review. This appointment is pursuant to Section 70.46 of the Wisconsin State Statutes and Section 307-4 of the Milwaukee Code of Ordinances. Ms. Ulichny's term will commence upon taking of the oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

Tom Barrett

Tom Barrett
Mayor

Barbara L. Ulichny
3061 East Newport Court
Milwaukee, WI 53211
(414) 962-0214
bulichny1@wi.rr.com

## EDUCATION

Marquette University, Alternative Dispute Resolution Certificate – 2008
University of Wisconsin, JD – 1992
Northwestern University, BA Economics – 1969

## PROFESSIONAL EXPERIENCE

2008-present – Mediator, Kenosha County Small Claims Court

Mediator for variety of small claims disputes: landlord-tenant, contractual agreements, among others.

2008-present – Student Supervisor, Marquette University Law School and Professional Studies Dispute Resolution Program

Supervisor and evaluator of students in both Milwaukee and Kenosha County Small Claims Courts.

2004-present – Ulichny Consulting and Mediation Services

Mediator and public policy professional; advisor to CEO of Roundy's Supermarkets, Inc. and primary corporate contact with policymakers; Project Coordinator for advocacy, outreach, and communications on behalf of the Southeastern Wisconsin Regional Transit Authority (SEWRTA), with responsibility for strategic and public policy initiatives related to public transit (2006-2007).

1995-2000 – Ameritech-Wisconsin, Vice-President Regulatory Affairs

Senior corporate officer responsible for: streamlining regulation of state operations; reducing costs and increasing income flow; policy formulation and implementation; budget-making; staff (12-15) management and evaluation; and advocacy with public officials; direct report to Ameritech-Wisconsin President and to Regional Vice-President of Public Policy and active member of state officer and regional management teams.

1993-1995 – Whyte Hirschboeck Dudek, Attorney and Shareholder

Architect and Team Leader for newly-created government relations practice; shareholder directly accountable to firm's Management Committee for revenue generation, budget-making, and client development and stewardship.

1979-1993 – Wisconsin State Senator and State Representative

Elected official for East Side, Downtown, North Shore, and northeastern portions of City of Milwaukee; Committee Chair of, among others, Economic Development, Financial Institutions and Fiscal Policies, Crime Victims Council, Joint Audit, and numerous Legislative Council special committees; active member of Revenue, Transportation, and other committees; retired as recognized national and state leader in economic development, crime victimology, securities and financial regulation, transportation, cultural affairs, and historic preservation; recipient of numerous national and state awards.

1987-1989 – Marquette University School of Business Administration

Team instructor of graduate-level course in business development and public policy.

1975-1976 – YWCA of Greater Milwaukee, Program Director

Director of YWCA-sponsored programs with responsibility for program development, budget preparation and management, staff oversight, training, and evaluation, community outreach, and presenter recruitment.

1975-1976 – City of Milwaukee, Bicentennial Administrator

Manager of City of Milwaukee's Bicentennial celebration and supervisor of related staff.

1969-1974 – Nicolet High School, Social Studies and Economics Teacher

REFERENCES, BOARDS, HONORS, AND MEMBERSHIPS

Available upon request.

**NOTICES SENT TO FOR FILE 090599:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Barbara Ulichny | 3061 E. Newport Court<br>Milwaukee, WI 53211<br>Bulichny1@wi.rr.com | 9/4/09 | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090394 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution approving revised Municipal Court Non-Traffic and Boating Deposit Schedules. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | BOATS, FEES, FINES, MUNICIPAL COURT | | |
| **Attachments:** | Cover Letter and Schedules, Fiscal Note, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090394
**Version**
**Original**
**Reference**

**Sponsor**
**The Chair**

Title
Resolution approving revised Municipal Court Non-Traffic and Boating Deposit Schedules.

**Analysis**
This Resolution approves revised Municipal Court Deposit Schedules.
**BODY**

Whereas, Section 800.03(3), Wis. Stats., states that "The amount of the deposit shall be set by the municipal judge, but shall not be effective until approved by the governing body of the municipality," to wit, the Common Council of the City of Milwaukee, and it is necessary to approve revised Municipal Court Deposit Schedules; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council approves and adopts the revised deposit schedules of the Municipal Court which is attached to this file.
**Drafter**
**Municipal Court**
**CLB**
**07/13/09**



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# CITY OF MILWAUKEE
# MUNICIPAL COURT

**Derek C. Mosley, Presiding Judge**
Branch 2

**Valarie A. Hill, Judge**
Branch 1

**Phillip M. Chavez, Judge**
Branch 3

**Kristine M. Hinrichs**
Chief Court Administrator

**Clarice Bishop**
Assistant Court Administrator

July 13, 2009

To the Honorable Common Council
City Hall
200 East Wells Street, Room 205
Milwaukee, WI 53202

RE: Revised Municipal Court Non-Traffic and Boating Deposit Schedules

Dear Council Members:

The Milwaukee Municipal Court Judges are forwarding to you the revised July 2009 Municipal Non-Traffic and Boating Deposit Schedules for introduction and approval. Accompanying the schedules are a resolution and fiscal note. The judges request that the revised schedules be approved as soon as legislatively possible. If approved, the revised deposit schedules will be effective immediately.

If you have any questions, feel free to contact the undersigned at 286-3820.

Respectfully submitted,

Clarice L. Bishop

Clarice L. Bishop, Assistant Court Administrator
Milwaukee Municipal Court

cc: Alderman Ashanti Hamilton, Judiciary and Legislation Committee Chair
Milwaukee Municipal Court Judges
Kristine Hinrichs, Chief Court Administrator

951 North James Lovell Street, Milwaukee, Wisconsin 53233-1449. Phone (414) 286-3800, FAX (414) 286-3615.
www.municourt.milwaukee.gov

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 105-65-1 | Abandoned Vehicles | 10 - 200 | $47.62 | $12.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $111.00 | $84.00 |
| 106-1.1-2 | Aggressive Panhandling | 0 - 25 | $10.32 | $2.68 | $10.32 | $2.68 | $28.00 | $10.00 | $13.00 | $64.00 | $64.00 |
| 50-18 | Aiding and Abetting Ordinance Violation | Use Deposit for Underlying Violation | | | | | | | | | |
| 105-75-3-a | Alarm Business - Licensing | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-11-a | Alarm System Prohibited Use of Recorded Message | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-14 | Alarm Systems - Failure to Comply with Bus. Req. | 1 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-11-b | Prohibited Alarm System | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-14-a | Written Contract Requirement | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-14-b | Notification of Contract Renewal Provision | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-14-c | Proper Installation Requirement | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-14-d | Maintenance & Repair Responsibility | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-14-e | Proper Instruction of Personnel | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-14-f | Provide 1st Responder Service | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-14-g | Private 1st Responder Verification Req. | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-75-15-a | Alarm User Cause or Permit City Police or Fire Department to be Notified of More than (2) False Alarms | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-2 | Assault and Battery | 0 - 500 | $250.00 | $65.00 | $56.35 | $14.65 | $28.00 | $10.00 | $13.00 | $366.00 | $122.00 |
| 105-2 | Assault and Battery (8 p.m. - 5 a.m. in Designated Cruising Area) | 250 - 500 | $350.00 | $91.00 | $56.35 | $14.65 | $28.00 | $10.00 | $13.00 | $492.00 | $122.00 |
| 105-21-1-a | Baseball,Basketball,Softball Proh. between 10 PM - 8 AM on City Play Areas, Playgrounds and Play fields | 5 - 50 | $50.00 | $13.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $114.00 | $84.00 |
| 102-2 | Bicycle - Operate w/o License | 10 - 25 | $24.60 | $6.40 | $21.43 | $5.57 | $28.00 | $10.00 | $13.00 | $82.00 | $78.00 |
| 102-8-2 | Bicycle Regulations Riding on public roads, paths, sidewalks | 10 - 25 | $24.60 | $6.40 | $21.43 | $5.57 | $28.00 | $10.00 | $13.00 | $82.00 | $78.00 |
| 102-8-3 | Single File Operation of Bicycle | 10 25 | $24.60 | $6.40 | $21.43 | $5.57 | $28.00 | $10.00 | $13.00 | $82.00 | $78.00 |
| 102-8-4 | Race, Speeding, or Endurance Contest Prohibited | 10 25 | $24.60 | $6.40 | $21.43 | $5.57 | $28.00 | $10.00 | $13.00 | $82.00 | $78.00 |
| 102-8-5 | In full Control of Handlebars and/or Pedals | 10 25 | $24.60 | $6.40 | $21.43 | $5.57 | $28.00 | $10.00 | $13.00 | $82.00 | $78.00 |
| 102-8-6 | Bicycle-Trailer Regulations | 10 25 | $24.60 | $6.40 | $21.43 | $5.57 | $28.00 | $10.00 | $13.00 | $82.00 | $78.00 |
| 118-80-1 | Boating Violations (Non-Traffic Citations, in accordance with Uniform Wisconsin Schedule) | SEE BOATING STATUTE/ORDINANCE VIOLATION DEPOSIT SCHEDULE | | | | | | | | | |
| 110-8 | Breaking Street Lamps or Windows | 10 - 10 | $6.35 | $1.65 | $6.35 | $1.65 | $28.00 | $10.00 | $13.00 | $59.00 | $59.00 |
| 105-50-1-c | Buses - Drinking On | 10 - 50 | $32.54 | $8.46 | $21.43 | $5.57 | $28.00 | $10.00 | $13.00 | $92.00 | $78.00 |
| 105-50-1-a | Buses - Smoking On | 10 - 50 | $32.54 | $8.46 | $21.43 | $5.57 | $28.00 | $10.00 | $13.00 | $92.00 | $78.00 |
| 105-50-1-b | Buses - Radio or Tape Players On | 10 - 50 | $32.54 | $8.46 | $21.43 | $5.57 | $28.00 | $10.00 | $13.00 | $92.00 | $78.00 |
| 105-34-1-a | Carrying Concealed and Dangerous Weapon | 200 - 500 | $206.35 | $53.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $311.00 | $144.00 |
| 105-34-1-a | Carrying Concealed and Dangerous Weapon (Between 8 p.m. & 5 a.m. in Designated Cruising Area) | 300 - 500 | $306.35 | $79.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $437.00 | $144.00 |
| 105-34-1-b | Carrying Concealed Weapon - Firearm | 500 - 1,000 | $506.35 | $131.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $689.00 | $144.00 |
| 105-34-1-b | Carrying Concealed Weapon - Firearm (Between 8 p.m. & 5 a.m. in Designated Cruising Area) | 750 - 1,000 | $756.35 | $196.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $1,004.00 | $144.00 |
| 106-30-2-a | Cigarettes or Tobacco Products Transferred to Minors / Underage | 0 - 500 | $47.62 | $12.38 | $19.05 | $4.95 | $28.00 | $10.00 | $13.00 | $111.00 | $75.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 106-30-2-a | Cigarettes or Tobacco Products Transferred to Minors / Underage (Previous Violation within 12 months) | 200 - 500 | $206.35 | $53.65 | $19.05 | $4.95 | $28.00 | $10.00 | $13.00 | $311.00 | $75.00 |
| 110-1 | Coin Machines - Tampering/Damage | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 106-23.2 | Contributing to Delinquency | 25 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-23.3-2 | Contributing to Truancy | 25 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-23.5-3-a-1 | Parent/Guar Aiding or Abetting Juvenile | 200 - 400 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| 106-23.5-3-a-2 | Impose Reasonable Control Over Juvenile | 200 - 400 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| 101-20.5-2 | Cruising Prohibited - 1st Offense | 0 - 100 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 101-20.5-2 | Cruising Prohibited - 2nd Offense | 0 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 101-20.5-2 | Cruising Prohibited - 3rd Offense | 0 - 400 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 106-23 | Curfew - Loitering of Minor under 17 | 100 - 200 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 106-23-2 | Curfew - Parent's Responsibility | 100 - 200 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 106-23-3 | Curfew-Responsibility of Operators | 100 200 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 106-23-4 | Curfew - Hotel Responsibility | 100 - 200 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 110-3-1 | Damage to Drinking Fountains | 5 - 50 | $32.54 | $8.46 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $92.00 | $84.00 |
| 110-4-1 | Damaging of Public Property | 5 - 50 | $27.78 | $7.22 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $86.00 | $84.00 |
| 101-43-1 | Defacement, Unauthorized Removal & Possession of Traffic Controls Signals | 100 - 500 | $195.24 | $50.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $297.00 | $84.00 |
| 101-43-1 | Defacement, Unauthorized Removal & Possession of Traffic Controls Signals (2nd Offense) | 250 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 101-43-3 | Possession of Traffic Control Signals | 100 - 500 | $195.24 | $50.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $297.00 | $84.00 |
| 101-43-3 | Possession of Traffic Control Signals (2nd Offense) | 250 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 106-36-3-a | Possession of Drug Paraphernalia | 0 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| 106-36-3-b | Manufacture, Sale or Delivery of Drug Paraphernalia | 0 - 1,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 106-36-3-c | Delivery of Drug Paraphemalia to Minor | 0 - 10,000 | $1,006.35 | $261.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,319.00 | $84.00 |
| 106-36-3-d | Advertisement of Drug Paraphernalia | 0 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 106-37-2 | Frequenting an Illegal Drug House | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 105-35-1 | Discharge of Firearms in City | 5 - 500 | $250.00 | $65.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $366.00 | $84.00 |
| 106-1-1 | Disorderly Conduct | 0 - 500 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| | Between 8 p.m. and 5 a.m. in Designated Cruising Area) | 200 - 1,000 | $306.35 | $79.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $437.00 | $84.00 |
| 106-9.6-2 | Display of Sexually Explicit Material or Devices to Minor | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-9.5-3 | Exposing Minors to Harmful Material | 200 - 1,000 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| 115-3-1 | Excavation/Installation on Public Places w/o Permit | 25 - 250 | $76.19 | $19.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $147.00 | $84.00 |
| 92-10-2-a | Failure to Comply w/Precious Metal & Gem Dealers Reg. - 1st Offense | 50 - 1,000 | $350.00 | $91.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $492.00 | $84.00 |
| 92-10-2-a | Failure to Comply w/Precious Metal & Gem Dealers Reg. - 2nd Offense | 500 - 2,000 | $730.16 | $189.84 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $971.00 | $84.00 |

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|---|---|---|---|---|---|---|---|---|---|---|---|
| 105-75 | Failure to Comply w/Regulations set by Central Station Alarm Systems | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 92-2-2-a | Failure to Comply w/Secondhand Dealers Reg. - 1st Offense | 50 - 1,000 | $350.00 | $91.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $492.00 | $84.00 |
| 92-2-2-a | Failure to Comply w/Secondhand Dealers Reg. - 2nd Offense | 500 - 2,000 | $536.51 | $139.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $727.00 | $84.00 |
| 75-17-1 | False Communication for Emergency Medical Service | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-47-1 | Fireworks /Sale / Discharge/Use Prohibited | 500 - 1,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 105-47-1 | (Fireworks/Parent or Legal Guardian Consent) | 0 - 1,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 110-32-1-a | Fraud - Hotel or Restaurant Keeper (leaving without paying for service) | 0 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 84-20-15-a | Fraud - Parking Lot Operators | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 110-32-1-b | Fraud - Restaurant Keeper (Intentionally Defrauds While a Guest) | 0 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 107-1 | Gambling Places (Permit Gambling) | 100 - 200 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 107-2 | Gambling-Enter/Remain w/Intent to Gamble | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-70-2 | Glue Sniffing / Transfer to Minor | 100 - 500 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 106-8-1 | Makes Obscene Comment, Request, Suggestion or Proposal | 50 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-8-2 | Hars. Phone Calls(No Conversation takes Place) | 50 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-8-4 | Repeated Harassing Calls (Conversation) | 50 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 95-14-2-a | Home Improvement License - Contractor or Sales Person | 250 - 3,000 | $406.35 | $105.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $563.00 | $84.00 |
| 109-5 | Housing Discrimination Prohibited | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 109-5 | Housing Discrimination Prohibited (Each Successive Violation within 5 Years) | 1,000 . 10,000 | 1,006.35 | $261.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,319.00 | $84.00 |
| 109-9 | Employment Discrimination Prohibited | 500 - 5000 | $1,006.35 | $261.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,319.00 | $84.00 |
| 109-9 | Employment Discrimination Prohibited ( Each Successive Violation within 5 Years) | 1,000 - 10,000 | $2,006.35 | $521.65 | $26.19 | $6.81 | $28.00 | $20.00 | $13.00 | $2,589.00 | $94.00 |
| 106-5-2 | Indecent Exposure | 50 - 250 | $98.41 | $25.59 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $175.00 | $84.00 |
| 106-5-2 | Indecent Exposure (Between 8 p.m. & 5 a.m. Designated Cruising Area) | 150 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| 92-3-3-a | Junk Collectors & Dealers Reg. | 50 - 500 | $260.32 | $67.68 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $379.00 | $84.00 |
| . | Each subsequent offense | 500 - 5,000 | $997.62 | $259.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,308.00 | $84.00 |
| 92-3-8-a | Junk Collectors & Dealers Sales Form | 50 - 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| . | Each subsequent offense | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 92-3-8-c | DOB, ID/License Number Requirement | 50 - 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| | Each subsequent offense | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 105-45-5 | Laser Pointers - Failure to Comply with Retail Sales Regulations | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 105-45-4 | Laser Pointers - Possession by Minor | 200 - 200 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| 105-45-2 | Laser Pointers - Prohibited Use of | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 105-45-3 | Laser Pointers - Sale/Give to Minor | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 105-46-2 | Motorized Scooter Buyer Notice Posting | 500 5,000 | $997.62 | $259.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,308.00 | $84.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

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|---|---|---|---|---|---|---|---|---|---|---|---|
| 105-46-3 | Signed Statement/Motorized Scooter Buyer | 500 5,000 | $997.62 | $259.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,308.00 | $84.00 |
| 106-21-2 | Library Card - Unlawful Use | 0 - 1,000 | $78.57 | $20.43 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $150.00 | $84.00 |
| 106-21-5 | Library - Fraudulent Registration / Use of Card | 0 - 1,000 | $78.57 | $20.43 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $150.00 | $84.00 |
| 106-21-3 | Library Materials - Fail to Return | 0 - 1,000 | $78.57 | $20.43 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $150.00 | $84.00 |
| 106-21-4 | Library Materials - Theft of | 0 - 1,500 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 106-21-7 | Alteration of Computer Record | 0 - 1,500 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 106-30-2-a | Sale of tobacco to persons under 18 - first offense | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-30-2-a | Sale of tobacco to persons under 18 - second offense | 200 - 500 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| 106-30-3-e | Sell In Stamped Package or Cont. Req. | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-30.5-1 | Falsely Representing Age to Purchase Cigarettes | 0 - 50 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 106-30.5-2 | Minor Purchase/Possess Cigarette/Tobacco | 0 - 50 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 118-62-2 | Loiter - Drawbridge | 25 - 100 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 106-31-2 | Loitering - Dwelling Areas | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-31-2 | Between 8 p.m. and 5 a.m. in Designated Cruising Area) | 150 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| 106-35.6-2 | Loitering - Illegal Drug Activity | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 106-31-1 | Loitering or Prowling | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-31-1 | Between 8 p.m. and 5 a.m. in Designated Cruising Area) | 150 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| 106-31-7 | Loitering - Prostitution Related | 0 - 500 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| | Between 8 p.m. and 5 a.m. in Designated Cruising Area) | 150 - 500 | $306.35 | $79.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $437.00 | $84.00 |
| 106-31-5 | Loitering - Public Buildings | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| | Between 8 p.m. and 5 a.m. in Designated Cruising Area) | 150 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| 106-31-3 | Loitering - Public Rest Rooms | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| | Between 8 p.m. and 5 a.m. in Designated Cruising Area) | 150 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| 106-31-6 | Loitering - Restaurants, Taverns | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| | Between 8 p.m. and 5 a.m. in Designated Cruising Area) | 150 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| 106-31-4 | Loitering - School Property | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| | Between 8 p.m. and 5 a.m. in Designated Cruising Area) | 150 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| 106-31-8 | Loitering in Parking or Structure Lot | 0 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| | Between 8 p.m. and 5 a.m. in Designated Cruising Area) | 150 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| 106-31-9 | Loitering in Private or Public Residential Property | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-31-9 | Between 8 p.m. and 5 a.m. in Designated Cruising Area) | 150 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| 106-35-2 | Loitering - Soliciting Prostitutes | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 106-11 | Mashing | 250 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 75-21 | Massage Establishments Regulations | 100 - 1,000 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 105-77-1 | Misuse of Emergency 911# | 50 - 300 | $98.41 | $25.59 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $175.00 | $84.00 |
| 80-10-6-b | Chronic Nuisance Premises | 1,000 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 80-10-2-b-30 | Chronic Nuisance Premises-Truancy Related Violators | 1,000 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 80-10-2-b-31 | Chronic Nuisance - Underage Drinking - 1st Offense (Under Age 17) | 0 - 50 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 80-10-2-b-31 | Chronic Nuisance - Underage Drinking - 2nd Offense (Under Age 17) | 0 - 100 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 80-10-2-b-31 | Chronic Nuisance - Underage Drinking - 3rd Offense (Under Age 17) | 0 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 80-10-2-b-31 | Chronic Nuisance - Underage Drinking - 4th Offense (Under Age 17) | 0 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 80-10-2-b-31 | Chronic Nuisance - Underage Drinking - 1st Offense (Age 17 - 20) | 100 - 200 | $106.35 | $27.65 | $106.35 | $27.65 | $28.00 | $10.00 | $13.00 | $185.00 | $185.00 |
| 80-10-2-b-31 | Chronic Nuisance - Underage Drinking - 2nd Offense (Age 17 - 20) | 200 - 300 | $206.35 | $53.65 | $206.35 | $53.65 | $28.00 | $10.00 | $13.00 | $311.00 | $311.00 |
| 80-10-2-b-31 | Chronic Nuisance - Underage Drinking - 3rd Offense (Age 17 - 20) | 300 - 500 | $306.35 | $79.65 | $306.35 | $79.65 | $28.00 | $10.00 | $13.00 | $437.00 | $437.00 |
| 80-10-2-b-31 | Chronic Nuisance - Underage Drinking - 4th Offense (Age 17 - 20) | 500 - 1,000 | $506.35 | $131.65 | $506.35 | $131.65 | $28.00 | $10.00 | $13.00 | $689.00 | $689.00 |
| 80-10-2-b-32 | Chronic Nuisance - Adult A&A Underage Drinking-1st Offense | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 80-10-2-b-32 | Chronic Nuisance - Adult A&A Underage Drinking 2nd Offense | 200 - 500 | $250.00 | $65.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $366.00 | $84.00 |
| 80-10-2-b-32 | Chronic Nuisance - Adult A&A Underage Drinking - 3rd Offense | 500 - 1,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 80-10-2-b-32 | Chronic Nuisance - Adult A&A Underage Drinking-4th Offense | 1,000 - 5,000 | $1,006.35 | $261.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,319.00 | $84.00 |
| 80-63-1 | Excessive Noise Prohibited | 50 - 500 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 80-63-1 | Excessive Noise Prohibited (Between 8 p.m. and 5 a.m. in designated cruising area) | 250 - 1,000 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 80-65-4 | Noise Nuisance | 50 - 500 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 80-65-4 | Noise Nuisance (Between 8 p.m. and 5 a.m. in designated cruising area) | 250 - 1,000 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 106-7-2-a-1 | Obscene Materials / Performance | 500 - 2,000 | $600.00 | $156.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $807.00 | $84.00 |
| 106-7-2-a-2 | Obscene Performance / Produce, Present, Direct | 500 - 2,000 | $600.00 | $156.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $807.00 | $84.00 |
| 104-15 | Obstruct Fire / Policeman during Fire | 50 - 100 | $107.14 | $27.86 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $186.00 | $84.00 |
| 50-25-5 | Obstructing Issuance of Citation | 10 - 250 | $107.14 | $27.86 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $186.00 | $84.00 |
| 115-32-1 | Obstruction on Public Ways | 25 - 250 | $76.19 | $19.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $147.00 | $84.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 105-55-1 | Outdoor Magazine Solicitation | 0 - 100 | $47.62 | $12.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $111.00 | $84.00 |
| 101-32.4 | Parking Meters - Damaging / Tampering | 50 - 500 | $78.57 | $20.43 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $150.00 | $84.00 |
| 106-3 | Patron of House of Prostitution | 0 - 100 | $66.67 | $17.33 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $135.00 | $84.00 |
| 106-3 | Place of Prostitution | 100 - 500 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| 92-1-2 | Pawnbrokers License | 250 - 1,000 | $265.87 | $69.13 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $386.00 | $84.00 |
| 101-32.4 | Damaging or Tampering With Parking Meters | 50 - 500 | $78.57 | $20.43 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $150.00 | $84.00 |
| 106-38-2 | Possession of Marijuana | 250 - 500 | $265.87 | $69.13 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $386.00 | $84.00 |
| 80-3 | Private Visual Presentation Violations on Commercial Establishment | 50 - 500 | $265.87 | $69.13 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $386.00 | $84.00 |
| 106-1.8-1 | Public Drinking | 50 - 250 | $65.87 | $17.13 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $134.00 | $84.00 |
| 106-2.1-1 | Public Drinking - Parking Structure | 50 - 250 | $65.87 | $17.13 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $134.00 | $84.00 |
| 105-138-2 | Resist / Obstruct an Officer | 100 - 500 | $107.14 | $27.86 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $186.00 | $84.00 |
| 105-138-2 | Resist / Obstruct an Officer (8 p.m. - 5 a.m. Designated Cruising Area) | 200 - 1,000 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| | Retail Theft - Value $100 to $499.99 | 0 - 500 | $406.35 | $105.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $563.00 | $84.00 |
| 110-35-1 | Retail Theft - Value not >$99.99 | 0 - 500 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 105-1-3-a | Riot, Disorderly Assemblage (Failure or Refusal to Withdraw) | 0 - 500 | $52.38 | $13.62 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $117.00 | $84.00 |
| 105-1-3-c | Riot, Disorderly Assemblage (Failure or Refusal to Withdraw/ 3 or More Vehicles Involved) | 250 - 1,000 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 84-41-1 | Roller Skate Rentals - License Required and Restrictions | 50 - 250 | $60.32 | $15.68 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $127.00 | $84.00 |
| 105-19-1 | Roller Skates / Skateboard User Restrictions | 0 - 25 | $24.60 | $6.40 | $23.81 | $6.19 | $28.00 | $10.00 | $13.00 | $82.00 | $81.00 |
| 105-48-2 | Smoking in City Building 1st Viol. | 25 - 100 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| | 2nd Violation W/in One Year | 100 - 200 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| | Each Additional Violation W/in One Year | 200 - 500 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| 105-49-1 | Smoking in Theater | 0 - 10 | $6.35 | $1.65 | $5.55 | $1.44 | $28.00 | $10.00 | $13.00 | $59.00 | $57.99 |
| 110-36 | Shopping Carts Ordinance | 25 - 500 | $48.41 | $12.59 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $112.00 | $84.00 |
| | Each Subsequent Offense | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 110-36-1-a | Removal of a Grocery/Shopping Cart | 25 - 500 | $48.41 | $12.59 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $112.00 | $84.00 |
| | Each Subsequent Offense | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 110-36-1-b | Possession of a Grocery/Shopping Cart | 25 - 500 | $48.41 | $12.59 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $112.00 | $84.00 |
| | Each subsequent offense | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 116-8-1 | Sidewalks Kept Clean | 1 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 244-18-1 | Signs Posted on Public Property | 25 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 105-56-2-a | Sale on Public Premises Without Consent | 20 - 200 | $48.41 | $12.59 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $112.00 | $84.00 |
| 105-69-2 | Sniffing Harmful Substances / Transfer to Minor (Paint) | 100 - 500 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 116-12-1 | Snow Plowing Equipment License | 10 - 100 | $48.41 | $12.59 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $112.00 | $84.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 80-15 | Spitting in Public Places | 50 - 500 | $60.32 | $15.68 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $127.00 | $84.00 |
| 106-34-3-a | Spray Paint / Wide Tipped Markers, Etching Crm. Display Regs. | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 106-34-3-b | Graffiti is Against the Law Sign Required | 500 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 106-34-2-b | Spray Paint / Wide Tipped Markers,Etching Crm. - Possession of by Minors | 200 - 500 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| 106-34-2-a | Spray Paint / Wide Tipped Markers, Etching Crm. - Sale of to Minors | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 97-3-1 | Tampering w/Water Works Facilities and Theft of Water (Permit Required) | 0 - 1,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 100-50-1-a | Public Passenger Vehicle Permits Required | 250 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| | Violation within 24 Months of Previous Vio. | 500 - 750 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| | 2 or More Violations within 24 Months of Previous Vio. | 750 - 1,000 | $756.35 | $196.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,004.00 | $84.00 |
| 100-50-1-b | Operate Public Passenger Vehicle w/o Permit | 250 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| | Violation within 24 Months of Previous Vio. | 500 - 750 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| | 2 or More Violations within 24 Months of Previous Vio. | 750 - 1,000 | $756.35 | $196.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,004.00 | $84.00 |
| 100-50-11-e | Public Passenger Vehicle/Permit Not Properly Displayed | 25 - 500 | $121.43 | $31.57 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $204.00 | $84.00 |
| 100-54-1-b | Public Passenger Vehicle-Allowing Non-Licensed Driver | 25 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 100-51.5-1-a thru g | Public Passenger Vehicle-Vehicle Standards Requirements | 25 - 500 | $76.19 | $19.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $147.00 | $84.00 |
| 100-51.5-2-a thru m | Public Passenger Vehicle Equipment Requirements/Vehicle Condition | 25 - 500 | $76.19 | $19.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $147.00 | $84.00 |
| 100-54-1-a | Public Passenger Vehicle Drivers License Required | 25 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 100-59-1-a | Public Passenger Vehicle-License to be Exhibited | 25 - 500 | $121.43 | $31.57 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $204.00 | $84.00 |
| 100-59-2-a | Public Passenger Vehicle-Refusing Name or License Number | 25 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 100-59-2-b | Public Passenger Vehicle-Refusing to Give Receipt | 25 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 100-59-3-a | Public Passenger Vehicle/Failure to Pay Fare | 25 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 100-59-3-b | Public Passenger Vehicle/Refusal or Neglect to Convey Orderly Person | 25 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 100-59-5 | Public Passenger Vehicle-Lost Articles Left in Vehicle | 25 - 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 100-59-6 | Public Passenger Vehicle-Map or Street Guide Required of Driver | 25 - 500 | $76.19 | $19.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $147.00 | $84.00 |
| 100-59-9-e | Public Passenger Vehicle-Smoking or Permitting Smoking | 25 - 500 | $121.43 | $31.57 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $204.00 | $84.00 |
| 100-59-13 | Public Passenger Vehicle-Daily Trip Records Required | 25 - 500 | $121.43 | $31.57 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $204.00 | $84.00 |
| 100-59-14-a | Public Passenger Vehicle-Daily Safety Inspection | 25 - 500 | $121.43 | $31.57 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $204.00 | $84.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 100-59-14-b | Public Passenger-Daily Safety Checklist Required/Maintained for 14 days | 25 - | 500 | $121.43 | $31.57 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $204.00 | $84.00 |
| 100-59-15 | Public Passenger Vehicle-Refuse Service to Disabled Person/With Service Animal | 25 - | 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 100-60-2-a | Taxi-Refuse Service at Taxi Stand | 25 - | 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 100-60-3-a | Taxi-Provide Radio Service to Unlicensed | 250 - | 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| | Violation within 24 Months of Previous Vio. | 500 - | 750 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| | 2 or More Violations within 24 Months of Previous Vio. | 750 - | 1,000 | $756.35 | $196.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,004.00 | $84.00 |
| 100-60-5 | Taxi-Late Service Response-More than 30 Minutes | 25 - | 500 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 100-61-3 | Horse and Surrey Sanitation | 25 - | 500 | $121.43 | $31.57 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $204.00 | $84.00 |
| 110-12-1-a | Landlord Evict Forced Entry Access Denied | 25 - | 500 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 110-12-1-b | Tenant Deny Access to Landlord | 25 - | 500 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 110-16-2 | Theft (Value Less than $500) | 0 - | 500 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 110-10-1 | Trespassing - Buildings / Premises | 0 - | 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 106-23.1-2 | Truancy | 0 - | 50 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| | 2nd and Subsequent Violations | 0 - | 100 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 106-23.1-2 | Habitual Truancy | 0 - | 50 | $30.16 | $7.84 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $89.00 | $84.00 |
| | 2nd and Subsequent Violations | 0 - | 100 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 101-20-1 | Unnecessary Vehicle Noise Prohibited | 100 - | 200 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 110-15 | Vandalism | 0 - | 500 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 110-15.5-1 | Vandalism - Graffiti Related $500 or less | 500 - | 2,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 110-15.5-1 | Vandalism - Graffiti Related More than $500 | 1,000 - | 2,000 | $2,006.35 | $521.65 | $26.19 | $6.81 | $28.00 | $20.00 | $13.00 | $2,589.00 | $94.00 |
| 105-64-1 | Vehicle Parked on Private Property | 50 - | 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 105-66-1 | Vehicle Repair on Street | 10 - | 100 | $48.41 | $12.59 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $112.00 | $84.00 |
| **Park and Parkway Ordinances** | | | | | | $26.19 | | | | $13.00 | | |
| 63-3 | Park Hours Violation | 25 - | 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 63-19-3-b | Animal Litter in Park / Parkway | 25 - | 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 63-5-1 | Noise from Radio / Phonograph / Musical Instruments | 25 - | 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 63-5-2 | Radio / Phonograph / Musical Instruments within 50 Feet of Park Bounds | 25 - | 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 63-7 | Interference with Exclusive Park Permits | 25 - | 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 63-9 | Permit Required for Sales or Distribution | 25 - | 500 | $80.16 | $20.84 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $152.00 | $84.00 |
| 63-11 | Possession of Firearms in Park | 25 - | 500 | $280.16 | $72.84 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $404.00 | $84.00 |
| 63-13 | Hunt / Trap within Park / Parkway | 25 - | 500 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 63-15 | Throw Stones / Missiles in Park | 25 - | 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 63-17 | Fires in Park | 25 - | 500 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 63-19-1 | Domestic Animal in Park Except Dog on Leash | 25 - | 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 63-19-3-a | Animal at Large in Park | 25 - 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 63-21-1-a | Throw Objects into Water | 25 - 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 63-21-1 | Fish where Prohibited by Signs | 25 - 500 | $25.40 | $6.60 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $83.00 | $84.00 |
| 63-21-1-c | Fish Line Unattended / Fish by Illegal Method | 25 - 500 | $30.16 | $7.84 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $89.00 | $84.00 |
| 63-21-1-b | Fish without Hook / Line within 200 Feet of Fishway / Lock / Dam | 25 - 500 | $30.16 | $7.84 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $89.00 | $84.00 |
| 63-21-2 | Waterfowl / Game Birds - Kill, Injure or Disturb | 25 - 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 63-23 | Skateboard Regulation in Parks | 25 - 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| | | | | | | | | | $13.00 | | |
| Neighborhood Services | | | | | | | | | | | |
| 64-12 | Mobile Home / Campground - Post Regulations | 1 - 500 | 95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 66-12-3 | Asbestos Prohibited | 100 - 5,000 | $400.00 | $104.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $555.00 | $84.00 |
| 66-12-5-a | Asbestos Project Permit and Plan Required | 100 - 5,000 | $400.00 | $104.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $555.00 | $84.00 |
| 74-1-7.5-c | Peddler Vehicles - Use of Horn | 25 - 200 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 75-1-7-L | Self-Service Laundries Hours | 25 - 200 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 75-1-2 | Self-Service Laundry Registration Fee | 25 - 200 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 75-1-7 | Laundry Safety / Sanitary Regulations | 25 - 200 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 75-20-13-d | Swimming Pool Enclosure Regulations | 50 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 75-20.1 | No Swimming Pool Permit | 50 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 75-20.6 | Flooding Pool Drainage | 50 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 75-21-2-a | Massage Establishment License Required | 100 - 1,000 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 75-21-7 | Prohibited Practices (Massage) | 100 - 1,000 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 76-20-2 | Dry Cleaners Regulations Permit | 100 - 5,000 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 76-20-7 | improper Solvent / Vapor Control | 100 - 5,000 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 77-5-3-a | Pesticide Registration | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-3-1 | Animal-Owner or Caretaker's Duty | 100 - 1,000 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 78-5-1 | Keeping of Animal Within City | 50 - 500 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 78-5-2-a | Certain Animals Prohibited | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-5-2-b | Bringing Dangerous Animal into City | 500 - 500 | $500.00 | $130.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $681.00 | $84.00 |
| 78-5-2-c | Bringing Animal, insect, Bird into City which is Detrimental to Health | 50 - 500 | $300.00 | $78.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $429.00 | $84.00 |
| 78-5-3 | Number of Animals Prohibited | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-a | Kennels, Horse Stables (PERMIT) | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-b-1 | Health of Animals (KENNEL) | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-b-2 | Quarters of Animals Keep Clean (KENNEL) | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-b-3 | Enclosures or Pens Space (KENNEL) | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-b-4 | Food Supplies (KENNEL) | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-b-5 | Bedding Material (KENNEL) | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-b-6 | Feces Removed Daily (KENNEL) | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-b-7 | Yards, Pens of Animals, Pest Free (KENNEL) | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-b-8 | Animal Odor Nuisance (KENNEL) | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-c-1 | Horse Enclosures Large Enough | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-c-2 | Horse Stables Indoors | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-c-3 | Horse Stable Temperature Regulations | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-1-c-4 | Water Supply for Cleaning Purposes | 25 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 78-7-1-c-5 | Approved Sewage System (HORSE STABLE) | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-2-a | Animal Fancier Permit | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-7-2-b-1 | Inspection for Animal Fancier Permit | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-9-1 | Pet Shop Permit | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-9-2 | Pet Shop Operation | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-9-3 | Immunization (PET SHOP) | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-9-4 | Record of Sale (PET SHOP) | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-9-5 | Sale of Bats, Foxes, Raccoons, Skunks Prohibited | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-11-1 | Grooming Establishment Permits | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-11-2 | Grooming Establishments Operation | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-11-2-a | Grooming Establishment Floors | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-11-2-b | Animal Hair and Manure Disposal | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-11-2-c | Animal Grooming Facilities | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-11-2-d | Animals in Grooming Establishment After Hours | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-11-2-e | Insect and Rodent Infestations (GROOMING ESTABLISHMENT) | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-11-2-f | Maintenance of Grooming Establishment | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-13 | Posting of Permit (KENNELS, PET SHOPS, GROOMING Establishments) | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-15 | Commercial Animal Establishment Sanitary Conditions | 25 - | 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-17-1 | Dog and Cat License | 25 - | 200 | $30.16 | $7.84 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $89.00 | $84.00 |
| 78-19-1 | Animals at Large - 1st VIOLATION | 25 - | 200 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| | Animals at Large - 2nd VIOLATION | 50 - | 500 | $300.00 | $78.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $429.00 | $84.00 |
| 78-19-2 | Setting at Large | 25 - | 200 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-19-3 | Animal Litter | 25 - | 200 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-22-1 | Pit-Bull/Rottweiler Dogs - leash requirement | 50 - | 500 | $400.00 | $104.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $555.00 | $144.00 |
| 78-22-2 | Pit-Bull/Rottweiler Dogs - fence requirement | 50 | 500 | $400.00 | $104.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $555.00 | $144.00 |
| 78-22-3 | Pit-Bull/Rottweiler Dogs - Behavior Training Requirement | 50 | 500 | $356.35 | $92.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $402.00 | $144.00 |
| 78-23-1-a | Dangerous Animals - 1st VIOLATION | 50 - | 500 | $506.35 | $131.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $689.00 | $144.00 |
| 78-23-1-a | Dangerous Animals - 2nd VIOLATION | 50 - | 500 | $506.35 | $131.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $689.00 | $144.00 |
| 78-23-1-a | Dangerous Dog - Caused Injury | 500 - | 500 | $506.35 | $131.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $689.00 | $144.00 |
| 78-23-2 | Leash / Muzzle - 1st VIOLATION | 100 - | 1,000 | $506.35 | $131.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $689.00 | $144.00 |
| 78-23-2 | Leash / Muzzle - 2nd VIOLATION | 500 - | 500 | $506.35 | $131.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $689.00 | $144.00 |
| 78-23-3-a | Confinement of Dangerous Animals - 1st VIOLATION | 100 - | 1,000 | $300.00 | $78.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $429.00 | $144.00 |
| 78-23-3-a | Confinement of Dangerous Animals - 2nd VIOLATION | 500 - | 500 | $506.35 | $131.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $689.00 | $144.00 |
| 78-23-3-b | Kennel / Pen Standards - 1st VIOLATION | 100 - | 1,000 | $300.00 | $78.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $429.00 | $144.00 |
| | Kennel / Pen Standards - 2nd VIOLATION | 500 - | 500 | $506.35 | $131.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $689.00 | $144.00 |
| 78-23-4 | Confinement Indoors - 1st VIOLATION | 100 - | 1,000 | $300.00 | $78.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $429.00 | $144.00 |
| | Confinement Indoors - 2nd VIOLATION | 500 - | 500 | $506.35 | $131.65 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $689.00 | $144.00 |
| 78-23-5 | Signs Posted - DANGEROUS ANIMAL | 50 - | 500 | $300.00 | $78.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $429.00 | $144.00 |
| 78-23-6 | Spay / Neuter Requirement | 50 - | 500 | $300.00 | $78.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $429.00 | $144.00 |
| 78-23-7 | Liability Insurance | 50 - | 500 | $300.00 | $78.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $429.00 | $144.00 |
| 78-23-10 | Dangerous Animal at Large Notification | 50 - | 500 | $300.00 | $78.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $429.00 | $144.00 |
| 78-25-1 | Prohibited Dangerous Animal | | | | | | | | | | | |
| | 1st VIOLATION | 150 - | 1,000 | $300.00 | $78.00 | $147.62 | $38.38 | $28.00 | $10.00 | $13.00 | $429.00 | $237.00 |
| | 2nd VIOLATION | 500 - | 500 | $506.35 | $131.65 | $147.62 | $38.38 | $28.00 | $10.00 | $13.00 | $689.00 | $237.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 78-27-1 | Failure to Surrender Rabid Animal | 50 - 500 | $300.00 | $78.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $429.00 | $144.00 |
| 78-27-3 | Harborage of Rabid Animal | 50 - 500 | $300.00 | $78.00 | $73.81 | $19.19 | $28.00 | $10.00 | $13.00 | $429.00 | $144.00 |
| 78-29-1 | Animal Disturbing Peace | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-31-1-a | Cruelty to Animals | 50 - 500 | $143.65 | $37.35 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $232.00 | $84.00 |
| 78-31-1-b | Abandon / Transport Animal in Cruel Manner | 50 - 500 | $143.65 | $37.35 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $232.00 | $84.00 |
| 78-31-2 | Lack of Food / Water | 50 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 78-31-3-a | Lack of Sufficient Shelter | 50 - 500 | $90.48 | $23.52 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $165.00 | $84.00 |
| 78-31-3-b | Lack of Shade | 50 - 500 | $90.48 | $23.52 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $165.00 | $84.00 |
| 78-31-3-c | Moisture Proof / Wind Proof Shelter | 50 - 500 | $90.48 | $23.52 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $165.00 | $84.00 |
| 78-31-4 | Leashes - Proper Length | 50 - 500 | $90.48 | $23.52 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $165.00 | $84.00 |
| 78-35 | Bird Feeding | 25 - 200 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-37 | Pigeon Harborages | 25 - 200 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-39 | Selling Baby Fowl | 25 - 200 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-41 | Stuffed Animals; Preservatives | 25 - 200 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-43 | Turtles | 25 - 200 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-45 | Giving Away Animal / Prizes | 25 - 200 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-47 | Display of Birds - Food Est. | 25 - 200 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 78-49 | Removal of Dead Animals | 50 - 500 | $222.22 | $57.78 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $331.00 | $84.00 |
| 78-53-1 | Parking of Dead Animal Conveyance | 50 - 500 | $222.22 | $57.78 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $331.00 | $84.00 |
| 78-53-2 | Vehicle Sanitation - Dead Animals | 50 - 500 | $222.22 | $57.78 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $331.00 | $84.00 |
| 78-53-3 | Vehicle Construction - Dead Animals | 50 - 500 | $222.22 | $57.78 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $331.00 | $84.00 |
| 79-2-6 | Nauseous or Offensive Waste | 25 - 500 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| | Each Subsequent Offense | 50 - 500 | $306.35 | $79.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $437.00 | $84.00 |
| 79-2-7 | Construction Waste | 25 - 500 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| | Each Subsequent Offense | 50 - 500 | $306.35 | $79.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $437.00 | $84.00 |
| 79-2-11 | Yard Waste | 25 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| | Each Subsequent Offense | 50 - 500 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 79-3-1 | Waste Containers Required (Residential Premises) | 25 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| | Each Subsequent Offense | | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 79-3-4-a | Improperly Secured Waste Receptacle (Commercial) | 25 - 500 | $156.35 | $40.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $248.00 | $84.00 |
| | Each Subsequent Offense | 50 - 500 | $306.35 | $79.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $437.00 | $84.00 |
| 79-4-1-a | Portable, Rodent-Resistant Waste Containers Required | 25 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| | Each Subsequent Offense | 50 - 500 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 79-4-1-b | Improper Garbage Disposal (Outside of Container) | 25 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| | Each Subsequent Offense | 50 - 500 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 79-5-1 | Location of Containers ( On Premises) | 25 - 500 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 79-5-2 | Location of Containers ( Near Alley) | 25 - 500 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 79-5-3 | Access to Waste Containers | 25 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 79-5-6 | Location of Containers (Addresses Posted) | 25 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 79-5.5-1 | Unauthorized Removal of Contents of Waste Container | 25 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| | Each subsequent offense | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 79-5.7-1 | Unauthorized Addition to Contents of Waist Containers | 25 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Each Subsequent Offense | 50 - 500 | $106.35 | $27.65 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 79-9-1 | Private Waste Collector Regulations (Nuisance Prohibited) | 250 - 1,000 | $256.35 | $66.65 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 79-10-2 | Littering on Street by Motor Vehicle (Contractor Responsibility) | 25 - 500 | $73.81 | $19.19 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| | Each Subsequent Offense | 50 - 500 | $106.35 | $27.65 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 79-11 | Litter of Public Property | 50 - 500 | $73.81 | $19.19 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| | Each subsequent offense & offenses between 8 p.m. & 5 a.m. in cruising area | 100 - 500 | $106.35 | $27.65 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 79-12-1 | Littering Upon Any Premises | 50 - 500 | $73.81 | $19.19 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| | Each subsequent offense & offenses between 8 p.m. & 5 a.m. in cruising area | 100 - 500 | $106.35 | $27.65 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 79-14.5-1 | Depositing of Commercial Waste | 25 - 500 | $256.35 | $66.65 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| | 2nd and subsequent offenses | 50 - 500 | $506.35 | $131.65 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 79-40-1 | Unauthorized Removal of Recyclables | 25 - 500 | $73.81 | $19.19 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 79-40-2 | Unauthorized Removal of Recycling Containers | 25 - 500 | $32.54 | $8.46 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $92.00 | $84.00 |
| 80-46-3 | Dumping Violations | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 80-6.1 | Discharge of Offensive & Hazardous Substance - Public Nuisance | 50 - 500 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 80-17-2 | Hayfever / Noxious Weeds to be Cut | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 80-19-2 | Nuisance Lights, Residential Property | 50 - 500 | $158.73 | $41.27 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $251.00 | $84.00 |
| 80-29-1 | Masonry Building Cleaning: Sandblasting | 50 - 500 | $400.00 | $104.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $555.00 | $84.00 |
| 80-31 | Breeding Place for Flies | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 80-45-1-a | Public Dump Regulations (Permit Required) | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 80-48-2 | Elimination of Rat Harborages | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 80-48-3 | Elimination of Rat Feeding Places | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 80-48-4 | Extermination of Rodents (Owner / Property Mgmt.) | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 80-48-5 | Rat-Proofing Dwelling (Owner/Property Mgmt.) | 50 - 500 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 80-49-3 | Nuisance Vehicles (Certain Vehicles Prohibited) | 150 - 1,000 | $158.73 | $41.27 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $251.00 | $84.00 |
| 80-65-4 | Petition of Noise Nuisance (e.g. music, bands) | 150 - 1,000 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| | Between 8 p.m. and 5 a.m. in Cruising Area | 250 - 1,000 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| 80-68-1 | Residential Air Conditioners (Excessive Noise Prohibited) | 50 - 500 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 80-69-1 | Engine Compression Braking Prohibited | 25 - 200 | $32.54 | $8.46 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $92.00 | $84.00 |
| 84-48-5 | Waste Tire Regulations | 100 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 101-5.5-1-a | Excessive Size, Weight, & Load Permit | 50 500 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| 84-48-7 | Waste Tire Nuisance Abatement | 100 - 5,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 105-79-1 | Legal Occupant List for Residential Rental Property | 150 - 5,000 | $158.73 | $41.27 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $251.00 | $84.00 |
| 118-80-4 | Spear Guns | 0 - 50 | $50.00 | $13.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $114.00 | $84.00 |
| | Second Offense within any permit year | 100 - 100 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 118-80-5 | Littering Water Ways Prohibited | 0 - 50 | $50.00 | $13.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $114.00 | $84.00 |
| | Second Offense within any permit year | 100 - 100 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 200-11-4 | Illegal Occupancy and use | 150 - 5,000 | $400.00 | $104.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $555.00 | $84.00 |
| 200-11-5 | Buildings, Structures, Dwelling, Equipment Unsafe/Unfit | 150 - 5,000 | $400.00 | $104.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $555.00 | $84.00 |
| 200-20-2 | Evictions/Retaliation Prohibited | 25 - 500 | $300.00 | $78.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $429.00 | $84.00 |
| 200-24-1 | Permit Required for Alterations or Additions | 150 - 5,000 | $300.00 | $78.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $429.00 | $84.00 |
| 200-42-2-a | Certificate of Occupancy or Zoning Required | 150 - 5,000 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 200-42-5 | Failure to Post Occupancy Certification | 150 5,000 | $158.73 | $41.27 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $251.00 | $84.00 |
| 200-42-2-c | Illegal Occupancy - No Certification, Unfit for Habitation, Subject to Orders, & Vacant 6 Months | 150 - 5,000 | $200.00 | $52.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $303.00 | $84.00 |
| 200-42-4-a | Occupancy Certificate-Required Information | 150 - 5,000 | $300.00 | $78.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $429.00 | $84.00 |
| 200-42-2-d | Illegal Occupancy - No Certification, Unfit for Habitation, and Placarded | 150 - 5,000 | $300.00 | $78.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $429.00 | $84.00 |
| 200-51.5-3-a | Property Recording | 150 - 5,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 200-51.5-3-a | Property Recording | 150 - 5,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 200-51.5-3-a | Property Recording | 150 - 5,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 214-3 | Fire Prevention Code | 150 5,000 | $406.35 | $105.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $563.00 | $84.00 |
| 218-6-4 | Sprinkle Debris to Mitigate Dust/Dirt | 150 - 5,000 | $406.35 | $105.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $563.00 | $84.00 |
| 222-13-1 | No Electrical Permit | 150 - 5,000 | $448.41 | $116.59 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $616.00 | $84.00 |
| 225-2-1 | Plumbing Registration & License Req. | 150 - 5,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 225-3-4 | Plumbing without Permit | 150 - 5,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 236-41-2 | Discharge/Discharge Discgg/Hzrd Sub on Public Street | 0 - 2,000 | $756.35 | $196.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,004.00 | $84.00 |
| 244-18-2 | Snipe Advertising Prohibited | 25 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 225-3-5-a | Violation of Plumbing Stop Work Order | 150 - 5,000 | $236.51 | $61.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $349.00 | $84.00 |
| 236-41-3-a | Containment, Cleanup and Restoration (Hazardous Substance Spills) | 0 - 2,000 | $756.35 | $196.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,004.00 | $84.00 |
| 252-74-1-a | Paving of Parking Lot Areas & Spaces | 150 - 5,000 | $158.73 | $41.27 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $251.00 | $84.00 |
| 275 | Building Maintenance | 150 - 5,000 | $233.33 | $60.67 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $345.00 | $84.00 |
| 252-74-1-a | Licensing/Licensed Dwelling Facilities | 2,500 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 275-33-1 | Interior Structure Violation | 150 - 5,000 | $236.51 | $61.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $349.00 | $84.00 |
| 252-74-1-a | Maintenance of Premises (Graded and Drained) | 150 - 5,000 | $236.51 | $61.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $349.00 | $84.00 |
| 290-7-2-d | Drain Inlet Protection Inadequate | 150 - 5,000 | $236.51 | $61.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $349.00 | $84.00 |
| 290-9 | Control Plan for Building and Site Development | 150 - 5,000 | $756.35 | $196.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,004.00 | $84.00 |
| 295 | Zoning Violations | 150 - 5,000 | $233.33 | $60.67 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $345.00 | $84.00 |
| 295-403-3-b | Unpaved Parking Surface | 150 - 5,000 | $157.14 | $40.86 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $249.00 | $84.00 |
| 295-403-2-a | Number of Spaces Required | 50 - 500 | $157.14 | $40.86 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $249.00 | $84.00 |
| 295-503-1 | Land Uses in Residential Districts | 150 - 5,000 | $236.51 | $61.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $349.00 | $84.00 |
| 295-505-4-b-4 | Parking > 4 vehicles outside of structure | 150 - 5,000 | $236.51 | $61.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $349.00 | $84.00 |
| 295-505-4-b-9 | Unreg. Vehicle Parked > 30 days | 150 - 5,000 | $236.51 | $61.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $349.00 | $84.00 |

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 295-603-1 | Illegal Outdoor Storage | 150 - 5,000 | $236.51 | $61.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $349.00 | $84.00 |
| 295-805-4-h-2 | Stockpile Height Limitation Exceeding | 150 - 5,000 | $236.51 | $61.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $349.00 | $84.00 |
| 308-81-9 | Historic Preservation | 150 - 5,000 | $236.51 | $61.49 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $349.00 | $84.00 |
| Fire Ordinances | | - | | | $26.19 | | | | | | |
| 104-7-1 | False Fire Alarm (per Count) | 100 - 500 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 104-9 | Driving over Fire hose Prohibited | 0 - 25 | $24.60 | $6.40 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $82.00 | $84.00 |
| | Subsequent Conviction of Offense | 0 - 50 | $50.00 | $13.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $114.00 | $84.00 |
| Health Ordinances | | - | | | $26.19 | | | | | | |
| 59-7-1 | Right of Entry (Health Commissioner) - 1st Offense | 50 - 100 | $73.81 | $19.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $144.00 | $84.00 |
| 59-7-1 | Right of Entry (Health Commissioner) - 2nd Offense | 100 - 200 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 66-12-9-a | Removal, Transport or Storage of Asbestos Not Properly Wetted | 100 - 5,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 66-12-9-b | Failure to Maintain Continuous Negative Pressure Until Final Clearance Received | 100 - 5,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 66-12-9-c | Failure to Monitor Worker Exposure to Asbestos Fibers | 100 - 5,000 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 66-12-9-e | Failure to Provide Windows in Containment that Afford Unobstructed View | 100 - 5,000 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 66-12-9-f | Failure to Provide Three-Stage Decon. Unit Contiguous to Containment Area | 100 - 5,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 66-12-9-g | Conducting Asbestos Abatement Activities without Valid Permit | 100 - 5,000 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |
| 66-12-9-i | Conducting Abatement Activities without DHFS-Certified Workers | 100 - 5,000 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 66-12-9-j | Failure to Secure Abatement Site | 100 - 5,000 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 66-12-9-k | Action or Failure to Take Action Which May Result in Exposure of Abatement Workers, Public or Environment to Asbestos | 100 - 5,000 | $400.00 | $104.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $555.00 | $84.00 |
| 66-12-4 | Failure to Remove or Treat Asbestos Nuisance | 100 - 5,000 | $247.62 | $62.52 | $26.19 | $5.57 | $28.00 | $10.00 | $13.00 | $349.00 | $73.00 |
| 66-12-9-L | Failure to Comply with All Requirements of Asbestos Inspection | 100 - 5,000 | $400.00 | $104.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $555.00 | $84.00 |
| 66-22-1-a | Lead-Based Nuisance | 100 - 5,000 | $587.30 | $152.70 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $791.00 | $84.00 |
| 66-22-4 | Lead Hazard Project Permit | 100 - 5,000 | $400.00 | $104.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $555.00 | $84.00 |
| 66-22-4-h-1 | Permit Required to conduct lead Hazard Reduction | 100 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 66-22-4-h-2 | Certification of Worker | 100 - 5,000 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 66-22-4-h-3 | Certified Lead Supervisor | 100 - 5,000 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 66-22-4-h-4 | Failure to meet performance criteria | 100 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 66-22-4-h-5 | Failure to meet specifications of standard treatments | 100 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 66-22-4-h-6 | Failure to secure the lead hazard reduction site or post | 100 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 66-22-4-h-7 | Failure to provide department approved interior or ext. | 100 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 66-22-4-h-8 | Failure to properly decontaminate the areas undergoing | 100 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 66-22-4-h-9 | Improper Disposal of lead hazardous wastes | 100 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 66-22-4-h-10 | Subcontractor on Projects | 100 - 5,000 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 66-22-4-h-11 | Failure to be in compliance with all applicable local, state & federal laws & regulations | 100 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 66-22-6 | Interior Site Preparation | 100 - 5,000 | $173.81 | $45.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $270.00 | $84.00 |
| 66-22-7 | Interior Lead Hazard Reduction Standards | 100 - 5,000 | $306.35 | $79.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $437.00 | $84.00 |
| 66-22-8 | Exterior Site Preparation | 100 - 5,000 | $173.81 | $45.19 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $270.00 | $84.00 |
| 66-22-9 | Exterior Lead Hazard Reduction Standards | 100 - 5,000 | $306.35 | $79.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $437.00 | $84.00 |
| 66-22-10-a | Lead Dust Wipe Sampling Reqs. | 100 - 5,000 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 66-22-12 | Approved Material, Prod. Work Methods | 100 - 5,000 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 68-01 | State Code Violation (Food on Premises) | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 68-2 | Food Sanitation | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 66-22-10-a | Lead Dust Wipe Sampling Reqs. | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 68-4-1-a | Food Dealer License | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 68-4.3-2-e-4 | On-Duty Employee Provide Video Immediately | 500 - 5,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 75-51-5-a | Tattooing and body-piercing license required | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 75-51-11-a-1 | Tattooing and body-piercing operation after license revocation or suspension | 0 - 500 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 66-22-10-a | Lead Dust Wipe Sampling Reqs. | 0 - 500 | $500.00 | $130.00 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $681.00 | $84.00 |
| 75-51-16-b | Tattooing or offering to tatou a person under 18 years of age | 0 - 200 | $106.35 | $27.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $185.00 | $84.00 |
| 84-5-3 | Class B Tavern/Age Restriction Not Posted | 0 - 500 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 84-7-3 | License Required to Open B/W 12a.m. & 5a.m. | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 87-2-2 | Pool & Billiard Hall License Required | 10 - 200 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 90-3-1 | License Req. - Liquor Basic Require | 2,500 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 90-3-2 | Illegal Alcohol Beverage Distribution/ | 2,500 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 90-3-3 | Separate License Required | 2,500 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 90-3-4 | Drive-In and Drive-Through Window Sales Prohibited | 2,500 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 90-3-5 | Evading Law by Giving Away Alcohol Bev. | 2,500 - 5,000 | $2,506.35 | $651.65 | $26.19 | $6.81 | $28.00 | $25.00 | $13.00 | $3,224.00 | $84.00 |
| 90-4-1 | Class "A" Liquor Consumed Off Premises Original Container | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-4-2-b-2 | Consumption from Bottle on Class "B" Premises | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-4-3 | Class "B" Tavern - Service Bar - at Tables Only | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-4-4-a | Class "B" Manager's License Required | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-4-4-b | Manager's Responsibility | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-4-4-c | Licensee's Responsibility | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-4-6-a | Class "B" Fermented Malt License Required | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | AOULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 90-4-7-a | Special Class "B" Malt License Required | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-4-7.8-g | Temporary Extension of Licensed Special Events | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-4-8 | Class "C" Malt Wholesaler License Required | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-4-10-a | Class "D"(Bartender) Operators License Required | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-5-2-a | Truth of Statements & Affidavits Falsifying | 0 - 500 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 90-5-12 | Report of Changes Required | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| | Residency Requirements | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-8-1 | Responsible Person upon License Premises | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-9 | Collusive Agreement | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-15-1 | Class "A" Liquor - Hours of Sale | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-15-2 | Class "B" Tavern - Patrons Permitted to Enter After Hours | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-15-3-a-3 | Class B Premises Patron Enter After Hrs. | 0 - 250 | $56.35 | $14.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $122.00 | $84.00 |
| 90-15-3-a-1 | Class "B" Tavern - Patrons Permitted to Enter After Hours | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-15-3-b | Hours of Sale in Original Package | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-16 | Display of License / Tavern | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-17 | Charges to be Posted in Tavern: Entertainment, Admission, Cover Minimum | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-18-1-a-1 | Sale to Underage Prohibited - 1st Offense | 0 - 500 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| 90-18-1-a-1 | Sale to Underage Prohibited - 2nd Offense | 200 - 500 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-18-1-a-1 | Sale to Underage Prohibited - 3rd Offense | 500 - 1,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 90-18-1-a-2 | Patron Furnishing Beer or Liquor to a Minor 1st Offense | 0 - 500 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 90-18-1-a-2 | Patron Furnishing Beer or Liquor to a Minor 2nd Offense | 200 - 500 | $356.35 | $92.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $500.00 | $84.00 |
| | Patron Furnishing Beer or Liquor to a Minor 3rd Offense | 500 - 1,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 90-18-1-a-2 | Patron Furnishing Beer or Liquor to a Minor 4th Offense | 1,000 - 5,000 | $1,006.35 | $261.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,319.00 | $84.00 |
| 90-18-1-a-3 | Permit Consumption / Alcohol - Minor 1st Offense | 0 - 500 | $247.62 | $64.38 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $363.00 | $84.00 |
| 90-18-1-a-3 | Permit Consumption / Alcohol - Minor 2nd Offense | 200 - 500 | $356.35 | $92.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $500.00 | $84.00 |
| 90-18-1-a-3 | Permit Consumption / Alcohol - Minor 3rd Ofense | 500 - 1,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 90-18-1-a-3 | Permit Consumption / Alcohol - Minor 4th Offense | 1,000 - 5,000 | $1,006.35 | $261.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $1,319.00 | $84.00 |
| 90-18-1-c | Underage Attempt/Or Procure Alcohol Bev.- 1st Offense (Age 17 - 20) | 250 - 500 | $256.35 | $66.65 | $256.35 | $250.00 | $28.00 | $10.00 | $13.00 | $374.00 | $374.00 |
| 90-18-1-c | Underage Attempt/Or Procure Alcohol Bev - 2nd Offense (Age 17 - 20) | 300 - 500 | $306.35 | $79.65 | $306.35 | $79.65 | $28.00 | $10.00 | $13.00 | $437.00 | $437.00 |
| 90-18-1-c | Underage Attempt/Or Procure Alcohol Bev - 3rd Offense(Age 17 - 20) | 500 - 750 | $506.35 | $131.65 | $506.35 | $131.65 | $28.00 | $10.00 | $13.00 | $689.00 | $689.00 |
| 90-18-1-c | Underage Attempt/Or Procure Alcohol Bev - 4th Offense (Age 17 - 20) | 750 - 1,000 | $756.35 | $196.65 | $756.35 | $196.65 | $28.00 | $10.00 | $13.00 | $1,004.00 | $1,004.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 90-18-1-c | Underage Attempt/Or Procure Alcohol Bev.- 1st Offense (Under Age 17) | 250 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | 84.00 | $84.00 |
| 90-18-1-c | Underage Attempt/Or Procure Alcohol Bev. - 2nd Offense (Under Age 17) | 300 - 500 | $306.35 | $79.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | 84.00 | $84.00 |
| 90-18-1-c | Underage Attempt/Or Procure Alcohol Bev. - 3rd Offense (Under Age 17) | 500 - 500 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | 84.00 | $84.00 |
| 90-18-2 | Possession / Consumption of Alcohol by Underage - 1st Offense (Age 17 - 20) | 100 - 200 | $106.35 | $27.65 | $106.35 | $27.65 | $28.00 | $10.00 | $13.00 | $185.00 | $185.00 |
| 90-18-2 | Possession / Consumption of Alcohol by Underage - 2nd Offense (Age 17 - 20) | 200 - 300 | $206.35 | $53.65 | $206.35 | $53.65 | $28.00 | $10.00 | $13.00 | $311.00 | $311.00 |
| 90-18-2 | Possession / Consumption of Alcohol by Underage - 3rd Offense (Age 17 - 20) | 300 - 500 | $306.35 | $79.65 | $306.35 | $79.65 | $28.00 | $10.00 | $13.00 | $437.00 | $437.00 |
| 90-18-2 | Possession / Consumption of Alcohol by Underage - 4th Offense (Age 17 - 20) | 500 - 1,000 | $506.35 | $131.65 | $506.35 | $131.65 | $28.00 | $10.00 | $13.00 | $689.00 | $689.00 |
| 90-18-2 | Possession / Consumption of Alcohol by Minor - 1st Offense JA (Under Age 17) | 0 - 50 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-18-2 | Possession / Consumption of Alcohol by Minor - 2nd Offense JA (Under Age 17) | 0 - 100 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-18-2 | Possession / Consumption of Alcohol by Minor - 3rd Offense (Under Age 17) | 0 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-18-3 | Underage Misrepresentating Age - 1st Offense (Age 17 - 20) | 250 - 500 | $256.35 | $66.65 | $256.35 | $66.65 | $28.00 | $10.00 | $13.00 | $374.00 | $374.00 |
| 90-18-3 | Underage Misrepresentating Age - 2nd Offense (Age 17 - 20) | 300 - 500 | $306.35 | $79.65 | $306.35 | $79.65 | $28.00 | $10.00 | $13.00 | $437.00 | $437.00 |
| 90-18-3 | Underage Misrepresentating Age - 3rd Offense (Age 17 - 20) | 500 - 750 | $506.35 | $131.65 | $506.35 | $131.65 | $28.00 | $10.00 | $13.00 | $689.00 | $689.00 |
| 90-18-3 | Underage Misrepresentating Age - 4th Offense (Age 17 - 20) | 750 - 1,000 | $756.35 | $196.65 | $756.35 | $196.65 | $28.00 | $10.00 | $13.00 | $1,004.00 | $1,004.00 |
| 90-18-3 | Underage Misrepresenting Age - 1st Offense (Under Age 17) | 250 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-18-3 | Underage Misrepresenting Age - 2nd Offense (Under Age 17) | 300 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-18-3 | Underage Misrepresenting Age - 3rd Offense (Under Age 17) | 500 - 750 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-18-3 | Underage Misrepresenting Age - 4th Offense (Under Age 17) | 750 - 1,000 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-19-1 | Presence of Underage / Minor Person - 1st Offense (Age 17 - 20) | 250 - 500 | $256.35 | $66.65 | $250.00 | $65.00 | $28.00 | $10.00 | $13.00 | $374.00 | $366.00 |
| 90-19-1 | Presence of Underage / Minor Person - 2nd Offense (Age 17 - 20) | 300 - 500 | $306.35 | $79.65 | $306.35 | $79.65 | $28.00 | $10.00 | $13.00 | $437.00 | $437.00 |
| 90-19-1 | Presence of Underage / Minor Person - 3rd Offense (Age 17 - 20) | 500 - 750 | $506.35 | $131.65 | $506.35 | $131.65 | $28.00 | $10.00 | $13.00 | $689.00 | $689.00 |
| 90-19-1 | Presence of Underage / Minor Person - 4th Offense (Age 17 - 20) | 750 - 1,000 | $756.35 | $196.65 | $756.35 | $196.65 | $28.00 | $10.00 | $13.00 | $1,004.00 | $1,004.00 |
| 90-19-1 | Presence of Underage/Minor Person - 1st Offense (Age Under 17) | 250 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-19-1 | Presence of Underage/Minor Person - 2nd Offense (Age Under 17) | 300 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-19-1 | Presence of Underage/Minor Person - 3rd Offense (Age Under 17) | 500 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-19-2-a-1 | Permitee/Licensee Allows Underage Person on Premises | 0 - 500 | $206.35 | $53.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $311.00 | $84.00 |

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 90-19-2-a-2 | Loitering on Premises Operator Responsibility | 0 - 500 | $142.06 | $36.94 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $230.00 | $84.00 |
| 90-20 | Sale to Intoxicated Person Prohibited | 500 - 1,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 90-21 | Disorderly Premises Prohibited Gambling, Drunkenness, Fighting, Etc. | 250 - 5,000 | $260.32 | $67.68 | $248.41 | $64.59 | $28.00 | $10.00 | $13.00 | $379.00 | $364.00 |
| 90-22-1-a | Portion of Costume Material Worn Prohibited (Female) | 0 - 1,000 | $643.65 | $167.35 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $862.00 | $84.00 |
| 90-22-1-b | Top Portion of Costume Material Worn Prohibited (Female) | 0 - 1,000 | $643.65 | $167.35 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $862.00 | $84.00 |
| 90-22-1-c | Lower Portion of Costume Worn Prohibited (Female/Female Impersonator | 0 - 1,000 | $643.65 | $167.35 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $862.00 | $84.00 |
| 90-22-1-d | Lower Portion of Costume Worn Prohibited (Male) | 0 - 1,000 | $643.65 | $167.35 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $862.00 | $84.00 |
| 90-22-3 | Disorderly Conduct by Patrons Prohibited | 0 - 1,000 | $643.65 | $167.35 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $862.00 | $84.00 |
| 90-23-1 | Class "B" Tavern - Solicitation to Drink Prohibited | 50 - 200 | $60.32 | $15.68 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $127.00 | $84.00 |
| 90-24-1 | Sanitary Requirement - Taverns | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-20-5 | Theft / Tamper of Cable Service By Class B Premise or Patron | 500 - 1,000 | $750.79 | $195.21 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $997.00 | $84.00 |
| 90-25-1 | Employment of Minor Under Age 14 Prohibited | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-26-1 | Restrictions on Unlicensed Persons Function as Class "D" Operators | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-27-1 | Licensed Premises, Accessible & Lighted - Open Entry | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-27-1-c | Immediate Entry for Police, Local & State Authorities | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-27-1-d | Safe Egress from All Entrance Doors and Serving Rooms | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-27-2 | Doors to Tavern Kept Closed after 10 pm | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-27-3 | Adjacent Rooms to Licensed Tavern Requirements | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-27-6 | Illumination During Conduct of Business | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-28-3 | Misleading Advertising Prohibited In Class "B" Taverns | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-32-1 | Fraud on Tavern Keepers Prohibited | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-33-1 | Tavern Amusement License Required | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-33-2 | Tavern Dance Hall License Required | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-33-3 | Special Tavern Dancing Permit | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-33-4 | Instrumental Music License Required | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-33-5 | Pre-Recorded Music Machine Premises License (Record Spins) | 0 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-36-1-a | Hours for Music - Tavern Amusement / Ballrooms | 200 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |

MUNICIPAL COURT NON-TRAFFIC DEPOSIT SCHEDULE

| NUMBER | Jul-09 ORDINANCE | PENALTY RANGE | FORFEITURE | 26% STATE PENALTY | JUVENILE FORFEITURE | 26% STATE PENALTY | CLERK FEE | JAIL ASSESS | CRIME LAB ASSESS | ADULT TOTAL | JUVENILE TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 90-36-3 | Advertising of Dancing | 200 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-36-4-b | Posting of Occupancy Capacity | 200 - 1,000 | $251.59 | $65.41 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $368.00 | $84.00 |
| 90-39-1 | Underage Prohibited from Having Alcoholic Beverages on Any Premises Under Jurisdiction of Board of School Directors (1st Offense) (Under Age 17 | 0 - 50 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-39-1 | Underage Prohibited from Having Alcoholic Beverages on Any Premises Under Jurisdiction of Board of School Directors (2nd Offense) (Under Age 17) | 0 - 100 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-39-1 | Underage Prohibited from Having Alcoholic Beverages on Any Premises Under Jurisdiction of Board of School Directors (3rd Offense) (Under Age 17) | 0 - 500 | $26.19 | $6.81 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 | $84.00 |
| 90-39-1 | Minor / Prohibited from having Alcoholic Beverages on Premises Under Jurisdiction of School Directors (1st Offense) (Age 17 - 20) | 100 - 200 | $106.35 | $27.65 | $106.35 | $27.65 | $28.00 | $10.00 | $13.00 | $185.00 | $185.00 |
| 90-39-1 | Minor / Prohibited from having Alcoholic Beverages on Premises Under Jurisdiction of School Directors (2nd Offense (Age 17 - 20) | 200 - 300 | $206.35 | $53.65 | $206.35 | $53.65 | $28.00 | $10.00 | $13.00 | $311.00 | $311.00 |
| 90-39-1 | Minor / Prohibited from having Alcoholic Beverages on Premises Under Jurisdiction of School Directors (3rd Offense) | 300 - 500 | $306.35 | $79.65 | $306.35 | $79.65 | $28.00 | $10.00 | $13.00 | $437.00 | $437.00 |
| 90-39-1 | Minor / Prohibited from having Alcoholic Beverages on Premises Under Jurisdiction of School Directors (4th Offense) (Age 17-20) | 500 - 1,000 | $506.35 | $131.65 | $506.35 | $131.65 | $28.00 | $10.00 | $13.00 | $689.00 | $689.00 |
| 90-39-1 | Adult Prohibited from having Alcoholic Beverages on Premises Under Jurisdiction of School Directors (4th Offense) (Age 17-20) | 0 - 200 | $95.24 | $24.76 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $171.00 | $84.00 |
| **Ethics Code Violations** | | | | | | | | | | | |
| 303-11-2-d | Fail to File Statement of Econ Int. | 250 - 1,000 | $256.35 | $66.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $374.00 | $84.00 |
| | | - | | | | | | | | | |
| **Public Dance Hall Violations** | | - | | | | | | | | | |
| 108-5-1-a | Public Dance Hall - License Req. | 500 - 2,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 108-17 | Public Dance Hall - Posting License | 500 - 2,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |
| 108-29 | Public Dance Hall - Closing Hours | 500 - 2,000 | $506.35 | $131.65 | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $689.00 | $84.00 |

**NOTE: A deposit amount shall be set in the amount of the mid-point of penalty range for all violations not listed on this Deposit Schedule.**
(The 26% State penalty must be added to each deposit.)

**BY ORDER OF THE COURT:**

Valarie Hill
Municipal Judge, Branch I

Derek Mosley
Municipal Judge, Branch II

Phillip M. Chavez
Municipal Judge, Branch III

# MILWAUKEE MUNICIPAL COURT
## Boating Statute/Ordinance Violations Deposit Schedule

| STATUTE | ORDINANCE | VIOLATION | FORFEITURE | 26%STATE PENALTY | CLERK FEE | JAIL ASSESS FEE | CRIME LAB FEE | DEPOSIT |
|---|---|---|---|---|---|---|---|---|
| 30.61 | 118-80-1 | Operate boat between sunset and sunrise without required lights | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.61(6)(a) | 118-80-1 | Moored boats and structures beyond 200 feet from shore without lights | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.62(1) | 118-80-1 | Renting boats not legally equipped or registered | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.62(2) | 118-80-1 | Operate motorboat without muffler on engine | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.62(2)(b) | 118-80-1 | Noise Level - over.86 decibels | $50.00 | $13.00 | $28.00 | $10.00 | $13.00 | $114.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.62(3) | 118-80-1 | Failure to provide proper number of personal floatation devices | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.62(4) | 118-80-1 | Failure to have required fire extinguishing equipment aboard | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.62(5) | 118-80-1 | Failure to have flame arrestor on inboard engine | $26.19 | $6.81 | $28.00 | $10.00 | $13.00 | $84.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.66(3)(b) | 118-80-3 a - e | Operate p.w.c. within 100 feet of another boat at speed greater than slow no wake | $46.03 | $11.97 | $28.00 | $10.00 | $13.00 | $109.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.68(2) | 118-80-1 | Negligent Operation | $50.00 | $13.00 | $28.00 | $10.00 | $13.00 | $114.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.68(7) | 118-80-1 | Operating boat in prohibited area | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.68(8) | 118-80-1 | Anchoring in traffic lane | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.68(8m) | 118-80-1 | Illegal mooring buoys | $50.00 | $13.00 | $28.00 | $10.00 | $13.00 | $114.00 |
| | | **Each day during which violation exists constitutes a separate offense** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.68(9) | 118-80-1 | Overloading | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.68(10) | 118-80-1 | Overpowering | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |

CB7/13/2009

## MILWAUKEE MUNICIPAL COURT
## Boating Statute/Ordinance Violations Deposit Schedule

| STATUTE | ORDINANCE | VIOLATION | FORFEITURE | 26%STATE PENALTY | CLERK FEE | JAIL ASSESS FEE | CRIME LAB FEE | DEPOSIT |
|---|---|---|---|---|---|---|---|---|
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.68(11) | 118-80-1 | Unnecessary sound of whistle or horn | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.68(12) | 118-80-1 | Molesting or destroying aids to navigation | $46.03 | $11.97 | $28.00 | $10.00 | $13.00 | $109.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.681(1)(a) | 118-80-1 | Operate a motorboat while intoxicated | $300.00 | $78.00 | $28.00 | $10.00 | $13.00 | $429.00 |
| 30.681(1)(b) | 118-80-1 | Operate a motorboat with alcohol concentration at or above .08 | $300.00 | $78.00 | $28.00 | $10.00 | $13.00 | $429.00 |
| 30.684(5) | 118-80-1 | Refuse to take test intoxicated motorboat operation | $300.00 | $78.00 | $28.00 | $10.00 | $13.00 | $429.00 |
| 30.69(1)(b) | 118-80-1 | Operating boat towing water skier without observer | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.69(1)(a) | 118-80-1 | Operating boat towing water skier without observer and/or between sunset and sunrise | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.69(2) | 118-80-1 | Water skiing, careful and prudent operation | $46.03 | $11.97 | $28.00 | $10.00 | $13.00 | $109.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.69(3) | 118-80-1 | Water skiing, within 100 feet of restricted | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | Second offense within one year: | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.70 | 118-80-6 | Unlawfully engaging in skin diving | $36.51 | $9.49 | $28.00 | $10.00 | $13.00 | $97.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30.71 | 118-80-1 | Operate boat with improperly sealed toilet | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| | | **Second offense within one year:** | $200.00 | $52.00 | $28.00 | $10.00 | $13.00 | $303.00 |
| 30 | 118-80-4 | Spear guns | $50.00 | $13.00 | $28.00 | $10.00 | $13.00 | $114.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30 | 118-80-5 | Littering | $50.00 | $13.00 | $28.00 | $10.00 | $13.00 | $114.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| 30 | 118-80-7 | No swimming/water skiing in harbor | $50.00 | $13.00 | $28.00 | $10.00 | $13.00 | $114.00 |
| | | **Second offense within one year:** | $100.00 | $26.00 | $28.00 | $10.00 | $13.00 | $177.00 |
| NR 5.125(4) | 118-80-1 | Cutout mechanisms - no cutoff switch or bypass switch allowed | $50.00 | $13.00 | $28.00 | $10.00 | $13.00 | $114.00 |

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** July 13, 1009 **FILE NUMBER:**

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Municipal Court Revised Non-Traffic and Boating Deposit Schedules

**B) SUBMITTED BY (Name/title/dept./ext.):** Clarice L. Bishop, Assistant Court Administrator, Municipal Court, X3820

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES: FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [X] NOT APPLICABLE/NO FISCAL IMPACT.

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT (DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | We are unable to determine any specific fiscal impact as the fiscal impact |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | contingent on the number of citations written and adjudicated under the |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | Ordinances. |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**NOTICES SENT TO FOR FILE 090394:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Kris Hinrichs | Municipal Court | 9/4/09 | | |
| Clarice Bishop | Municipal Court | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090432 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 tax rolls, plus interest applicable to date of repayment, if appropriate. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | TAX CANCELLATIONS | | |
| **Attachments:** | Fiscal Note, Cover Letter, Table of Assessment Reduction, Assessment Reduction Letters, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090432
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 tax rolls, plus interest applicable to date of repayment, if appropriate.
**Analysis**
This resolution requires the cancellation of taxes because of Board of Review reductions in assessments on certain parcels, the issuance of checks to the City Treasurer or taxpayer as applicable, and the proper reductions of State Tax Credits by journal entries.
**Body**
Whereas, Assessments were made against certain parcels of real estate for the year 2008 as contained in Common Council Resolution File No. 090432; and

Whereas, The Board of Review has decreased these assessments as shown in this file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers are authorized and directed to issue city checks in the amounts as shown in this file, payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate applicable pursuant to Section 70.511 of Wisconsin Statutes, for an appeal that was filed as shown in this file, applicable from date of payment to date of repayment, said amounts to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and said checks to be delivered to the Customer Services Unit of the Treasurer's Office for disbursement; and, be it

Further Resolved, That the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as shown in this file by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

Further Resolved, That delinquent interest and penalties on any account covered by this resolution are hereby canceled.
**Requestor**
Assessor's Office
**Drafter**
mpr/kat
7/22/09



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# CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

**A) DATE:** July 22, 2009

**FILE NUMBER:** _____

**Original Fiscal Note** ☒ **Substitute** ☐

**SUBJECT:** *Resolution to cancel real estate taxes levied against certain parcels bearing various Key Numbers on the 2008 tax rolls, plus interest applicable to date of repayment, if appropriate*

**B) SUBMITTED BY** (name/title/dept./ext.): *Mary P. Reavey, Assessment Commissioner, Assessor's Office, Ext. 3101.*

**C) CHECK ONE:**
☒ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
☐ NOT APPLICABLE/NO FISCAL IMPACT.

**D) CHARGE TO:**
☐ DEPARTMENTAL ACCOUNT (DA)
☐ CONTINGENT FUND (CF)
☐ CAPITAL PROJECTS FUND (CPF)
☒ SPECIAL PURPOSE ACCOUNTS (SPA)
☐ PERM. IMPROVEMENT FUNDS (PIF)
☐ GRANT & AID ACCOUNTS (G & AA)
☐ OTHER SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER** *0001 Org 9990* | *Remission of Taxes Fund* | | *$30,554.80* | | |
| *Prog 0001 Sub-cl S163* | | | | | |
| *Acct 006300* | | | | | |
| **TOTALS:** | | | *$30,554.80* | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

July 22, 2009

The Honorable, The Common Council
City of Milwaukee

Dear Members of the Common Council:

Attached is a resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 tax rolls, plus interest applicable to date of repayment, if appropriate.

Reductions have been made in the assessments of these properties by the Board of Review under authority of Section 70.511 (2), Wisconsin Statutes. It is now necessary to accomplish the reduction of taxes by means of the attached resolution.

Your favorable approval of the attached resolution is respectfully requested.

Yours very truly,

Mary P. Reavey
Assessment Commissioner

mpr/kat

| Key Number and Address Date of Objection | Name of Taxpayer | Assesment Reduction by B.O.R. | Canceled NET Total Tax | STATE TAX CREDITS SECTION 79.10 (2) City Portion | County Portion | Total Credit |
|---|---|---|---|---|---|---|
| 2008 | | | | | | |
| 355-0322-100-2<br>1840 N. Farwell Av.<br>May 14, 2008 | New Land Enterprises | $ 660,000 | $ 15,861.34 | $ 805.17 | $ 233.00 | $ 1,038.17 |
| 582-0210-100-1<br>4255 S. Clement Av.<br>May 13, 2008 | Whitley Bay Marina Inc. | $ 256,400 | $ 6,161.88 | $ 312.80 | $ 90.52 | $ 403.32 |
| 582-1451-000-4<br>1000 E. Waterford Av.<br>May 13, 2008 | Whitley Bay Marina Inc. | $ 276,900 | $ 6,654.52 | $ 337.81 | $ 97.76 | $ 435.57 |
| | | **$ 1,193,300** | **$ 28,677.74** | **$ 1,455.78** | **$ 421.28** | **$ 1,877.06** |

**TOTAL GROSS** **$ 30,554.80**

Assessor's Office
July 22, 2009
mpr/kat

RECEIVED

2009 JUL 14 AM 11:40

ASSESSOR'S OFFICE
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **355-0322-100-2**
**1840 N. Farwell Av.**
**New Land Enterprises**

**Year: 2008**

**Amount of Assessment Reduction: $660,000**

**Amount of Tax Reduction: $15,861.34**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: _____

Date: 7/12/09

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

RECEIVED
2009 JUL 16 AM 11:15
ASSESSOR'S OFFICE
CITY OF MILWAUKEE

City of Milwaukee

Dear Members of the Common Council:

In re: **582-0210-100-1**
**4255 S. Clement Av.**
**Whitley Bay Marina Inc.**

**Year: 2008**

**Amount of Assessment Reduction: $256,400**

**Amount of Tax Reduction: $6,161.88**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: Alan Mauritz

Date: 7/13/09

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

RECEIVED
2009 JUL 16 AM 11:15
ASSESSOR'S OFFICE
CITY OF MILWAUKEE

City of Milwaukee

Dear Members of the Common Council:

In re: **582-1451-000-4**
**1000 E. Waterford Av.**
**Whitley Bay Marina Inc.**

**Year: 2008**

**Amount of Assessment Reduction: $276,900**

**Amount of Tax Reduction: $6,654.52**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: _____

Date: 7/13/09

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

**NOTICES SENT TO FOR FILE 090432:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Reavey | Assessor's Office | 9/4/09 | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090431 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key No. 498-1721-000-6, 2650-2700 S. Chase Avenue, (Klement Company), on the 2008 manufacturing tax roll, plus interest applicable to date of repayment, if appropriate. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | TAX CANCELLATIONS | | |
| **Attachments:** | Fiscal Note, Cover Letter, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090431
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key No. 498-1721-000-6, 2650-2700 S. Chase Avenue, (Klement Company), on the 2008 manufacturing tax roll, plus interest applicable to date of repayment, if appropriate.
**Analysis**
This resolution requires the cancellation of taxes because of a decrease in assessment as made by the Wisconsin Tax Appeals Commission of the Wisconsin Department of Revenue, the issuance of checks to the City Treasurer or taxpayer as applicable, and the proper reductions of State Tax Credits by journal entries.
**Body**
Whereas, An assessment in the amount of $5,269,200 (Land: $506,800 - Improvements: $4,762,400) was made against the real estate property know as Tax Key Number 498-1721-000-6, for the year 2008; and

Whereas, The Wisconsin Tax Appeals Commission of the Wisconsin Department of Revenue has decreased this assessment to $4,284,500 (Land: $506,800 - Improvements: $3,777,700), for a reduction of $984,700; now, therefore, be it

Resolved, by the Common Council of the City of Milwaukee, that the proper city officers are authorized and directed to issue a city check in the amount of $23,664.62 payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate applicable pursuant to Section 70.511(2)(b) of Wisconsin Statutes, for an appeal that was filed August 21, 2008, from date of payment to date of repayment, said amount to be charged to the 2009 Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300 and said check to be delivered to the Customer Services Unit of the Treasurer's Office for disbursement; and, be it

Further Resolved that the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as follows:

Section 79.10 (2) $1,548.92 (City: $1,201.29
County: $347.63)

by means of journal entries, charging the 2009 Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

Further Resolved, That delinquent interest and penalties on this account is hereby canceled.
**Requestor**
Assessor' Office
**Drafter**
mpr/kat



powered by Legistar™

7/22/2009



powered by Legistar™

# CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

**A) DATE:** July 22, 2009

**FILE NUMBER:** _____

**Original Fiscal Note** ☒ **Substitute** ☐

**SUBJECT:** *Resolution to cancel real estate taxes levied against a certain parcel bearing Taxkey Number 498-1721-000-6 on the 2008 manufacturing tax roll, plus interest applicable, if appropriate.*

**B) SUBMITTED BY** (name/title/dept./ext.): *Mary P. Reavey, Assessment Commissioner, Assessor's Office, Ext. 3101.*

**C) CHECK ONE:**
☒ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
☐ NOT APPLICABLE/NO FISCAL IMPACT.

**D) CHARGE TO:**
☐ DEPARTMENTAL ACCOUNT (DA)
☐ CONTINGENT FUND (CF)
☐ CAPITAL PROJECTS FUND (CPF)
☒ SPECIAL PURPOSE ACCOUNTS (SPA)
☐ PERM. IMPROVEMENT FUNDS (PIF)
☐ GRANT & AID ACCOUNTS (G & AA)
☐ OTHER SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER** *0001 Org 9990* | *2009 Remission of Taxes Fd* | | ***$25,213.54*** | | |
| ***Prog 0001 Sub-cl S163*** | | | | | |
| ***Acct 006300*** | | | | | |
| **TOTALS:** | | | ***$25,213.54*** | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

July 22, 2009

The Honorable, The Common Council
City of Milwaukee

Dear Members of the Common Council:

Attached is a resolution to cancel real estate taxes levied against a certain parcel bearing tax key number 498-1721-000-6 on the 2008 manufacturing tax rolls, plus interest applicable to date of repayment, if appropriate.

A reduction has been made in the assessment of this property by the Wisconsin Tax Appeals Commission of the Wisconsin Department of Revenue under authority of Section 70.511 (2), Wisconsin Statutes. It is now necessary to accomplish the reduction of taxes by means of the attached resolution.

Your favorable approval of the attached resolution is respectfully requested.

Yours very truly,

Mary P. Reavey
Assessment Commissioner

pcw/kat

**NOTICES SENT TO FOR FILE 090431:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Reavey | Assessor's Office | 9/4/09 | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 081060 **Version:** 0 | | |
| **Type:** | Communication | **Status:** | In Committee |
| **File created:** | 11/25/2008 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CITY ATTORNEY, CONSULTANTS, LITIGATION | | |
| **Attachments:** | September 9 Report, September 1 Report Re Retention of Outside Counsel, June 23 Report, May 15 Report, April 1 Report, Jan 29 Report, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 11/25/2008 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 1/28/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 2/2/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 4:0 |
| 3/31/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 4/6/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 5:0 |
| 5/18/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 4:0 |
| 6/23/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 6/29/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 4:0 |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
081060
**Version**
ORIGINAL
**Reference**
070993
**Sponsor**
THE CHAIR
**Title**
Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.
**Requestor**

**Drafter**
11/20/08
lme
outside counsel



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
**JOHN J. HEINEN**
**DAVID J. STANOSZ**
**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
**PATRICIA A. FRICKER**
**HEIDI WICK SPOERL**
**KURT A. BEHLING**
**GREGG C. HAGOPIAN**
**ELLEN H. TANGEN**
**MELANIE R. SWANK**
**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

September 9, 2009

Alderman Ashanti Hamilton, Chair
Judiciary & Legislation Committee
City Hall – Room 205

Re: Expenditures for Outside Counsel and Experts

Dear Alderman Hamilton:

Pursuant to Common Council FN 030083, I am enclosing for your information an itemization of 2009 expenditures posted year-to-date from the Outside Counsel/Expert Witness Fund Special Purpose Account. Please contact me if you have any questions.

Very truly yours,

GRANT F. LANGLEY
City Attorney

GFL:bgw
#149660

# 2009 OUTSIDE COUNSEL/EXPERT WITNESS FUND EXPENDITURES (YTD)

| Account | Dept | Class | Amount | ShortName | Descr | Year |
|---|---|---|---|---|---|---|
| 634005 | 1490 | S157 | 2,169.00 | AURORA ADVANTAGE | BELL V COM | 2009 |
| 634005 | 1490 | S157 | 1,500.00 | AURORA ADVANTAGE | JAMERSON V COM | 2009 |
| 634005 | 1490 | S157 | 1,500.00 | AURORA ADVANTAGE | EVANS V COM | 2009 |
| 634005 | 1490 | S157 | 567.00 | AURORA ADVANTAGE | MUKISA EVANS V COM | 2009 |
| | | Total | 5,736.00 | AURORA ADVANTAGE | | |
| 634005 | 1490 | S157 | 48.90 | CRIVELLO CARLSON | SWANSON V LENA'S FOODS ET AL | 2009 |
| | | Total | 48.90 | CRIVELLO CARLSON | | |
| 634005 | 1490 | S157 | 4,725.23 | ET ENGINEERING | Terra v. City | 2009 |
| | | Total | 4,725.23 | ET ENGINEERING | | |
| 634005 | 1490 | S157 | 3,390.48 | FOLEY & LARDNER | Kaye v. City | 2009 |
| 634005 | 1490 | S157 | 1,165.25 | FOLEY & LARDNER | Kaye v. City | 2009 |
| 634005 | 1490 | S157 | 2,204.03 | FOLEY & LARDNER | Kaye v. City | 2009 |
| 634005 | 1490 | S157 | 26,289.07 | FOLEY & LARDNER | Kaye v. City | 2009 |
| 634005 | 1490 | S157 | 989.00 | FOLEY & LARDNER | Kaye v. City | 2009 |
| 634005 | 1490 | S157 | 7.76 | FOLEY & LARDNER | Kaye v. City | 2009 |
| | | Total | 34,045.59 | FOLEY & LARDNER | | |
| 634005 | 1490 | S157 | 32,963.89 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 11,978.73 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | -11,978.73 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 21,082.44 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 5,040.10 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 19,326.89 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 13,885.85 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 13,407.20 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 23,291.51 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 636501 | 1490 | S157 | 5,040.10 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 636501 | 1490 | S157 | -5,040.10 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |

## 2009 OUTSIDE COUNSEL/EXPERT WITNESS FUND EXPENDITURES (YTD)

| Account | Dept | Class | Amount | ShortName | Descr | Year |
|---|---|---|---|---|---|---|
| | | Total | 128,997.88 | FRIEBERT, FINERTY & ST. JOHN | | |
| 634005 | 1490 | S157 | 709.50 | GONZALEZ SAGGIO | Young v. Ortiz | 2009 |
| 634005 | 1490 | S157 | 325.50 | GONZALEZ SAGGIO | Young v. Ortiz | 2009 |
| 634005 | 1490 | S157 | 1,889.25 | GONZALEZ SAGGIO | Young v. Ortiz | 2009 |
| 634005 | 1490 | S157 | 745.50 | GONZALEZ SAGGIO | Young v. Ortiz | 2009 |
| 634005 | 1490 | S157 | 468.20 | GONZALEZ SAGGIO | Young v. Ortiz | 2009 |
| | | Total | 4,137.95 | GONZALEZ SAGGIO | | |
| 634005 | 1490 | S157 | 1,458.40 | GRZESK LAW GROUP | Khubbar | 2009 |
| 634005 | 1490 | S157 | 1,600.00 | GRZESK LAW GROUP | Khubbar | 2009 |
| 634005 | 1490 | S157 | 94.81 | GRZESK LAW GROUP | Khubbar | 2009 |
| 634005 | 1490 | S157 | 7.75 | GRZESK LAW GROUP | Khubbar | 2009 |
| | | Total | 3,160.96 | GRZESK LAW GROUP | | |
| 634005 | 1490 | S157 | 95.00 | GUNTA & REAK | Contract work for City | 2009 |
| | | Total | 95.00 | GUNTA & REAK | | |
| 634005 | 1490 | S157 | 3,704.73 | HAYES THOMAS | Outside Consultant | 2009 |
| 634005 | 1490 | S157 | 2,772.72 | HAYES THOMAS | Outside Consultant | 2009 |
| | | Total | 6,477.45 | HAYES THOMAS | | |
| 634005 | 1490 | S157 | 280.25 | LINDNER & MARSACK | Loth v. City | 2009 |
| | | Total | 280.25 | LINDNER & MARSACK | | |
| 634005 | 1490 | S157 | 1,919.00 | MCDONNELL, PATRICK | Outside Counsel N. Harbor | 2009 |
| 634005 | 1490 | S157 | 1,872.73 | MCDONNELL, PATRICK | ADJ to PO North Harbor | 2009 |
| 634005 | 1490 | S157 | -1,872.73 | MCDONNELL, PATRICK | Outside Counsel N. Harbor | 2009 |
| 634005 | 1490 | S157 | 1,919.00 | MCDONNELL, PATRICK | ADJ to PO North Harbor | 2009 |
| 634005 | 1490 | S157 | -1,919.00 | MCDONNELL, PATRICK | Outside Counsel N. Harbor | 2009 |
| | | Total | 1,919.00 | MCDONNELL, PATRICK | | |
| 634005 | 1490 | S157 | 1,005.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,072.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |

## 2009 OUTSIDE COUNSEL/EXPERT WITNESS FUND EXPENDITURES (YTD)

| Account | Dept | Class | Amount | ShortName | Descr | Year |
|---|---|---|---|---|---|---|
| 634005 | 1490 | S157 | 915.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,162.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 915.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 697.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,117.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,102.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,102.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,125.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,087.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 870.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 885.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,110.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,110.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 885.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,095.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 892.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,087.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 892.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,087.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,087.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,110.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,057.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,087.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,087.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,095.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | -997.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 937.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |

## 2009 OUTSIDE COUNSEL/EXPERT WITNESS FUND EXPENDITURES (YTD)

| Account | Dept | Class | Amount | ShortName | Descr | Year |
|---|---|---|---|---|---|---|
| 634005 | 1490 | S157 | 1,035.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 660.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,050.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 877.50 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,050.00 | PERSONNEL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| | | Total | **32,355.00** | **PERSONNEL SPECIALIST** | | |
| 634005 | 1490 | S157 | 352.00 | PYZYK, ROGER | Special Prosecutor | 2009 |
| 634005 | 1490 | S157 | 1,001.00 | PYZYK, ROGER | Special Prosecutor | 2009 |
| | | Total | **1,353.00** | **PYZYK, ROGER** | | |
| 634005 | 1490 | S157 | 952.50 | RENO CAVANAUGH | HACM Opinion for Mayor | 2009 |
| 634005 | 1490 | S157 | 310.00 | RENO CAVANAUGH | HACM Opinion for Mayor | 2009 |
| | | Total | **1,262.50** | **RENO CAVANAUGH** | | |
| 634005 | 1490 | S157 | 79,875.00 | SEIBEL LAW OFFICE, LLC | U.S. Oil v. City | 2009 |
| 634005 | 1490 | S157 | 213.00 | SEIBEL LAW OFFICE, LLC | U.S. Oil v. City | 2009 |
| 634005 | 1490 | S157 | 8,237.50 | SEIBEL LAW OFFICE, LLC | U.S. Oil v. City | 2009 |
| | | Total | 88,325.50 | SEIBEL LAW OFFICE, LLC | | |
| 634005 | 1490 | S157 | 1,739.30 | TARTER KRINSKY | Tower Automotive | 2009 |
| 634005 | 1490 | S157 | 1,498.50 | TARTER KRINSKY | Tower Automotive | 2009 |
| 634005 | 1490 | S157 | 364.50 | TARTER KRINSKY | Tower Automotive | 2009 |
| 634005 | 1490 | S157 | 1,903.50 | TARTER KRINSKY | Tower Automotive | 2009 |
| 634005 | 1490 | S157 | 2,488.90 | TARTER KRINSKY | Tower Automotive | 2009 |
| 634005 | 1490 | S157 | 486.00 | TARTER KRINSKY | Tower Automotive | 2009 |
| | | Total | **8,480.70** | **TARTER KRINSKY** | | |
| 634005 | 1490 | S157 | 2,000.00 | WALL ASSOCIATES | HAAS V COM ET AL | 2009 |
| | | | 2,000.00 | WALL ASSOCIATES | | |
| | | | **323,400.91** | **Grand Total** | | |

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
**JOHN J. HEINEN**
**DAVID J. STANOSZ**
**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
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**KATHRYN Z. BLOCK**
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**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary & Legislation Committee
City Hall – Room 205

Re: Retention of Outside Counsel

Dear Alderman Hamilton:

Pursuant to Common Council FN 030083 adopted on May 13, 2003 requiring the Judiciary & Legislation Committee be notified in writing of the retention of any outside counsel, I am reporting the following.

Our office has retained the services of Tarter Krinsky & Drogin, LLP to provide legal services and representation to the City of Milwaukee in the Chapter 11 bankruptcy matter entitled In re Chrysler LLC, et al., currently pending in the United State Bankruptcy Court for the Southern District of New York. Payments under this contract are not to exceed $10,000.

Very truly yours,

GRANT F. LANGLEY
City Attorney

GFL:bw
#149489

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
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**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

June 23, 2009

Alderman Ashanti Hamilton, Chair
Judiciary & Legislation Committee
City Hall – Room 205

Re: Expenditures for Outside Counsel and Experts

Dear Alderman Hamilton:

Pursuant to Common Council FN 030083, I am enclosing for your information an itemization of 2009 expenditures posted year-to-date from the Outside Counsel/Expert Witness Fund Special Purpose Account. Please contact me if you have any questions.

Very truly yours,

GRANT F. LANGLEY
City Attorney

GFL:bgw
#147296

2009 OUTSIDE COUNSEL/EXPERT EXPENDITURES

June 23, 2009

| Account | Dept | Class | Amount | ShortName | Descr | Year |
|---|---|---|---|---|---|---|
| 634005 | 1490 | S157 | 2,169.00 | AURORA ADVANCED HEALTHCARE | BELL V COM | 2009 |
| 634005 | 1490 | S157 | 1,500.00 | AURORA ADVANCED HEALTHCARE | JAMERSON V COM | 2009 |
| 634005 | 1490 | S157 | 1,500.00 | AURORA ADVANCED HEALTHCARE | EVANS V COM | 2009 |
| 634005 | 1490 | S157 | 567.00 | AURORA ADVANCED HEALTHCARE | MUKISA EVANS V COM | 2009 |
| | | Total | 5,736.00 | AURORA ADVANCED HEALTHCARE | | |
| 634005 | 1490 | S157 | 3,390.48 | FOLEY & LARDNER | Kaye v. City | 2009 |
| 634005 | 1490 | S157 | 1,165.25 | FOLEY & LARDNER | Kaye v. City | 2009 |
| 634005 | 1490 | S157 | 2,204.03 | FOLEY & LARDNER | Kaye v. City | 2009 |
| 634005 | 1490 | S157 | 26,289.07 | FOLEY & LARDNER | Kaye v. City | 2009 |
| | | Total | 33,048.83 | FOLEY & LARDNER | | |
| 634005 | 1490 | S157 | 32,963.89 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 11,978.73 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | -11,978.73 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 21,082.44 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 5,040.10 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 19,326.89 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 634005 | 1490 | S157 | 13,885.85 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 636501 | 1490 | S157 | 5,040.10 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| 636501 | 1490 | S157 | -5,040.10 | FRIEBERT, FINERTY & ST. JOHN | MPSO v. City | 2009 |
| | | Total | 92,299.17 | FRIEBERT, FINERTY & ST. JOHN | | |
| 634005 | 1490 | S157 | 709.50 | GONZALEZ SAGGIO | Young v. Ortiz | 2009 |
| 634005 | 1490 | S157 | 325.50 | GONZALEZ SAGGIO | Young v. Ortiz | 2009 |
| 634005 | 1490 | S157 | 1,889.25 | GONZALEZ SAGGIO | Young v. Ortiz | 2009 |
| | | Total | 2,924.25 | GONZALEZ SAGGIO | | |

| Account | Dept | Class | Amount | ShortName | Descr | Year |
|---|---|---|---|---|---|---|
| 634005 | 1490 | S157 | 1,458.40 | GRZECA LAW GROUP | Khubbar | 2009 |
| 634005 | 1490 | S157 | 1,600.00 | GRZECA LAW GROUP | Khubbar | 2009 |
| 634005 | 1490 | S157 | 94.81 | GRZECA LAW GROUP | Khubbar | 2009 |
| | | **Total** | **3,153.21** | **GRZECA LAW GROUP** | | |
| 634005 | 1490 | S157 | 95.00 | GUNTA REAK | Jude Case | 2009 |
| | | **Total** | **95.00** | **GUNTA REAK** | Jude Case | |
| 634005 | 1490 | S157 | 3,704.73 | HAYES, THOMAS | Outside Consultant | 2009 |
| | | **Total** | **3,704.73** | **HAYES, THOMAS** | | |
| 634005 | 1490 | S157 | 280.25 | LINDNER & MARSACK | Loth v. City | 2009 |
| | | **Total** | **280.25** | **LINDNER & MARSACK** | | |
| 634005 | 1490 | S157 | 1,919.00 | MCDONNELL, PATRICK | Outside Counsel N. Harbor | 2009 |
| 634005 | 1490 | S157 | 1,872.73 | MCDONNELL, PATRICK | ADJ to PO North Harbor | 2009 |
| 634005 | 1490 | S157 | -1,872.73 | MCDONNELL, PATRICK | Outside Counsel N. Harbor | 2009 |
| 634005 | 1490 | S157 | 1,919.00 | MCDONNELL, PATRICK | ADJ to PO North Harbor | 2009 |
| 634005 | 1490 | S157 | -1,919.00 | MCDONNELL, PATRICK | Outside Counsel N. Harbor | 2009 |
| | | **tOTAL** | **1,919.00** | **MCDONNELL, PATRICK** | | |
| 634005 | 1490 | S157 | 1,005.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,072.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 915.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,162.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 915.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 697.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,117.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,102.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,102.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |

| Account | Dept | Class | Amount | ShortName | Descr | Year |
|---|---|---|---|---|---|---|
| 634005 | 1490 | S157 | 1,125.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,087.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 870.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 885.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,110.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,110.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 885.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,095.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 892.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,087.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 892.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,087.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,087.50 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| 634005 | 1490 | S157 | 1,110.00 | PERSONNELL SPECIALIST | Paralegal Temp Services for Jude Case | 2009 |
| | | **Total** | **23,415.00** | **PERSONNELL SPECIALIST** | | |
| 634005 | 1490 | S157 | 352.00 | PYZYK, ROGER | Special Prosecutor | 2009 |
| | | **Total** | **352.00** | **PYZYK, ROGER** | | |
| 634005 | 1490 | S157 | 952.50 | RENO CAVANAUGH | HACM Opinion | 2009 |
| 634005 | 1490 | S157 | 310.00 | RENO CAVANAUGH | HACM Opinion | 2009 |
| | | **Total** | **1,262.50** | **RENO CAVANAUGH** | | |
| 634005 | 1490 | S157 | 79,875.00 | SEIBEL, AMY | U.S. Oil v. COM | 2009 |
| 634005 | 1490 | S157 | 213.00 | SEIBEL, AMY | U.S. Oil v. COM | 2009 |
| 634005 | 1490 | S157 | 8,237.50 | SEIBEL, AMY | U.S. Oil v. COM | 2009 |
| | | **Total** | **88,325.50** | **SEIBEL, AMY** | | |
| 634005 | 1490 | S157 | 1,739.30 | TARTER KRINSKY | Tower Automotive | 2009 |
| 634005 | 1490 | S157 | 1,498.50 | TARTER KRINSKY | Tower Automotive | 2009 |
| 634005 | 1490 | S157 | 364.50 | TARTER KRINSKY | Tower Automotive | 2009 |

| Account | Dept | Class | Amount | ShortName | Descr | Year |
|---|---|---|---|---|---|---|
| 634005 | 1490 | S157 | 1,903.50 | TARTER KRINSKY | Tower Automotive | 2009 |
| | | **Total** | **5,505.80** | **TARTER KRINSKY** | | |
| 634005 | 1490 | S157 | 2,000.00 | WALL ASSOCIATES | HAAS V COM ET AL | 2009 |
| | | **Total** | **2,000.00** | **WALL ASSOCIATES** | | |
| | | | 262,082.76 | Grand Total | | |

**NOTICES SENT TO FOR FILE 081060:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Barb Woldt | City Attorney | 1/28/09 | 3/31/09 | 5/11/09 |
| | | 9/3/09 | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090486 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 3116-3118 N. 27th St., in the 7th Aldermanic District to its former owner. (Antione Woodland) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of In Rem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

**Number**
090486
**Version**
SUBSTITUTE 1
**Sponsor**
THE CHAIR
**Title**
Substitute resolution authorizing the return of real estate located at 3116-3118 N. 27th St., in the 7th Aldermanic District to its former owner. (Antione Woodland)
**Analysis**
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
**Body**
Whereas, The property located at 3116-3118 N. 27th St., previously owned by Antione Woodland, has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Antione Woodland would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Antione Woodland has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3116-3118 N. 27th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 261, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
**Drafter**
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/10/09 **FILE NUMBER:** 090486

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

July 31, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 285-0813-000-9
Address: 3116 3118 N 27TH ST
Applicant/Requester: ANTIONE C WOODLAND
2009-01 Inrem File
Parcel: 261
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/ku

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 45 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 3116 N. 27th Street

TAXKEY NUMBER 285-0813-9

NAME OF APPLICANT Antione C. Woodland

MAILING ADDRESS 3118 N. 27th street

Milwaukee WI 53216 (404)551-9797

CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES ✓ NO _____

If no, describe interest in this property purchase property in Sept. '08 for home

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).

N/A

(Use reverse side, if additional space is needed)

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

YES ✓ NO _____

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 ✓

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 [signature] DATE 7/31/09

# Payment Receipt

CT-11

City of Milwaukee

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Antoine Woodland

Tax Account No.: 285-0813-9

Property Address: 3116-3118 N 27th St

Cash $ 1370.00 Check $ _____

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: _____

Current Collection Tax Payment ☐

Duplicate Tax Bill Fee ☐ Other ☒ Vacation of Judge.

Received by: [illegible]

Date: 7/31/09

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 7/31/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 285-0813-000 - 9

Property Address: 3116 3118 N 27TH ST

Applicant: ANTIONE C WOODLAND

Parcel Number: 261

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/03/09 Receipt # 00548355
Teller ID: ljones2210002

Payment Tendered: 7/31/2009 3:25 PM
1910 Delinquent Tax Cost Recovery
Document No.
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

ZD $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090486 Reopening and Vacating In Rem Judgment
Tax Key No.: 285-0813-000-9
Address: 3116 3118 N 27TH ST
Applicant/Requester: ANTIONE C WOODLAND
2009-01 in rem, Parcel: 261
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $4,120.05 | $4,120.05 | $4,120.05 |
| Interest | $746.35 | $786.18 | $826.04 |
| Penalty | $373.16 | $393.09 | 413.02 |
| TOTAL* | $5,239.56 | $5,299.32 | $5,359.11 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090486
Address 3116-18 N 27th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays $220.20 in pending Litter Nuisance Abatement charges and the applicant files a property recording application.

Sincerely,

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090486
3116-18 North 27th Street

The Department of City Development reports that the tax foreclosed property located at 3116-18 North 27th Street, Tax Key No. 285-0813-000-9, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090486:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Karen Taylor | DCD | 9/5/09 | | |
| Lynne Steffen | DNS | x | | |
| Mary Smith | Health | x | | |
| Rosemary Binder | Health | x | | |
| Kerry Urban | Treasurer | x | | |
| Antoine Woodland | 3118 N. 27th St.<br>Milwaukee, WI 53216 | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090490 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 3278 N. 12th St., in the 6th Aldermanic District to its former owner. (Jerry Smith) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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Number
090490
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 3278 N. 12th St., in the 6th Aldermanic District to its former owner. (Jerry Smith)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 3278 N. 12th St., previouslyowned by Jerry Smith, has delinquenttaxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Jerry Smith would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosingand management of said property since July 20, 2009; and

Whereas, Jerry Smith has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3278 N. 12th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulationwith the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 237, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090490

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| SALARIES/WAGES: | | | | | |
| | | | | | |
| | | | | | |
| SUPPLIES: | | | | | |
| | | | | | |
| MATERIALS: | | | | | |
| | | | | | |
| NEW EQUIPMENT: | | | | | |
| | | | | | |
| EQUIPMENT REPAIR: | | | | | |
| | | | | | |
| OTHER: | | | | | |
| | | | | | |
| | | | | | |
| TOTALS | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 3, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 283-0458-000-5
Address: 3278 3278 N 12TH ST
Applicant/Requester: JERRY C SMITH
2009-01 Inrem File
Parcel: 237
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/ku

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# Payment Receipt

CT-11

City of Milwaukee

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Jerry C. Smith

Tax Account No.: 283-0458-5

Property Address: 3278 N 12th St

Cash $ 1370.00 Check $ _____

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: _____

Current Collection Tax Payment ☐

Duplicate Tax Bill Fee ☐ Other ☒ Vacated Judgment Costs

Received by: Kelly U.

Date: 8/3/09

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW: CASH

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 ordinanc may be submitted for consideration to the Common Council where more than 45 days has elapsed from the date of entr 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: 3278 N 12th St.

A. PROPERTY ADDRESS 3278 N 12th St

TAXKEY NUMBER 283-0458-5

NAME OF APPLICANT Terry C Smith

MAILING ADDRESS P.O. Box 16860

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| Milwaukee | Wisc | 53216 | 414 507-1622 |

B. FORMER OWNER YES ✓ NO _____

If no, describe interest in this property _____

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).

3949 N Sherman Blvd

4342 N 26th St.

(Use reverse side, if additional space is needed)

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

YES ✓ NO _____

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 ✓

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 Terry C Smith DATE 8-3-09

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/3/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 283-0458-000 - 5

Property Address: 3278 3278 N 12TH ST

Applicant: JERRY C SMITH

Parcel Number: 237

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/04/09 Receipt # 00660100
Teller ID: syazda2210005

Payment Tendered: 8/3/2009 12:23 PM
1910 Delinquent Tax Cost Recovery
Document No. 283-0458-000-5
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

ZD $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090490 Reopening and Vacating InRem Judgment
Tax Key No.: 283-0458-000-5
Address: 3278 N 12TH ST
Applicant/Requester: JERRY C SMITH
2009-01 in rem, Parcel: 237
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $6,672.67 | $6,672.67 | $6,672.67 |
| Interest | $1,217.48 | $1,282.86 | $1,348.24 |
| Penalty | $608.74 | $641.43 | $674.12 |
| TOTAL* | $8,498.89 | $8,596.96 | $8,695.03 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interest in the following properties:
**3949 N Sherman Blvd** – Tax Key #267-0362-X with taxes paid in full.
**4342 N 61st St** – Tax Key #250-1071-100-5 with taxes paid in full.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090490
Address 3278 N 12th St.

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. There are no pending orders or charges. The Department does not object to the return of this property, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090490
3278 North 12th Street

The Department of City Development reports that the tax foreclosed property located at 3278 North 12th Street, Tax Key No. 283-0458-000-5, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; $1,000.00 rent has been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090490:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Jerry Smith | PO Box 16860<br>Milwaukee, WI 53216 | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090491 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 3710 N. Port Washington Ave., in the 6th Aldermanic District to its former owner. (Turnaround, LLC) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Other Properties Owned by Turnaround, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090491
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 3710 N. Port Washington Ave., in the 6th Aldermanic District to its former owner. (Turnaround, LLC)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 3710 N. Port Washington Ave., previously owned by Turnaround, LLC, has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Turnaround, LLC would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Turnaround, LLC has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3710 N. Port Washington Ave., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 197, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090491

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| SALARIES/WAGES: | | | | | |
| | | | | | |
| | | | | | |
| SUPPLIES: | | | | | |
| | | | | | |
| MATERIALS: | | | | | |
| | | | | | |
| NEW EQUIPMENT: | | | | | |
| | | | | | |
| EQUIPMENT REPAIR: | | | | | |
| | | | | | |
| OTHER: | | | | | |
| | | | | | |
| | | | | | |
| TOTALS | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 5, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 273-1202-000-4
Address: 3710 3710 N PORT WASHINGTON AV
Applicant/Requester: TURNAROUND LLC
2009-01 Inrem File
Parcel: 197
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/ku

**City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202**
**Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025**
**E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer**

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 ordinar may be submitted for consideration to the Common Council where more than 45 days has elapsed from the date of en 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 3710 N. Port Washington Ave

TAXKEY NUMBER 273-1202-4

NAME OF APPLICANT Turnaround LLC

MAILING ADDRESS 746 E. Beaumont Ave

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| Whitefish Bay | WI | 53217 | 414-412-3203 |

B. FORMER OWNER YES X NO _____

If no, describe interest in this property _____

[illegible] →

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).

(see reverse side)

(Use reverse side, if additional space is needed)

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

YES X NO _____

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 X 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 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 [signature] DATE 8/5/09

# Payment Receipt

CT-11

City of Milwaukee

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Gerard Timms

Tax Account No.: 273-1202-4

Property Address: 3710 N. Port Washington

Cash $ _____ Check $ 1370.00

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: _____

Current Collection Tax Payment ☐

Duplicate Tax Bill Fee ☐ Other ☑ vacation of judgement

Received by: Gloria R. Ward

Date: Aug. 5, 2009

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/5/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 273-1202-000 - 4

Property Address: 3710 3710 N PORT WASHINGTON AV

Applicant: TURNAROUND LLC

Parcel Number: 197

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/05/09 Receipt # 00663696
Teller ID: ljones2210002

Payment Tendered: 8/5/2009 1:10 PM
1910 Delinquent Tax Cost Recovery
Document No.
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 20725049 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090491 Reopening and Vacating InRem Judgment
Tax Key No.: 273-1202-000-4
Address: 3710 N PORT WASHINGTON AV
Applicant/Requester: TURNAROUND LLC
2009-01 in rem, Parcel: 197
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $4,420.20 | $4,420.20 | $4,420.20 |
| Interest | $899.82 | $942.67 | $985.52 |
| Penalty | $449.91 | $471.33 | $492.77 |
| TOTAL* | $5,769.93 | $5,834.20 | $5,898.49 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interests in other real property in the City of Milwaukee on the attached sheet.

WFW/slk

TURNAROUND LLC – Other ownership interests.

1420 W Hauser Ave - Tax Key#244-9950-5 with delinquent 2008 taxes in the amount of $895.32.

3835 N 5th St – Tax Key #273-0502-7 with 2008 taxes on the installment plan.

3003 N 20th St – Tax Key #310-0110-1 with taxes paid in full.

2760 – 2762 N 48th St – Tax Key #307-1033-6 with taxes paid in full.

4122 – 4124 N 46th St – Tax Key #248-0538-0 with taxes paid in full.

3013 – 3015 N 45th St - Tax Key #307-0658-6 with taxes on the installment plan.

4042 N 12th St – Tax Key #243-0047-5 with taxes on the installment plan.

3410 N 39th St - Tax Key #287-9986-9 with taxes on the installment plan.

4071 – 4073 N 39th St – Tax Key #247-0921-5 with taxes paid in full.

3144 W Pierce St – Tax Key #435-0003-4 with taxes paid in full.

1508 E Irving Pl. – Tax Key #355-0121-3 with taxes paid in full.

City of Milwaukee

**Department of Neighborhood Services**
inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090491
Address 3710 N Port Washington Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays $50.00 in pending Reinspection Fees and files a property recording application.

Sincerely,

Lynne Steffen
Business Operations Manager

841 N. Broadway Rm 104 • Milwaukee WI 53202 • 414.286.3441 • www.milwaukee.gov

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

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-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090491
3710 North Port Washington Avenue

The Department of City Development reports that the tax foreclosed property located at 3710 North Port Washington Avenue, Tax Key No. 273-1202-000-4, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090491:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Mike Trump | Turnaround, LLC<br>746 E. Beaumont Ave.<br>Whitefish Bay, WI 53217 | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090492 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 1836 W. Fond du Lac Ave., in the 15th Aldermanic District to its former owner. (Leonard Brady, Agent for Jolen & Company) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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Number
090492
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 1836 W. Fond du Lac Ave., in the 15th Aldermanic District to its former owner. (Leonard Brady, Agent for Jolen & Company)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 1836 W. Fond du Lac Ave., previouslyowned by Leonard Brady, Agent for Jolen & Company, has delinquenttaxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Leonard Brady, Agent for Jolen & Company would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Leonard Brady, Agent for Jolen & Company has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1836 W. Fond du Lac Ave., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulationwith the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 520, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090492

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| SALARIES/WAGES: | | | | | |
| | | | | | |
| | | | | | |
| SUPPLIES: | | | | | |
| | | | | | |
| MATERIALS: | | | | | |
| | | | | | |
| NEW EQUIPMENT: | | | | | |
| | | | | | |
| EQUIPMENT REPAIR: | | | | | |
| | | | | | |
| OTHER: | | | | | |
| | | | | | |
| | | | | | |
| TOTALS | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 5, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 351-2692-000-6
Address: 1836 1836 W FOND DU LAC AV
Applicant/Requester: JOLEN & COMPANY ATTN LEONARD BRADY
2009-01 Inrem File
Parcel: 520
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 ordinanc may be submitted for consideration to the Common Council where more than 45 days has elapsed from the date of entr 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 1836 WEST FOND DU LAC AVE

TAXKEY NUMBER 351269200006

NAME OF APPLICANT JOLEN + COMPANY

MAILING ADDRESS 1836 WEST FOND DU LAC AVE

MILWAUKEE (CITY) WISCONSIN (STATE) 53205 (ZIP CODE) 414-342-6006 (TELEPHONE NUMBER)

CELL 414-690-4120

B. FORMER OWNER YES X NO _____

If no, describe interest in this property _____

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).

1834 WEST FOND DU LAC AV. 351269310 0

1826 WEST FOND DU LAC AV. 351-2695

(Use reverse side, if additional space is needed)

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

YES ✓ NO _____

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 ✓

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 Leonard J. Brady DATE 8.5.09

# Payment Receipt

CT-11

City of Milwaukee

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Leonard Brady

Tax Account No.: 351-2692-6

Property Address: 1836 W Fond du lac Av

Cash $ 1310.00 Check $ —

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: _____

Current Collection Tax Payment ☐

Duplicate Tax Bill Fee ☐ Other ☒ Vac of Judgment

Received by: [illegible]

Date: 8/5/09

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/5/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 351-2692-000 - 6

Property Address: 1836 1836 W FOND DU LAC AV

Applicant: JOLEN & COMPANY

Parcel Number: 520

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/05/09 Receipt # 00663893
Teller ID: mgutie2210001

Payment Tendered: 8/5/2009 2:06 PM
1910 Delinquent Tax Cost Recovery
Document No. 351-2692-6 $1,370.00
Transaction Total:

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840 $220.00
Allocation Total:

1912 DCD-Cost Recovery
987016 0001 1911 1840 $450.00
Allocation Total:

1913 City Clerk-Cost Recovery
987016 0001 1310 1840 $200.00
Allocation Total:

1914 City Attorney-Cost Recovery
987016 0001 1490 1840 $500.00
Allocation Total:

CA $1,100.00
CA $50.00
CA $180.00
CA $30.00
CA $10.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090492 Reopening and Vacating InRem Judgment
Tax Key No.: 351-2692-000-6
Address: 1836 W FOND DU LAC AV
Applicant/Requester: JOLEN & COMPANY – ATTN LEONARD BRADY
2009-01 in rem, Parcel: 520
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $9,084.04 | $9,084.04 | $9,084.04 |
| Interest | $1,801.42 | $1,890.92 | $1,980.41 |
| Penalty | $900.72 | $945.46 | $990.20 |
| TOTAL* | $11,786.18 | $11,920.42 | $12,054.65 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interest in the following properties:
1834 W Fond du Lac Ave – Tax Key #351-2693-100-8 with delinquent 2008 taxes in the amount of $855.93. This property is currently at the Kohn Law Firm for collection.
1826 W Fond du Lac Ave – Tax Key #351-2695-2 with delinquent 2007 & 2008 taxes totaling $66.24. The 2007 levy is currently at the Kohn Law Firm for collection.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090492
Address 1836 W Fond du Lac Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090492
1836 West Fond du Lac Avenue

The Department of City Development reports that the tax foreclosed property located at 1836 West Fond du Lac Avenue, Tax Key No. 351-2692-000-6, is not suitable for use by a public agency or community based organization. The property is located in the Fond du Lac North Avenue and Lindsey Heights planning areas, but the property will be returned to a business owner which is a key element to both planning areas.

This commercial structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090492:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Leonard Brady | Jolen & Company<br>1836 W. Fond du Lac Ave.<br>Milwaukee, WI 53205 | x | | |
| Ald. Hines | | | | |
| | | | | |
| | | | | |
|

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090493 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 6973 N. 79th Court, in the 9th Aldermanic District to its former owner. (Bass & Moglowsky, S.C. on behalf of Nationstar Mortgage, LLC) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090493
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 6973 N. 79th Court, in the 9th Aldermanic District to its former owner. (Bass & Moglowsky, S.C. on behalf of Nationstar Mortgage, LLC)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 6973 N. 79th Court, previouslyowned by Bass & Moglowsky, S.C. on behalf of Nationstar Mortgage, LLC, has delinquent taxes for 2006-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Bass & Moglowsky, S.C. on behalf of Nationstar Mortgage, LLC would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Bass & Moglowsky, S.C. on behalf of Nationstar Mortgage, LLC has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 6973 N. 79th Court, a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulationwith the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 18, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090493

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 7, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 118-0174-000-8
Address: 6973 N 79TH CT
Applicant/Requester: NATIONSTAR MORTGAGE LLC
2009-01 Inrem File
Parcel: 18
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 45 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 6973 N. 79th Ct. Milwaukee, WI 53223

TAXKEY NUMBER 118-0174-000-8

NAME OF APPLICANT Nationstar Mortgage, LLC c/o Bass + Moglowsky, S.C.

MAILING ADDRESS 7020 N. Port Washington Road, Suite 206

| Milwaukee | WI | 53217 | 414-228-6700 |
|---|---|---|---|
| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |

B. FORMER OWNER YES X NO _____

If no, describe interest in this property _____

MILWAUKEE CITY TREASURER RECEIVED ON 2009 AUG -7 AM 11:18

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).

N/A

(Use reverse side, if additional space is needed)

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

YES X NO _____

(enclosed herein)

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

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 Carly K. Matthews DATE 8/6/09

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/7/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 118-0174-000 - 8

Property Address: 6973 6973 N 79TH CT

Applicant: NATIONSTAR MTG LLC

Parcel Number: 18

CaseNumber: 09-CV005281

**Teller Validation**

---

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/07/09 Receipt # 00664949
Teller ID: shills2210004

Payment Tendered: 8/7/2009 11:47 AM
1910 Delinquent Tax Cost Recovery
Document No. City Tres
Transaction Total: $1,370.00
Request for vacation of Judgement
1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 8080 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090493 Reopening and Vacating InRem Judgment
Tax Key No.: 118-0174-000-8
Address: 6973 N 79TH CT
Applicant/Requester: NATIONSTAR MORTGAGE LLC
2009-01 in rem, Parcel: 18
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2007 | $4,067.50 | $4,067.50 | $4,067.50 |
| Interest | $915.13 | $954.47 | $993.79 |
| Penalty | $457.57 | $477.24 | $496.89 |
| TOTAL* | $5,440.20 | $5,499.21 | $5,558.18 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090493
Address 6973 N 79th Ct

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. There are no pending charges. However, DNS has determined that this property is a candidate for condemnation action. Because the property is now City-owned, DNS cannot take further action unless requested by DCD Real Estate. If the property is returned to the former owner, DNS will then continue with the condemnation process. The owner should contact the district inspector, Michael Hammerman, at 286-8002 for further information.

Sincerely,

Lynne Steffen
Business Operations Manager

c: Michael Hammerman

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

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-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090493
6973 North 79th Court

The Department of City Development reports that the tax foreclosed property located at 6973 North 79th Court, Tax Key No. 118-0174-000-8, is not suitable for use by a public agency or community based organization. The property is located in the Northwest Side Plan area. If the redemption request is not approved, the Department would recommend demolition due to extensive fire damage.

This residential structure is vacant and no rent has been collected. Administrative costs incurred by our Department total $1,160.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090493:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Carly Matthews | Nationstar Mortgage, LLC<br>c/o Bass & Moglowsky, SC<br>7020 N. Port Washington Rd., Suite 206<br>Milwaukee, WI 53217 | x | | |
| Ald. Puente | | x | | |
| | | | | |
| | | | | |
| | |

| | | | | |
|---|---|---|---|---|
| | | | | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090494 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 1810-1812 S. 23rd St., in the 8th Aldermanic District to its former owner. (Gaspar Guerrero) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090494
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 1810-1812 S. 23rd St., in the 8th Aldermanic District to its former owner. (Gaspar Guerrero)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 1810-1812 S. 23rd St., previouslyowned by Gaspar Guerrero, has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Gaspar Guerrero would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Gaspar Guerrero has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1810-1812 S. 23rd St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulationwith the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 621, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090494

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| SALARIES/WAGES: | | | | | |
| | | | | | |
| | | | | | |
| SUPPLIES: | | | | | |
| | | | | | |
| MATERIALS: | | | | | |
| | | | | | |
| NEW EQUIPMENT: | | | | | |
| | | | | | |
| EQUIPMENT REPAIR: | | | | | |
| | | | | | |
| OTHER: | | | | | |
| | | | | | |
| | | | | | |
| TOTALS | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 5, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 459-0589-000-3
Address: 1810 1812 S 23RD ST
Applicant/Requester: GASPAR GUERRERO
2009-01 Inrem File
Parcel: 621
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

**City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202**
**Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025**
**E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer**

# 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 45 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 1810 1812 S 23rd ST

TAXKEY NUMBER 459-0589-000-3

NAME OF APPLICANT Gaspar Guerrero

MAILING ADDRESS 2023 S 7th ST

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| Milwaukee | Wis | 53204 | 414-645-7947 |

B. FORMER OWNER YES ✓ NO _____

If no, describe interest in this property _____

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).

_____

_____

(Use reverse side, if additional space is needed)

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

YES X NO _____

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

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 Gaspar Guerrero DATE 8-5-09

# Payment Receipt

CT-11

City of Milwaukee

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Gaspar Guerrero

Tax Account No.: 459-0589-3

Property Address: 1810-1812 S. 23rd St.

Cash $ 1370.00 Check $ _____

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: _____

Current Collection Tax Payment ☐

Duplicate Tax Bill Fee ☐ Other ☑ Vacated Judg. Fee

Received by: Kenny

Date: 8/5/09

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/5/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 459-0589-000 - 3

Property Address: 1810 1812 S 23RD ST

Applicant: GASPAR GUERRERO & CLEOTILDE

Parcel Number: 621

CaseNumber: 09-CV005281

**Teller Validation**

***** DUPLICATE *****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/05/09 Receipt # 00663344
Teller ID: mgutie2210001

Payment Tendered: 8/5/2009 11:01 AM
1910 Delinquent Tax Cost Recovery
Document No. 459-0589-3
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CA $10.00
CA $60.00
CA $1,300.00

WAYNE F. WHITTOW
City Treasurer

***** DUPLICATE *****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090494 Reopening and Vacating InRem Judgment
Tax Key No.: 459-0589-000-3
Address: 1810 1812 S 23RD ST
Applicant/Requester: GASPAR GUERRERO & CLEOTILDE
2009-01 in rem, Parcel: 621
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $5,383.31 | $5,383.31 | $5,383.31 |
| Interest | $949.24 | $1,001.73 | $1,054.21 |
| Penalty | $474.62 | $500.86 | $527.11 |
| TOTAL* | $6,807.17 | $6,885.90 | $6,964.63 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090494
Address 1810-12 S 23rd St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090494
1810-12 South 23rd Street

The Department of City Development reports that the tax foreclosed property located at 1810-12 South 23rd Street, Tax Key No. 459-0589-000-3, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090494:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Gaspar Guerrero | 2023 S. 7th St.<br>Milwaukee, WI 53204 | x | | |
| Ald. Donovan | | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090497 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 3320 N. 11th St., in the 6th Aldermanic District to its former owner. (Homecomings Financial) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090497
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 3320 N. 11th St., in the 6th Aldermanic District to its former owner. (Homecomings Financial)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 3320 N. 11th St., previously owned by Homecomings Financial, has delinquenttaxes for 2007-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, HomecomingsFinancialwould like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, HomecomingsFinancialhas agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3320 N. 11th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulationwith the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 234, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090497

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| SALARIES/WAGES: | | | | | |
| | | | | | |
| | | | | | |
| SUPPLIES: | | | | | |
| | | | | | |
| MATERIALS: | | | | | |
| | | | | | |
| NEW EQUIPMENT: | | | | | |
| | | | | | |
| EQUIPMENT REPAIR: | | | | | |
| | | | | | |
| OTHER: | | | | | |
| | | | | | |
| | | | | | |
| TOTALS | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 10, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 283-0290-000-2
Address: 3320 N 11TH ST
Applicant/Requester: HOMECOMINGS FINANCIAL
2009-01 Inrem File
Parcel: 234
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 45 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 3320 N. 11th St.

TAXKEY NUMBER 283029600002

NAME OF APPLICANT Homecomings Financial

MAILING ADDRESS 3451 Hammond Ave

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| Waterloo | Ia | 50702 | 1-800-766-4622 x23655586 |

B. FORMER OWNER YES _____ NO x

If no, describe interest in this property Mortgage Company

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).

None.

(Use reverse side, if additional space is needed)

MILWAUKEE CITY TREASURER
RECEIVED ON
2009 AUG 20 PM 3:41

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

YES ✓ NO _____

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 ✓

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 Carol McDonnott DATE 7/31/09

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/10/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 283-0290-000 - 2

Property Address: 3320 3320 N 11TH ST

Applicant: HOMECOMINGS FINANCIAL

Parcel Number: 234

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/11/09 Receipt # 00665769
Teller ID: syazda2210005

Payment Tendered: 8/10/2009 3:05 PM
1910 Delinquent Tax Cost Recovery
Document No. 283-0290-000-2
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 13335065 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090497 Reopening and Vacating InRem Judgment
Tax Key No.: 283-0290-000-2
Address: 3320 N 11TH ST
Applicant/Requester: HOMECOMINGS FINANCIAL
2009-01 in rem, Parcel: 234
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2007-2008 | $2,107.31 | $2,107.31 | $2,107.31 |
| Interest | $183.50 | $204.59 | $225.65 |
| Penalty | $91.75 | $102.29 | $112.82 |
| TOTAL* | $2,382.56 | $2,414.19 | $2,445.78 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090497
Address 3320 N 11th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090497
3320 North 11th Street

The Department of City Development reports that the tax foreclosed property located at 3320 North 11th Street, Tax Key No. 283-0290-000-2, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090497 and 090498 :**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Carol McDermott | Homecomings Financial<br>3451 Hammond Ave.<br>Waterloo, IO 50702 | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090498 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 3015-3017 N. 6th St., in the 6th Aldermanic District to its former owner. (Homecomings Financial) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090498
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 3015-3017 N. 6th St., in the 6th Aldermanic District to its former owner. (Homecomings Financial)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 3015-3017 N. 6th St., previously owned by Homecomings Financial, has delinquent taxes for 2007-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Homecomings Financial would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Homecomings Financial has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3015-3017 N. 6th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 365, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090498

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 10, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: for Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 312-1540-000-2
Address: 3015 3017 N 6TH ST
Applicant/Requester: HOMECOMINGS FINANCIAL
2009-01 Inrem File
Parcel: 365
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 45 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 3015/17 N. 16th St.

TAXKEY NUMBER 3121540000 2

NAME OF APPLICANT Homecomings Financial

MAILING ADDRESS 3451 Hammond Ave

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| Waterloo | Ia | 50702 | 1-800-766-9622 x23655846 |

B. FORMER OWNER YES _____ NO x

If no, describe interest in this property Mortgage Company

MILWAUKEE CITY TREASURER RECEIVED ON 2009 AUG 10 PM 4:41

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).

None

(Use reverse side, if additional space is needed)

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

YES ✓ NO _____

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 ✓

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 Carol McDermott DATE 8/4/09

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/10/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 312-1540-000 - 2

Property Address: 3015 3017 N 6TH ST

Applicant: HOMECOMINGS FINANCIAL

Parcel Number: 365

CaseNumber: 09-CV005281

**Teller Validation**

```
**** DUPLICATE ****
City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/11/09 Receipt # 00665768
Teller ID: syazda2210005

Payment Tendered: 8/10/2009 3:03 PM
1910 Delinquent Tax Cost Recovery
Document No. 312-1540-000-2
Transaction Total:                    $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total:                       $220.00

1912 OCD-Cost Recovery
987016 0001 1911 1840
Allocation Total:                       $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total:                       $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total:                       $500.00

CK 13335065                           $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****
```

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090498 Reopening and Vacating InRem Judgment
Tax Key No.: 312-1540-000-2
Address: 3015 3017 N 6TH ST
Applicant/Requester: HOMECOMINGS FINANCIAL
2009-01 in rem, Parcel: 365
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2007-2008 | $2,481.80 | $2,481.80 | $2,481.80 |
| Interest | $255.75 | $280.58 | $305.39 |
| Penalty | $127.88 | $140.29 | $152.69 |
| TOTAL* | $2,865.43 | $2,902.67 | $2,939.88 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090498
Address 3015-17 N 6th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090498
3015-17 North 6th Street

The Department of City Development reports that the tax foreclosed property located at 3015-17 North 6th Street, Tax Key No. 312-1540-000-2, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090498:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Carol McDermott | Homecomings Financial<br>3451 Hammond Ave.<br>Waterloo, IO 50702 | x | | |
| Atty. David J. Hanus | Hinshaw & Culbertson<br>100 E. Wisconsin Ave.,<br>#2600<br>Milwaukee, WI 53202 | x | | |
| | | | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090500 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 3457 N. 58th St., in the 10th Aldermanic District to its former owner. (Alotta Properties, LLC) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090500
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 3457 N. 58th St., in the 10th Aldermanic District to its former owner. (Alotta Properties, LLC)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 3457 N. 58th St., previouslyowned by Alotta Properties, LLC, has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Alotta Properties, LLC would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Alotta Properties, LLC has agreed to pay all related city charges up untilthe point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3457 N. 58th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulationwith the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 294, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090500

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| SALARIES/WAGES: | | | | | |
| | | | | | |
| | | | | | |
| SUPPLIES: | | | | | |
| | | | | | |
| MATERIALS: | | | | | |
| | | | | | |
| NEW EQUIPMENT: | | | | | |
| | | | | | |
| EQUIPMENT REPAIR: | | | | | |
| | | | | | |
| OTHER: | | | | | |
| | | | | | |
| | | | | | |
| TOTALS | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 12, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 289-0029-000-6
Address: 3457 N 58TH ST
Applicant/Requester: ALOTTA PROPERTIES, LLC
2009-01 Inrem File
Parcel: 294
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 45 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.** NO LATER THAN SEPT. 3 - 2009
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 3457 N. 58th STREET, MILWAUKEE, WI

TAXKEY NUMBER 289-0029-6

NAME OF APPLICANT ALOTTA PROPERTIES, LLC

MAILING ADDRESS 6300 N. PORT WASHINGTON ROAD

| GLENDALE | WI | 53217 | 414-540-9901 |
|---|---|---|---|
| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |

B. FORMER OWNER YES X NO _____

If no, describe interest in this property _____

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).

SEE ATTACHED

(Use reverse side, if additional space is needed)

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

YES X NO _____

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 X 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 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 Curt Y DATE 8/10/09

| Property | Company |
|---|---|
| 3231 N Buffum St | Awesome |
| 3202 W. Fairmount | Awesome |
| 4410 W Lloyd | Awesome |
| 3172 N. Holton St. | Awesome |
| 3070 N. 2nd St | Acme |
| 3354 N. 2nd st. | Acme |
| 3600 N. 4th St. | Acme |
| 3170 N. 7th | Acme |
| 3355 N. 8th St. | Acme |
| 3446 N. 15th | Acme |
| 4036 N 24th PL | Acme |
| 5315-5317 N 28th St | Acme |
| 2209 N. 29th St. | Acme |
| 431 n 30th st | Acme |
| 3822 N 36th st | Acme |
| 4442 N. 37th St. | Acme |
| 5901 N. 37th | Acme |
| 4651-4653 N. 38th St. | Acme |
| 5102 N. 39th St. | Acme |
| 5826 N 42nd St. | Acme |
| 4971 N. 46th | Acme |
| 4960 n. 48th | Acme |
| 2542 N. 50th St. | Acme |
| 2548 N. 51st | Acme |
| 1811 W Capitol Drive | Acme |
| 6401 W. Florist | Acme |
| 3723 N 3rd St. | Alotta |
| 3806 N 5th St. | Alotta |
| 2952 N. 7th St. | Alotta |
| 3284 N 25th St. | Alotta |
| 4646 N. 29th St. | Alotta |
| 225-227 N. 36th St. | Alotta |
| 4931-4933 N. 40th St. | Alotta |
| 2454 N 41st St. | Alotta |
| 2749 N 45th St. | Alotta |
| 2974 N. 45th | Alotta |
| 4858 N. 45th St. | Alotta |
| 4971 N. 47th St. | Alotta |
| 2467 n 49th st | Alotta |
| 2539 N 50th St. | Alotta |

| Property | Company |
|---|---|
| 2466 N 52nd. St | Alotta |
| 3457 N 58th | Alotta |
| 5657 N. 60th St. | Alotta |
| 5820 N 65th | Alotta |
| 5318 W. Mill Rd. | Alotta |
| 6330 W Carmen | Alotta |
| 117 E Chambers | Alotta |

Prepared by: Kerry C. Feld, Esq.
Continental REO Services, Inc.
7777 Bonhomme Avenue, Suite 1100
St. Louis, MO 63105

# Wisconsin Special Warranty Deed

This Deed is made and entered into this 18th day of June, 20 09 by and between

U.S Bank National Association, Trustee for Lehman Brothers Structured Asset Securities Corporation SASCO 2006-AM1

of the County of Dallas, State of Texas, hereinafter collectively referred to as "Grantor", and

Alotta Properties, LLC

of the County of Milwaukee, State of WI, hereinafter referred to as "Grantee". The mailing address of the Grantee is 6300 N. Port Washington Rd, Glendale, WI 53217

WITNESSETH, that the Grantors, for and in consideration of the sum of Ten Dollars ($10.00) and other valuable considerations paid to the Grantor, the receipt of which is hereby acknowledged, does by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the Grantee, the following described lots, tracts or parcels of land lying, being and situated in the County of Milwaukee and State of Wisconsin to-wit:

Lot 29 in Block 1 in Norwood Annex, being a Subdivision of a part of the Southwest 1/4 of Section 11, Township 7 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin.

Parcel ID: 2890029000

This _____ homestead property. (is) (is not)

Subject to easements, conditions, restrictions and limitations of record.

To have and to hold the same; together with all rights and appurtenances to the same belonging, unto the said Grantees, and to His/Her successors and assigns. The said Grantor hereby covenanting that it and the successors and assigns of such Grantor shall and will WARRANT AND DEFEND the title to the premises unto the said Grantees, and to the successors and assigns of such Grantee forever, against the lawful claims of all persons claiming by, through or under Grantor but none other, excepting, however, the general taxes for the calendar year 2009 and thereafter, and special taxes becoming a lien after the date of this deed.

IN WITNESS WHEREOF, the said Grantor has hereunto caused this instrument to be signed on the day and year first above written.

Grantor:

U.S Bank National Association, Trustee for Lehman Brothers Structured Asset Securities Corporation SASCO 2006-AM1 , Grantor, by JPMorgan Chase Bank, N.A. , its Attorney-in-Fact

Susan Harber

Title: Susan Harber
Assistant Vice President

STATE OF Texas )
) SS
COUNTY OF Dallas )

On this 10 day of June, 2009, before me Ashley Haynes appeared Susan Harber to me personally known, who, being by me duly sworn, did say that he/she is the AVP (title) of JPMorgan Chase Bank, N.A. , as Attorney-in-Fact for U.S Bank National Association, Trustee for Lehman Brothers Structured Asset Securities Corporation SASCO 2006-AM1, Grantor, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation, by authority of its board of directors and said _____ acknowledged said instrument to be the free act and deed of said corporation.

In Testimony whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first written above.

NOTARY PUBLIC STATE OF TEXAS
ASHLEY N HAYNES
Notary Public, State of Texas
My Commission Expires
July 24, 2011

Ashley N Haynes
Notary Public

My Commission Expires:

(Notary seal)

CITY OF MILWAUKEE
2009 AUG 13 AM 11:43
RONALD D. LEONHARDT
CITY CLERK

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/12/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 289-0029-000 - 6

Property Address: 3457 3457 N 58TH ST

Applicant: ALOTTA PROPERTIES LLC

Parcel Number: 294

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/12/09 Receipt # 00666651
Teller ID: syazda2210005

Payment Tendered: 8/12/2009 10:33 AM
1910 Delinquent Tax Cost Recovery
Document No. 289-0029-000-6
Transaction Total: $1,370.00
3457 N 58th St
1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 6092 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090500 Reopening and Vacating InRem Judgment
Tax Key No.: 289-0029-000-6
Address: 3457 N 58TH ST
Applicant/Requester: ALOTTA PROPERTIES, LLC
2009-01 in rem, Parcel: 294
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $11,064.13 | $11,064.13 | $11,064.13 |
| Interest | $2,157.91 | $2,267.20 | $2,376.50 |
| Penalty | $1,078.95 | $1,133.61 | $1,188.25 |
| TOTAL* | $14,300.99 | $14,464.94 | $14,628.88 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interest in the following properties with all taxes paid in full:
SEE ATTACHED

WFW/slk

**090500**

**3723 N 3rd St** – Tax Key #273-0434-8
**3806 N 5th St** – Tax Key #273-0513-7
**2952 – 2954 N 7th St** – Tax Key #312-1693-5
**3284 A N 25th St** – Tax Key #285-0335-0
**4646 - 4648 N 29th St** – Tax Key #230-0502-X
**225 – 227 N 36th St** – Tax Key #402-0521-X
**4931 – 4933 N 40th St** – Tax Key #208-0225-120-4
**2424 – 2456 N 41st St** – Tax Key #327-0577-9
**2749 – 2751 N 45th St** – Tax Key #307-0953-X
**2974 - 2976 N 45th St** – Tax Key #307-0105-9
**4858 – 4860 N 45th St**- Tax Key #209-0707-0
**4971 – 4973 N 47th St** – Tax Key #209-0327-100-1
**2467 N 49th St** – Tax Key #328-1807-3
**2539 – 2541 N 50th St** – Tax Key #328-1844-5
**2466 N 52nd St** – Tax Key #329-0547-X
**5657 – 5659 N 60th St** – Tax Key #174-1005-5
**5820 – 5822 N 65th St** – Tax Key #174-0607-X
**5318 W Mill Rd** – Tax Key #139-0105-1
**6330 W Carmen Ave** – Tax Key #174-0390-1
**117 E Chambers St** - Tax Key #313-0539-6

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090500
Address 3457 N 58th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files an updated property recording application.

Sincerely,

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090500
3457 North 58th Street

The Department of City Development reports that the tax foreclosed property located at 3457 North 58th Street, Tax Key No. 289-0029-000-6, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090500:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Curt Y. | Alotta Properties, LLC<br>6300 N Port Washington Rd.<br>Glendale, WI 53217 | x | | |
| Ald. Murphy | | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090501 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 5406 N. 20th St., in the 1st Aldermanic District to its former owner. (Jacqueline Holmon) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090501
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 5406 N. 20th St., in the 1st Aldermanic District to its former owner. (Jacqueline Holmon)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 5406 N. 20th St., previously owned by Jacqueline Holmon, has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Jacqueline Holmon would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Jacqueline Holmon has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 5406 N. 20th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 71, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090501

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 11, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 195-9993-200-6
Address: 5406 N 20TH ST
Applicant/Requester: JACQUELINE HOLMON
2009-01 Inrem File
Parcel: 71
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 45 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 5406 North 20th ST

TAXKEY NUMBER 195-9993-200-6

NAME OF APPLICANT JACQUELINE C. HOLMON

MAILING ADDRESS 5406 N. 20th st

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| MILWAUKEE | WI | 53206 | 414-247-0555 |

B. FORMER OWNER YES X NO _____

If no, describe interest in this property _____

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).

NONE

(Use reverse side, if additional space is needed)

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

YES X NO _____

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

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 Jacqueline C. Holmon DATE 8-11-09

2009 AUG 11 AM 11:03 CITY TREASURER RECEIVED ON

# Payment Receipt

CT-11

City of Milwaukee

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Jacqueline Holmes

Tax Account No.: 195-9993-200-6

Property Address: 5406 N 20th St

Cash $ ——— Check $ 1370.00

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: _____

Current Collection Tax Payment ☐

Duplicate Tax Bill Fee ☐ Other ☒ Vac of Judgmt

Received by: [signature]

Date: 8-11-09

CITY OF MILWAUKEE
2009 AUG 13 AM 11:43
RONALD D. LEONHARDT
CITY CLERK

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/11/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 195-9993-200 - 6

Property Address: 5406 5406 N 20TH ST

Applicant: JACQUELINE HOLMON

Parcel Number: 71

CaseNumber: 09-CV005281

**Teller Validation**

***** DUPLICATE *****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/11/09 Receipt # 00666251
Teller ID: syazda2210005

Payment Tendered: 8/11/2009 11:16 AM
1910 Delinquent Tax Cost Recovery
Document No. 195-9993-200-6
Transaction Total: $1,370.00
5406 n 20th st
1911 City Treasurer-Cost Recovery
987016 0001 2210 1340
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 301859 $1,370.00

WAYNE F. WHITTOW
City Treasurer

***** DUPLICATE *****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090501 Reopening and Vacating InRem Judgment
Tax Key No.: 195-9993-200-6
Address: 5406 N 20TH ST
Applicant/Requester: JACQUELINE HOLMON
2009-01 in rem, Parcel: 71
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $5,188.76 | $5,188.76 | $5,188.76 |
| Interest | $941.81 | $986.01 | $1,030.19 |
| Penalty | $470.91 | $493.00 | $515.10 |
| TOTAL* | $6,601.48 | $6,667.77 | $6,734.05 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090501
Address 5406 N 20th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090501
5406 North 20th Street

The Department of City Development reports that the tax foreclosed property located at 5406 North 20th Street, Tax Key No. 195-9993-200-6, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090501:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Jacqueline Holmon | 5406 N. 20th St.<br>Milwaukee, WI 53206 | x | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090502 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 421 N. 30th St., in the 4th Aldermanic District to its former owner. (Prestyne Wallace) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090502
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 421 N. 30th St., in the 4th Aldermanic District to its former owner. (Prestyne Wallace)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 421 N. 30th St., previouslyowned by Prestyne Wallace, has delinquenttaxes for 2005-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Prestyne Wallace would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Prestyne Wallace has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 421 N. 30th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulationwith the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 579, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090502

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
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| **SUPPLIES:** | | | | | |
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| **MATERIALS:** | | | | | |
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| **NEW EQUIPMENT:** | | | | | |
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| **EQUIPMENT REPAIR:** | | | | | |
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| **OTHER:** | | | | | |
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| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 11, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 401-0123-000-9
Address: 421 N 30TH ST
Applicant/Requester: PRESTYNE S WALLACE
2009-01 Inrem File
Parcel: 579
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

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 ordinar may be submitted for consideration to the Common Council where more than 45 days has elapsed from the date of en 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 [redacted] 421 N. 30th St. Milwaukee WI 53208

TAXKEY NUMBER 401-0123-9

NAME OF APPLICANT Prestyne Wallace

MAILING ADDRESS 2330 N. Holton St.

Milwaukee (CITY) WI (STATE) 53212 (ZIP CODE) (414) 807-4357 (TELEPHONE NUMBER)

B. FORMER OWNER YES ✓ NO _____

If no, describe interest in this property _____

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).

2330 N. Holton St. Milwaukee WI 53212

(Use reverse side, if additional space is needed)

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

YES ✓ NO _____

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 _____

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 Prestyne Wallace DATE 8/10/09

City of Milwaukee

**Payment Receipt**
Office of the City Treasurer
City Hall, Room 103
200 East Wells Street
Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: PRESTYNE WALLACE

Tax Account No.: 401-0123-9

Property Address: 421 N 30TH ST MILWAUKEE WI

Check Amount $ 1370.00 Check No.: 20036902

**Payment Type:**

Installment Payment ☐

Delinquent Payment ☐ Year

Bond Payment ☐

Current Collection Tax Payment ☐

Duplicate Bill Fee ☐

Other ☑ Explain VACATED JUDGEMENT COST

Received By: LAKISHA BRIDGES

Signature: Lakisha Bridges

Date: 08/11/09

**Payment acknowledgement is not valid until tax payment checks have cleared all banks**

CITY OF MILWAUKEE
2009 AUG 13 AM 11:43
RONALD D. LEONHARDT
CITY CLERK

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/11/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 401-0123-000 - 9

Property Address: 421 421 N 30TH ST

Applicant: PRESTYNE S WALLACE

Parcel Number: 579

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/11/09 Receipt # 00666393
Teller ID: shills2210004

Payment Tendered: 8/11/2009 1:08 PM
1910 Delinquent Tax Cost Recovery
Document No. City trea
Transaction Total: $1,370.00
Adm cost for vacation judgement
1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 20036902 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090502 Reopening and Vacating InRem Judgment
Tax Key No.: 401-0123-000-9
Address: 421 N 30TH ST
Applicant/Requester: PRESTYNE S WALLACE
2009-01 in rem, Parcel: 579
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2005-2008 | $11,143.56 | $11,143.56 | $11,143.56 |
| Interest | $2,239.22 | $2,348.88 | $2,458.55 |
| Penalty | $1,119.62 | $1,174.44 | $1,229.26 |
| TOTAL* | $14,502.40 | $14,666.88 | $14,831.37 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interest in the following property:
**2330-2332 N Holton St** – Tax Key #401-0123-9 with delinquent 2008 real estate taxes in the amount of $4.492.11.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090502
Address 421 N 30th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays $356.88 in pending Litter Nuisance Abatement charges, $75 in pending Recording Enforcement fees, and files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
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-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090502
421 North 30th Street

The Department of City Development reports that the tax foreclosed property located at 421 North 30th Street, Tax Key No. 401-0123-000-9, is not suitable for use by a public agency or community based organization. The property is located in the Near Westside and Downtown Connector planning areas, but the property will be returned to an owner occupant and homeownership is a key element to both planning areas.

This residential structure is occupied; $2,200.00 rent has been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090502:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Prestyne Wallace | 2330 N. Holton St.<br>Milwaukee, WI 53212 | x | | |
| Ald. Bauman | | x | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090504 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 1616-1618 S. Cesar E. Chavez Dr., in the 12th Aldermanic District to its former owner. (Maria de La Luz Hernandez) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090504
**Version**
SUBSTITUTE 1
**Sponsor**
THE CHAIR
**Title**
Substitute resolution authorizing the return of real estate located at 1616-1618 S. Cesar E. Chavez Dr., in the 12th Aldermanic District to its former owner. (Maria de La Luz Hernandez)
**Analysis**
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
**Body**
Whereas, The property located at 1616-1618 S. Cesar E. Chavez Dr., previously owned by Maria de La Luz Hernandez, has delinquent taxes for 2005-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Maria de La Luz Hernandez would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Maria de La Luz Hernandez has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1616-1618 S. Cesar E. Chavez Dr., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 628, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
**Drafter**
CC CC
lme



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 8/12/09 **FILE NUMBER:** 090504

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| SALARIES/WAGES: | | | | | |
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| SUPPLIES: | | | | | |
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| MATERIALS: | | | | | |
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| NEW EQUIPMENT: | | | | | |
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| EQUIPMENT REPAIR: | | | | | |
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| OTHER: | | | | | |
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| TOTALS | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 14, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 4601268000-7
Address: 1616 1618 S CESAR E CHAVEZ DR
Applicant/Requester: MARIA DE LA LUZ HERNANDEZ
2009-01 Inrem File
Parcel: 628
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

**City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202**
**Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025**
**E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer**

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 ordina may be submitted for consideration to the Common Council where more than 45 days has elapsed from the date of er 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: 460-1268-7

A. PROPERTY ADDRESS 1616 S. Cesar Chavez DR.

TAXKEY NUMBER MA De LA LUZ

NAME OF APPLICANT ~~Maria~~ Hernandez De Rivera

MAILING ADDRESS 1616 S. Cesar Chavez DR.

Milwaukee, WI 53204

CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES ✓ NO _____

If no, describe interest in this property _____

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).

1. 1801 South 11 Street, Milw, WI 53204
2. 1648 South Cesar Chavez Dr, Milw, 53204

(Use reverse side, if additional space is needed)

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

YES X NO _____

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

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 Maria de la Luz Hernandez DATE 8-14-09

City of Milwaukee

**Payment Receipt**
Office of the City Treasurer
City Hall, Room 103
200 East Wells Street
Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Maria De La Luz Hernandez De Riveria

Tax Account No.: 460-1268-7

Property Address: 1616 S Cesar Chavez Dr

Cash $ 1370.00 Check No.:

**Payment Type:**

Installment Payment ☐

Delinquent Payment ☐ Year

Bond Payment ☐

Current Collection Tax Payment ☐

Duplicate Bill Fee ☐

Other ☐ Explain Vacated Judgment Fee

Received By: Charlotte S

Signature:

Date: 8/14/09

**Payment acknowledgement is not valid until tax payment checks have cleared all banks**

CITY OF MILWAUKEE
2009 AUG 17 AM 11: 10
RONALD D. LEONHARDT
CITY CLERK

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/14/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 460-1268-000 - 7

Property Address: 1616 1618 S CESAR E CHAVEZ DR

Applicant: MARIA DE LA LUZ HERNANDEZ

Parcel Number: 628

CaseNumber: 09-CV005281

**Teller Validation**

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090504 Reopening and Vacating InRem Judgment
Tax Key No.: 460-1268-000-7
Address: 1616 1618 S CESAR E CHAVEZ DR
Applicant/Requester: MARIA DE LA LUZ HERNANDEZ
2009-01 in rem, Parcel: 628
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2005-2008 | $6,563.01 | $6,563.01 | $6,563.01 |
| Interest | $1,002.39 | $1,066.66 | $1,130.95 |
| Penalty | $501.20 | $533.33 | $565.48 |
| TOTAL* | $8,066.60 | $8,163.00 | $8,259.44 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interest in the following properties:
**1801 S 11th St** – Tax Key #461-0646-0 with delinquent 2007-2008 taxes totaling $9,030.60. The 2007 levy is at the Kohn Law Firm for collection.
**1648 S Cesar E Chavez Dr** – Tax Key#460-1021-3 – City acquired 7/20/09, Parcel 627.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090504
Address 1616-18 S Cesar E Chavez Dr

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files an updated recording application for this property.

There is a pending Recording Enforcement fee of $300.00 for the property located at 1801 S 11th St, which is also owned by the applicant. The Department requests that this fee be paid.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090504
1616-18 South Cesar E. Chavez Drive

The Department of City Development reports that the tax foreclosed property located at 1616-18 South Cesar E. Chavez Drive, Tax Key No. 460-1268-000-7, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This commercial structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090504:**

| NAME | ADDRESS | | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Maria de la Luz Hernandez | 1616 S. Cesar Chavez Dr.<br>Milwaukee, WI 53204 | x | | |
| Ald. Witkowiak | | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090507 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 3015 N. 12th St., in the 6th Aldermanic District to its former owner. (Wacheyne Evans) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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Number
090507
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 3015 N. 12th St., in the 6th Aldermanic District to its former owner. (Wacheyne Evans)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 3015 N. 12th St., previouslyowned by Wacheyne Evans, has delinquenttaxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Wacheyne Evans would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Wacheyne Evans has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3015 N. 12th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulationwith the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 376, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/1//09 **FILE NUMBER:** 090507

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 17, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 312-3318-000-1
Address: 3015 N 12TH ST
Applicant/Requester: WACHEYNE EVANS
2009-01 Inrem File
Parcel: 376
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

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 ordinan may be submitted for consideration to the Common Council where more than 45 days has elapsed from the date of ent 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 3015 North 12th Street

TAXKEY NUMBER 312-3318-1

NAME OF APPLICANT Wacheyne Evans (cell #2)

MAILING ADDRESS 3015 No. 12th St. (414) 544-1109

Milwaukee, WI 53206 (414) 460-3029 cell

CITY STATE ZIP CODE TELEPHONE NUMBER (1)

B. FORMER OWNER YES X NO _____

If no, describe interest in this property N/A.

2009 AUG 17 PM 2:12

MILWAUKEE CITY TREASURER RECEIVED OR

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).

916 West Clark Street, Milw, WI. 53206

(Use reverse side, if additional space is needed)

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

YES X NO _____

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

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 X Wacheyne Evans DATE X 8/17/09

City of Milwaukee

**Payment Receipt**
Office of the City Treasurer
City Hall, Room 103
200 East Wells Street
Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: WACHEYNE EVANS

Tax Account No.: 312-3318-1

Property Address: 3015 N 12TH STREET, MILWAUKEE, WI 53206

CASH Amount $ _____ Check No.: 1370.00

**Payment Type:**

Installment Payment ☐

Delinquent Payment ☐ Year _____

Bond Payment ☐

Current Collection Tax Payment ☐

Duplicate Bill Fee ☐

Other ☑ Explain VACATION OF JUDGMENT

Received By: CHARLOTTE A. SERAZIO

Signature: Charlotte A. Serazio

Date: AUGUST 17, 2009

**Payment acknowledgement is not valid until tax payment checks have cleared all banks**

CITY OF MILWAUKEE
2009 AUG 19 AM 11:28
RONALD D. LEONHARDT
CITY CLERK

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/17/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 312-3318-000 - 1

Property Address: 3015 3015 N 12TH ST

Applicant: WACHEYNE EVANS

Parcel Number: 376

CaseNumber: 09-CV005281

**Teller Validation**

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090507 Reopening and Vacating InRem Judgment
Tax Key No.: 312-3318-000-1
Address: 3015 N 12TH ST
Applicant/Requester: WACHEYNE EVANS
2009-01 in rem, Parcel: 376
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $3,243.52 | $3,243.52 | $3,243.52 |
| Interest | $581.15 | $613.57 | $646.02 |
| Penalty | $290.58 | $306.80 | $323.01 |
| TOTAL* | $4,115.25 | $4,163.89 | $4,212.55 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interest in the following property:
**916 W Clarke St** – Tax Key #323-0018-X with delinquent 2007-2008 taxes totaling $4,746.05. The 2007 levy is at the Kohn Law Firm for collection.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090507
Address 3015 N 12th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files a property recording application.

There is a pending Reinspection fee of $50.00 for the property located at 916 W Clarke St, which is also owned by the applicant. The Department requests that this fee be paid.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

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-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090507
3015 North 12th Street

The Department of City Development reports that the tax foreclosed property located at 3015 North 12th Street, Tax Key No. 312-3318-000-1, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090507:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Wacheyne Evans | 3015 N. 12th St.<br>Milwaukee, WI 53206 | x | | |
| Ald. Coggs | | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090529 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 2180 S. Robinson Ave., in the 14th Aldermanic District to its former owner. (Robert Heffernana, Agent for Berland/Heffernan, Inc.) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090529
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 2180 S. Robinson Ave., in the 14th Aldermanic District to its former owner. (Robert Heffernana, Agent for Berland/Heffernan, Inc.)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 2180 S. Robinson Ave., previously owned by Robert Heffernana, Agent for Berland/Heffernan, Inc., has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Robert Heffernana, Agent for Berland/Heffernan, Inc. would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Robert Heffernana, Agent for Berland/Heffernan, Inc. has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2180 S. Robinson Ave., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 646, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/1//09 **FILE NUMBER:** 090529

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 14, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 466-1144-100-2
Address: 2180 2180 S ROBINSON AV
Applicant/Requester: BERLAND-HEFFERNAN INC
C/O ROBERT C HEFFERNANA AGEN
2009-01 Inrem File
Parcel: 646
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/ku

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

City of Milwaukee

**Payment Receipt**
Office of the City Treasurer
City Hall, Room 103
200 East Wells Street
Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Berland/Hefferman, Inc

Tax Account No.: 466-1144-100-2

Property Address: 2180 South Robinsin Avenue

Check Amount $ 1370.00 Check No.:

**Payment Type:**

Installment Payment ☐

Delinquent Payment ☐ Year

Bond Payment ☐

Current Collection Tax Payment ☐

Duplicate Bill Fee ☐

Other ☑ Explain Vacated Judgment Fee

Received By: Charlotte S.

Signature:

Date: 8/13/2009

**Payment acknowledgement is not valid until tax payment checks have cleared all banks**

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 ordinar may be submitted for consideration to the Common Council where more than 45 days has elapsed from the date of enl 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 2180 South Robinson Avenue, Milwaukee, WI

TAXKEY NUMBER 466-1144-100-2

NAME OF APPLICANT Berland/Heffernan, Inc.

MAILING ADDRESS 8405 West Lisbon Avenue

| Milwaukee, | WI | 53222 | (414) 461-4040 |
|---|---|---|---|
| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |

B. FORMER OWNER YES X NO _____

If no, describe interest in this property _____

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).

354 East Bay, 1541 South Union, 1434 West Greenfield

(Use reverse side, if additional space is needed)

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

YES X NO _____

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 X 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 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 By: [signature] Sec DATE 8-11-09

Berland/Heffernan, Inc.

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/14/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 466-1144-100 - 2

Property Address: 2180 2180 S ROBINSON AV

Applicant: BERLAND-HEFFERNAN INC

Parcel Number: 646

CaseNumber: 09-CV005281

**Teller Validation**

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090529 Reopening and Vacating InRem Judgment
Tax Key No.: 466-1144-100-2
Address: 2180 2180 S ROBINSON AV
Applicant/Requester: BERLAND-HEFFERNAN INC
2009-01 in rem, Parcel: 646
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $6,322.67 | $6,322.67 | $6,322.67 |
| Interest | $811.07 | $874.30 | $937.54 |
| Penalty | $405.53 | $437.15 | $468.77 |
| TOTAL* | $7,539.27 | $7,634.12 | $7,728.98 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.
The applicant also lists ownership interest in the following properties:
**354-356 E Bay St** – Tax Key #466-0135-9 with delinquent 2008 taxes in the amount of $1,621.40.
**1541 S Union St** – Tax Key #460-1644-0 with delinquent 2007-2008 taxes totaling $8,551.64. The 2007 levy is at the Kohn Law Firm for collection.
**1434 W Greenfield Ave** – Tax Key #433-0304-6 with delinquent 2008 taxes in the amount of $4,009.58.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090529
Address 2180 S Robinson Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files an updated recording application.

There is an outstanding reinspection fee of $125.00 for the property located at 1541 S Union St, which is also owned by the applicant. The Department requests that this fee be paid.

Sincerely,

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090529
2180 South Robinson Avenue

The Department of City Development reports that the tax foreclosed property located at 2180 South Robinson Avenue, Tax Key No. 466-1144-100-2, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; $731.00 rent has been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090529:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Robert Heffernana | Berland/Hefferman<br>8405 W. Lisbon Ave.<br>Milwaukee, WI 53222 | x | | |
| Ald. Zielinski | | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090530 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 4656 N. 49th St., in the 7th Aldermanic District to its former owner. (Kelley Whiteley, Agent for Wilshire Credit Corporation) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090530
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 4656 N. 49th St., in the 7th Aldermanic District to its former owner. (Kelley Whiteley, Agent for Wilshire Credit Corporation)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 4656 N. 49th St., previously owned by Kelley Whiteley, Agent for Wilshire Credit Corporation, has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Kelley Whiteley, Agent for Wilshire Credit Corporation would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Kelley Whiteley, Agent for Wilshire Credit Corporation has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 4656 N. 49th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 99, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/1//09 **FILE NUMBER:** 090530

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| SALARIES/WAGES: | | | | | |
| | | | | | |
| | | | | | |
| SUPPLIES: | | | | | |
| | | | | | |
| MATERIALS: | | | | | |
| | | | | | |
| NEW EQUIPMENT: | | | | | |
| | | | | | |
| EQUIPMENT REPAIR: | | | | | |
| | | | | | |
| OTHER: | | | | | |
| | | | | | |
| | | | | | |
| TOTALS | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 24, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 228-0209-000-9
Address: 4656 4656 N 49TH ST
Applicant/Requester: WILSHIRE CREDIT CORP
2009-01 Inrem File
Parcel: 99
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

**City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202**
**Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025**
**E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer**

# 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 45 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 4656 N 49th ST

TAXKEY NUMBER 228-0209-9

NAME OF APPLICANT WILSHIRE CREDIT CORPORATION C/O KELLEY WHITELEY TAX SPECIALIST

MAILING ADDRESS 14523 SW MILLIKAN WAY SUITE 200

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| BEAVERTON | OR | 97005 | 503-223-5600 X7779 |

B. FORMER OWNER YES ✓ NO _____

If no, describe interest in th

SIR OR MADAM,

C. LIST ALL OTHER REAL P OWNER HAS AN OWNERSHIP INTEREST I

N/A

PLEASE DIRECT ALL RELATED CORRESPONDENCE TO ME FOR REVIEW / PROCESSING:

D. HAVE MONIES FOR ADMI OD SERVICES FILING: BEEN DEPOSITED WITH OFFICE? (Documentation rd the subject property and perties in which the former nterest been filed with the ood Services per s. 200-51.5.

YES ✓ NO ✓


**Kelley Whiteley**
Transaction Specialist
Tax, Insurance, and Escrow
Wilshire Credit Corporation/Merrill Lynch
14523 SW Millikan Way, Suite 200
Beaverton, OR 97005
503.223.5600 x7779 - Telephone
503.952.7950 - Fax
Kelley_Whiteley@wcc.ml.com



MILWAUKEE CITY TREASURER RECEIVED ON 2009 AUG 24 PM 12:01


Applicant warrants and represents t agrees that if title to the property is restored to the former ow ainst any cost or expense which may be asserted against City **ant understands that if this request is withdrawn or denied the C aid.**

APPLICANT'S SIGNATURE Kw 8/21/09

THANKS!

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/24/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 228-0209-000 - 9

Property Address: 4656 4656 N 49TH ST

Applicant: WILSHIRE CREDIT CORP

Parcel Number: 99

CaseNumber: 09-CV005281

**Teller Validation**

```
**** DUPLICATE ****
City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/25/09 Receipt # 00670754
Teller ID: syazda2210005

Payment Tendered: 8/24/2009 12:33 PM
1910 Delinquent Tax Cost Recovery
Document No.
Transaction Total:                    $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total:                       $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total:                       $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total:                       $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total:                       $500.00

CK 71240023                           $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****
```

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090530 Reopening and Vacating InRem Judgment
Tax Key No.: 228-0209-000-9
Address: 4656 N 49TH ST
Applicant/Requester: WILSHIRE CREDIT CORP
2009-01 in rem, Parcel: 99
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $8,367.23 | $8,367.23 | $8,367.23 |
| Interest | $1,296.16 | $1,378.49 | $1,460.81 |
| Penalty | $648.09 | $689.25 | $730.41 |
| TOTAL* | $10,311.48 | $10,434.97 | $10,558.45 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090530
Address 4656 N 49th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays $900.00 in pending Recording Enforcement fees and files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090530
4656 North 49th Street

The Department of City Development reports that the tax foreclosed property located at 4656 North 49th Street, Tax Key No. 228-0209-000-9, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090530:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Kelley Whiteley | Wilshire Credit Corp.<br>14523 SW Millikan Way<br>Suite 200<br>Beaverton, OR 97005 | x | | |
| Ald. Wade | | x | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090572 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 1420 W. Arthur Ave., in the 12th Aldermanic District to its former owner. (CitiFinancial Services Company) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090572
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 1420 W. Arthur Ave., in the 12th Aldermanic District to its former owner. (CitiFinancial Services Company)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 1420 W. Arthur Ave., previously owned by CitiFinancial Services Company, has delinquent taxes for 2006-2008 and bond KEO 01735 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, CitiFinancial Services Company would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, CitiFinancial Services Company has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1420 W. Arthur Ave., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 675, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/1//09 **FILE NUMBER:** 090572

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
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| **SUPPLIES:** | | | | | |
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| **MATERIALS:** | | | | | |
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| **NEW EQUIPMENT:** | | | | | |
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| **EQUIPMENT REPAIR:** | | | | | |
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| **OTHER:** | | | | | |
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| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
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| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 27, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: for Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 496-1028-000-4
Address: 1420 W ARTHUR AV
Applicant/Requester: CITIFINANCIAL SVCS CO
2009-01 Inrem File
Parcel: 675
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 ordinanc may be submitted for consideration to the Common Council where more than 45 days has elapsed from the date of entr 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 1420 W ARTHUR AVE MILWAUKEE, WI 53215

TAXKEY NUMBER 496-1028-000-4

NAME OF APPLICANT CITIFINANCIAL SVCS. COMPANY

MAILING ADDRESS 2088 S. MILLER PKWAY MILWAUKEE, WI 53219

| MILWAUKEE | WI | 53219 | 414-389-3868 |
|---|---|---|---|
| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |

B. FORMER OWNER YES X NO _____

If no, describe interest in this property CITIFINANCIAL SVCS.

MILWAUKEE CITY TREASURER
RECEIVED
2009 AUG 27 PM 3:37

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).

NONE

(Use reverse side, if additional space is needed)

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

YES _____ NO X

INCLUDED WITH VACATION OF JUDGEMENT

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 _____

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 _____ DATE 8-19-09

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/27/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 496-1028-000 - 4

Property Address: 1420 1420 W ARTHUR AV

Applicant: CITIFINANCIAL SVCS CO

Parcel Number: 675

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/28/09 Receipt # 00672646
Teller ID: teller2210006

Payment Tendered: 8/27/2009 1:59 PM
1910 Delinquent Tax Cost Recovery
Document No.
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 47372 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/27/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 496-1028-000 - 4

Property Address: 1420 1420 W ARTHUR AV

Applicant: CITIFINANCIAL SVCS CO

Parcel Number: 675

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/28/09 Receipt # 00672646
Teller ID: teller2210006

Payment Tendered: 8/27/2009 1:59 PM
1910 Delinquent Tax Cost Recovery
Document No.
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

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987016 0001 1911 1840
Allocation Total: $450.00

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987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 47372 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090572 Reopening and Vacating InRem Judgment
Tax Key No.: 496-1028-000-4
Address: 1420 W ARTHUR AV
Applicant/Requester: CITIFINANCIAL SVCS CO
2009-01 in rem, Parcel: 675
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 & Bond KEO 01735 (Paving, C&G) | $11,259.46 | $11,259.46 | $11,259.46 |
| Interest | $2,030.87 | $2,136.85 | $2,242.84 |
| Penalty | $992.69 | $1,043.15 | $1,093.61 |
| TOTAL* | $14,283.02 | $14,439.46 | $14,595.91 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090572
Address 1420 W Arthur Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090572
1420 West Arthur Avenue

The Department of City Development reports that the tax foreclosed property located at 1420 West Arthur Avenue, Tax Key No. 496-1028-000-4, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090572:**

| NAME | ADDRESS | | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| CitiFinancial Services Corp. | 2088 S. Miller Parkway<br>Milwaukee, WI 53219 | x | | |
| Ald. Witkowiak | | x | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090580 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 1680 S. Pearl St., in the 12th Aldermanic District to its former owner. (Stacy Edekter, Agent for GMAC Mortgage, LLC) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Request for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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Number
090580
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 1680 S. Pearl St., in the 12th Aldermanic District to its former owner. (Stacy Edekter, Agent for GMAC Mortgage, LLC)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 1680 S. Pearl St., previously owned by Stacy Edekter, Agent for GMAC Mortgage, LLC, has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Stacy Edekter, Agent for GMAC Mortgage, LLC would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Stacy Edekter, Agent for GMAC Mortgage, LLC has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1680 S. Pearl St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 629, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/1//09 **FILE NUMBER:** 090580

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
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| **SUPPLIES:** | | | | | |
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| **MATERIALS:** | | | | | |
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| **NEW EQUIPMENT:** | | | | | |
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| **EQUIPMENT REPAIR:** | | | | | |
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| **OTHER:** | | | | | |
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| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 28, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 460-1536-000-3
Address: 1680 S PEARL ST
Applicant/Requester: GMAC MORTGAGE LLC
2009-01 Inrem File
Parcel: 629
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 45 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 1680 S Pearl Street

TAXKEY NUMBER 4600153600003

NAME OF APPLICANT GMAC Mortgage LLC

MAILING ADDRESS 3451 Hammond Ave

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| Waterloo | IA | 50702 | 319-236-4787 |

B. FORMER OWNER YES _____ NO ✓

If no, describe interest in this property Mortgage Company

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).

none

(Use reverse side, if additional space is needed)

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

YES X NO _____

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 _____

MILWAUKEE CITY TREASURER RECEIVED ON 2009 AUG 28 AM 11:25

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 Stacy Edeker DATE 8/26/09

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/28/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 460-1536-000 - 3

Property Address: 1680 1680 S PEARL ST

Applicant: GMAC MORTGAGE LLC

Parcel Number: 629

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/28/09 Receipt # 00673237
Teller ID: shills2210004

Payment Tendered: 8/28/2009 11:32 AM
1910 Delinquent Tax Cost Recovery
Document No. City Treas
Transaction Total: $1,370.00
Cash dep for del tax col
1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 13335067 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 9, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090580 Reopening and Vacating InRem Judgment
Tax Key No.: 460-1536-000-3
Address: 1680 S PEARL ST
Applicant/Requester: GMAC MORTGAGE LLC
2009-01 in rem, Parcel: 629
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $6,182.83 | $6,182.83 | $6,182.83 |
| Interest | $1,185.02 | $1,245.49 | $1,305.98 |
| Penalty | $592.51 | $622.75 | $652.99 |
| TOTAL* | $7,960.36 | $8,051.07 | $8,141.80 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090580
Address 1680 S Pearl St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090580
1680 South Pearl Street

The Department of City Development reports that the tax foreclosed property located at 1680 South Pearl Street, Tax Key No. 460-1536-000-3, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area. If the redemption request is not approved, the Department would market the vacant house for homeownership.

This residential structure is vacant. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090490:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Jerry Smith | PO Box 16860<br>Milwaukee, WI 53216 | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090581 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 2931-2933 N. 2nd St., in the 6th Aldermanic District to its former owner. (Dennis Miskowski) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Request for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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Number
090581
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 2931-2933 N. 2nd St., in the 6th Aldermanic District to its former owner. (Dennis Miskowski)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 2931-2933 N. 2nd St., previously owned by Dennis Miskowski, has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Dennis Miskowski would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Dennis Miskowski has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2931-2933 N. 2nd St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 385, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/1//09 **FILE NUMBER:** 090581

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 28, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 313-1703-000-5
Address: 2931 2933 N 2ND ST
Applicant/Requester: DENNIS MISKOWSKI
2009-01 Inrem File
Parcel: 385
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# REQUEST FOR VACATION OF IN REM JUDGMENT

Due 9-3-09

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 45 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 2931 N 2ND

TAXKEY NUMBER 313-1703-5

NAME OF APPLICANT Dennis Miskowski

MAILING ADDRESS 3150 N 45th

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| Mil | WI | 53216 | 414 736-5039 |

B. FORMER OWNER YES ✓ NO _____

If no, describe interest in this property _____

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).

4877 N Green Bay

(Use reverse side, if additional space is needed)

MILWAUKEE CITY CLERK RECEIVED 2009 AUG 28 AM 10:50

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

YES X NO _____

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 X 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 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 Dennis Miskowski DATE 8-28-09

City of Milwaukee

**Payment Receipt**
Office of the City Treasurer
City Hall, Room 103
200 East Wells Street
Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Dennis Miskowski

Tax Account No.: 313-1703-5

Property Address: 2931 - 2933 N 2ND ST

Check Amount $ 1370.00 Check No.: Cash

**Payment Type:**

Installment Payment ☐

Delinquent Payment ☐ Year

Bond Payment ☐

Current Collection Tax Payment ☐

Duplicate Bill Fee ☐

Other ☑ Explain VACATION OF JUDGMENT

Received By: SAMANTHA M

Signature: Samantha M

Date: 8-28-09

**Payment acknowledgement is not valid until tax payment checks have cleared all banks**

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/28/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 313-1703-000 - 5

Property Address: 2931 2933 N 2ND ST

Applicant: DENNIS MISKOWSKI

Parcel Number: 385

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/28/09 Receipt # 00673168
Teller ID: sfurre2210005

Payment Tendered: 8/28/2009 10:44 AM
1910 Delinquent Tax Cost Recovery
Document No. 313-1703-000-5
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CA $1,400.00
CA ($30.00)

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090581 Reopening and Vacating InRem Judgment
Tax Key No.: 313-1703-000-5
Address: 2931 2933 N 2ND ST
Applicant/Requester: DENNIS MISKOWSKI
2009-01 in rem, Parcel: 385
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $8,215.69 | $8,215.69 | $8,215.69 |
| Interest | $1,436.33 | $1,517.14 | $1,597.93 |
| Penalty | $718.17 | $758.57 | $798.97 |
| TOTAL* | $10,370.19 | $10,491.40 | $10,612.59 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interest in the following property:
**4877 N Green Bay Ave** – Tax Key#205-0101-7 with delinquent 2007-2008 taxes totaling $2,262.34. This property is at the Kohn Law Firm for collection.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Managar

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090581
Address 2931-33 N 2nd St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays $843.75 in pending Litter Nuisance Abatement charges, $75.00 in pending Recording Enforcement fees, and applicant files a property recording application.

Sincerely,

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

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-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090581
2931-33 North 2nd Street

The Department of City Development reports that the tax foreclosed property located at 2931-33 North 2nd Street, Tax Key No. 313-1703-000-5, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; $450.00 rent has been collected. Administrative costs incurred by our Department total $550.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090581:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Dennis Miskowski | 3150 N. 45th St.<br>Milwaukee, WI 53216 | x | | |
| Ald. Coggs | | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090582 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 3117 W. Vine St., in the 15th Aldermanic District to its former owner. (Xa Yang) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Request for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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Number
090582
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 3117 W. Vine St., in the 15th Aldermanic District to its former owner. (Xa Yang)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 3117 W. Vine St., previously owned by Xa Yang, has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Xa Yang would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Xa Yang has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3117 W. Vine St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 505, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/1//09 **FILE NUMBER:** 090582

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 28, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 349-9986-000-3
Address: 3117 W VINE ST
Applicant/Requester: XA YANG
2009-01 Inrem File
Parcel: 505
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 45 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 3117 W. Vine Street

TAXKEY NUMBER 349-9986-000-3

NAME OF APPLICANT XA YANG

MAILING ADDRESS 5065 S. 41 St. Street

Greenfield, WI 53221 414-745-6929

CITY STATE ZIP CODE TELEPHONE NUMBER

MILWAUKEE CITY TREASURER RECEIVED 07 AUG 28 PM 12: 13

B. FORMER OWNER YES ✓ NO _____

If no, describe interest in this property _____

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).

N/A

(Use reverse side, if additional space is needed)

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

YES ✓ NO _____

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 _____

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 Xa Yang DATE 8-26-09

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/28/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 349-9986-000 - 3

Property Address: 3117 3117 W VINE ST

Applicant: XA YANG

Parcel Number: 505

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 08/31/09 Receipt # 00673342
Teller ID: ljones2210002

Payment Tendered: 8/28/2009 1:01 PM
1910 Delinquent Tax Cost Recovery
Document No.
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 29705036 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 2, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090582 Reopening and Vacating InRem Judgment
Tax Key No.: 349-9986-000-3
Address: 3117 W VINE ST
Applicant/Requester: XA YANG
2009-01 in rem, Parcel: 505
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $7,778.82 | $7,778.82 | $7,778.82 |
| Interest | $1,427.90 | $1,504.35 | $1,580.79 |
| Penalty | $713.95 | $752.17 | $790.39 |
| TOTAL* | $9,920.67 | $10,035.34 | $10,150.00 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090582
Address 3117 W Vine St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. There are no pending orders or charges. The Department does not object to the return of this property, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090582
3117 West Vine Street

The Department of City Development reports that the tax foreclosed property located at 3117 West Vine Street, Tax Key No. 349-9986-000-3, is not suitable for use by a public agency or community based organization. The property is located in the 30th Street Industrial Corridor and Downtown Connector planning areas.

This residential structure is vacant and no rent has been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090 :**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Xa Yang | 5065 S. 41st St.<br>Milwaukee, WI 53221 | x | | |
| Ald. Hines | | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090619 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 3730 N. Port Washington Ave., in the 6th Aldermanic District to its former owner. (M&I Marshall & Ilsley Bankd) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Request for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090619
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 3730 N. Port Washington Ave., in the 6th Aldermanic District to its former owner. (M&I Marshall & Ilsley Bankd)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 3730 N. Port Washington Ave., previously owned by M&I Marshall & Ilsley Bankd, has delinquent taxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2008; and

Whereas, M&I Marshall & Ilsley Bankd would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2008; and

Whereas, M&I Marshall & Ilsley Bankd has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3730 N. Port Washington Ave., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 196, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/2/09 **FILE NUMBER:** 090619

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
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| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
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| **OTHER:** | | | | | |
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| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

September 1, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 273-0127-000-9
Address: 3730 N PORT WASHINGTON AV
Applicant/Requester: M&I MARSHALL & ILSLEY BANK
2009-01 Inrem File
Parcel: 196
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 45 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

MILWAUKEE CITY TREASURER RECEIVED ON 2009 SEP 1 PM 2:08

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 3730 North Port Washington Avenue

TAXKEY NUMBER 273-0127-9

NAME OF APPLICANT M&I Marshall & Ilsley Bank

MAILING ADDRESS 5454 South 76th Street

Greendale, WI 53129 414-817-5651

CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES _____ NO XX

If no, describe interest in this property Secured creditor holding first mortgage

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).

Unknown

(Use reverse side, if additional space is needed)

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

YES XX NO _____

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 Unknown 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 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 _____ DATE 9/1/09

City of Milwaukee

**Payment Receipt**
Office of the City Treasurer
City Hall, Room 103
200 East Wells Street
Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: STUPAR, SCHUSTER AND COOPER, LLC

Tax Account No.: 273-0127-9

Property Address: 3730 NORTH PORT WASHINGTON AVENUE, MILWAUKEE, WI

Check Amount $ 1,370.00 Check No.: 000157090

**Payment Type:**

Installment Payment ☐

Delinquent Payment ☐ Year

Bond Payment ☐

Current Collection Tax Payment ☐

Duplicate Bill Fee ☐

Other ☑ Explain VACATE OF JUDGMENT FEES

Received By: CHARLOTTE A. SERAZIO

Signature: Charlotte A. Serazio

Date: 09/01/2009

**Payment acknowledgement is not valid until tax payment checks have cleared all banks**

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 9/1/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 273-0127-000 - 9

Property Address: 3730 3730 N PORT WASHINGTON AV

Applicant: PATRICIA DESJARDINS

Parcel Number: 196

CaseNumber: 09-CV005281

**Teller Validation**

---

*** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

atch Date: 09/02/09 Receipt # 00676392
eller ID: ljones2210002

Payment Tendered: 9/1/2009 1:43 PM
1910 Delinquent Tax Cost Recovery
Document No.
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 00015709 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 3, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090619 Reopening and Vacating InRem Judgment
Tax Key No.: 273-0127-000-9
Address: 3730 N PORT WASHINGTON AV
Applicant/Requester: M&I MARSHALL & ILSLEY BANK
2009-01 in rem, Parcel: 196
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $16,750.39 | $16,750.39 | $16,750.39 |
| Interest | $3,076.87 | $3,243.03 | $3,409.17 |
| Penalty | $1,538.43 | $1,621.51 | $1,704.58 |
| TOTAL* | $21,365.69 | $21,614.93 | $21,864.14 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090619
Address 3730 N Port Washington Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays $175.00 in pending reinspection fees, $900.00 in pending Recording Enforcement fees, and the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090619
3730 North Port Washington Avenue

The Department of City Development reports that the tax foreclosed property located at 3730 North Port Washington Avenue, Tax Key No. 273-0127-000-9, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

The apartment building is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090612:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Sandra Tomlinson | 4214 N. 71st St.<br>Milwaukee, WI 53216 | 9/4/09 | | |
| Robert Brooks | DPW | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090620 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 3332-3332A N. 22nd St., in the 6th Aldermanic District to its former owner. (Pinnacle Trust Services) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Request for Vacation of Inrem Judgment, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 0 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

**Number**
090620
**Version**
SUBSTITUTE 1
**Sponsor**
THE CHAIR
**Title**
Substitute resolution authorizing the return of real estate located at 3332-3332A N. 22nd St., in the 6th Aldermanic District to its former owner. (Pinnacle Trust Services)
**Analysis**
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
**Body**
Whereas, The property located at 3332-3332Aj N. 22nd St., previouslyowned by Pinnacle Trust Services, has delinquenttaxes for 2006-2008 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Pinnacle Trust Services would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Pinnacle Trust Services has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3332-3332Aj N. 22nd St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulationwith the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 256, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
**Drafter**
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/2/09 **FILE NUMBER:** 090620

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

August 31, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 285-0410-100-4
Address: 3332 3332 A N 22ND ST
Applicant/Requester: PINNACLE TRUST SERVICES
2009-01 Inrem File
Parcel: 256
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

**City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202**
**Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025**
**E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer**

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 ordinar may be submitted for consideration to the Common Council where more than 45 days has elapsed from the date of en 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 3332 N 22nd St. Milwaukee WI

TAXKEY NUMBER 285-0410-100-4

NAME OF APPLICANT Pinnacle Trust Services

MAILING ADDRESS 2401 Hwy 70 SW, ~~Ste~~

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| Hickory | NC | 28602 | 828-624-1309 |

B. FORMER OWNER YES _____ NO X

If no, describe interest in this property We purchased the property via Bulk Sale - we just received our Deed.

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).

none

(Use reverse side, if additional space is needed)

MILWAUKEE CITY TREASURER RECEIVED 2009 AUG 31 PM 1:52

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

YES X NO _____

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

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 [signature] DATE 8/28/09

Prepared by and return to

Pinnacle Title Services
2401 Hwy 70 SW
Hickory, NC 28602

**QUIT CLAIM DEED**

**THIS QUIT CLAIM DEED,** by and between **VALUE MANAGEMENT SERVICES, INC**, whose mailing address is 2571 Springs Rd., NE #2, Hickory, NC 28601, organized and existing under the laws of the United States of America, herein after called "Grantor", and **2333 North 22nd Trust, Pinnacle Trust Services as Trustee,** whose mailing address 2401 hwy 70 SW, Hickory, NC 28602 hereinafter referred to as "Grantee"

WITNESSETH, that for and inconsideration of the sum of Ten Dollars and no cents (10.00) the receipt and sufficiency of which is hereby acknowledged, the said Grantor does grant and convey unto the said Grantee and its assigns, all its right, title and interest in and to that certain tract or parcel of land lying in the City of Milwuakee, County of Milwaukee State of Wisconsin, described as follows:

Lot Thirteen (13) and North 10 feet of Lot Twelve (12) on Block Four (4) in Continuation of Becker's Subdivision, in the Southwest One-quarter (1/4) of Section 7, in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Parcel ID: 285-0410-100-4
Commonly known as: 241 3332 N. 22nd St, Milwaukee WI

Deed of Reference: Instrument No. 09753096, filed 06/16/2009

**TO HAVE AND TO HOLD** the above described premises, together with all and singular, the rights and appurtenances thereunto in anywise belonging unto the said Grantee and its assigns forever.

THE FOREGOING INSTRUMENT WITNESS the hands and seal of said Grantors this 28 day of August, 2009.

By: Value Management Services, Inc

Solomon O. Lopez, Agent
By: Solomon O. Lopez

Witness Jessica Bacon

STATE OF NORTH CAROLINA

COUNTY OF CATAWBA

On August 28, 2009 before me, Brenda J. Barnes, personally appeared Solomon O. Lopez, as Agent for Value Management Services, Inc., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

BRENDA J BARNES NOTARY PUBLIC BURKE COUNTY, NC

Signature Brenda J. Barnes

Affiant ✓ Known ____ Unknown

ID Produced Known
(Seal) My commission expires 04-02-2013

Prepared by/Return to
Pinnacle Title Services
2401 Hwy 70 SW
Hickory, NC 28602

Owner/Agent Tax Liability
Pinnacle Trust Services
2401 Hwy 70 SW
Hickory NC 28602

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/31/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 285-0410-100 - 4

Property Address: 3332 3332 A N 22ND ST

Applicant: PINNACLE TRUST SERVICES

Parcel Number: 256

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 09/01/09 Receipt # 00675204
Teller ID: mgutie2210001

Payment Tendered: 8/31/2009 2:32 PM
1910 Delinquent Tax Cost Recovery
Document No. 285-0410-100-4
Transaction Total: $1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: $220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: $450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: $200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: $500.00

CK 1841402 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 3, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090620 Reopening and Vacating InRem Judgment
Tax Key No.: 285-0410-100-4
Address: 3332 3332 A N 22ND ST
Applicant/Requester: PINNACLE TRUST SERVICES
2009-01 in rem, Parcel: 256
Case: 09-CV005281, Acquired: 7/20/2009

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 | $4,977.89 | $4,977.89 | $4,977.89 |
| Interest | $884.11 | $932.55 | $980.99 |
| Penalty | $442.06 | $466.28 | $490.49 |
| TOTAL* | $6,304.06 | $6,376.72 | $6,449.37 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090620
Address 3332 N 22nd St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays $900.00 in pending Recording Enforcement fees and the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090620
3332-A North 22nd Street

The Department of City Development reports that the tax foreclosed property located at 3332-A North 22nd Street, Tax Key No. 285-0410-100-4, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied; $732.00 rent has been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090620:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Pinnacle Turst Services | 2401 Hwy 70 SW<br>Hickory, NC 28602 | x | | |
| Ald. Coggs | | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090621 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution authorizing the return of real estate located at 5205D S. 13th St., in the 13th Aldermanic District to its former owner. (Todd Brunner) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | IN REM JUDGMENTS | | |
| **Attachments:** | Fiscal Note, Request for Vacation of Inrem Judgment, Treasurer's Office, Copy of Other Properties Owned, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/3/2009 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090621
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title
Substitute resolution authorizing the return of real estate located at 5205D S. 13th St., in the 13th Aldermanic District to its former owner. (Todd Brunner)
Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances
Body
Whereas, The property located at 5205D S. 13th St., previouslyowned by Todd Brunner, has delinquenttaxes for 2006-2008 and bond MF 000701 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 20, 2009; and

Whereas, Todd Brunner would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 20, 2009; and

Whereas, Todd Brunner has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 5205D S. 13th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulationwith the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 09CV005281 known as the 2009-01 In Rem Parcel 711, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.
Drafter
CC CC
lme
9/2/09



powered by Legistar™

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/2/09 **FILE NUMBER:** 090621

Original Fiscal Note [X] Substitute [ ]

**SUBJECT:** Substitute resolution authorizing the return of real estate to its former owner .

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerk/2232

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

(Please see enclosed reports from Departments)

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | | | | |
| | | | | | |
| | | | | | |
| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

| |
|---|
| |

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE** ☐

**WAYNE F. WHITTOW**
**City Treasurer**

**James L. Hanna**
**Deputy City Treasurer**

**James F. Klajbor**
**Special Deputy City Treasurer**

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

September 1, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 643-2245-000-X
Address: 5205 D S 13TH ST
Applicant/Requester: TODD A. BRUNNER
2009-01 Inrem File
Parcel: 711
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025
E-Mail: ctreas@milwaukee.gov • Web Page: http://www.milwaukee.gov/treasurer

# 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 45 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 $1370 must be paid by Cashiers Check 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 5205 D S 13th

TAX KEY NUMBER 643-2245-000-X

NAME OF APPLICANT Todd A Brunner

MAILING ADDRESS N39 W27051 Glacier rd

| CITY | STATE | ZIP CODE | TELEPHONE NUMBER |
|---|---|---|---|
| Pewaukee | Wis | 53072 | 262-695-8515 |

B. FORMER OWNER YES X NO _____

If no, describe interest in this property _____

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).

See Attached

(Use reverse side, if additional space is needed.)

MILWAUKEE CITY TREASURER
RECEIVED ON
2009 AUG 31 PM 12 53

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

YES X NO _____

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

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 [signature] DATE 8-31-09

*I:\COMMON\TAXENFOR\VACATE.APP*

# OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT TODD A BRUNNER HAS AN OWNERSHIP INTEREST

| TAX KEY | PARCEL ADDRESS |
|---|---|
| 0340561000 | 8877-8877 N SWAN RD |
| 0340820000 | 8910-8910 N 95TH ST |
| 0341023000 | 8921-8921 N SWAN RD |
| 0341032000 | 8931-8931 N SWAN RD |
| 0840223000 | 7639-7639 N EDGEWORTH DR |
| 1399708000 | 6427-6427 N 52ND ST |
| 1450453000 | 6626-6626 N BOURBON ST |
| 1450515000 | 10034-10034 W FOND DU LAC AV |
| 1580125000 | 6120-6120 N 36TH ST |
| 1580364000 | 6043-6043 N 38TH ST |
| 1580387000 | 6143-6143 N 38TH ST |
| 1710464000 | 5753-5753 N 42ND ST |
| 1719643000 | 5930-5930 N 40TH ST |
| 1719678000 | 5838-5838 N 41ST ST |
| 1740821000 | 5643-5643 N 66TH ST |
| 1750076000 | 5738 N 71ST ST |
| 1750805000 | 5763-5763 N 68TH ST |
| 1750878000 | 5668-5668 N 70TH ST |
| 1780397000 | 5715-5715 N 92ND ST |
| 1870024000 | 8026-8026 W MEDFORD AV |
| 1880062000 | 5473-5473 N 75TH CT |
| 1880197000 | 7010 W HERBERT AVE |
| 1890070000 | 5329-5329 N 65TH ST |
| 1900221000 | 5358-5358 N 56TH ST |
| 1901927000 | 5434-5434 W SHERIDAN AV |
| 1919854000 | 5375-5375 N SHERMAN BL |
| 1919928000 | 4714-4714 W VILLARD AV |
| 1919988000 | 5311 N 49TH ST |
| 1919989000 | 5315-5315 N 49TH ST |
| 1920022000 | 5568-5568 N 38TH ST |
| 1920586000 | 5565-5565 N 35TH ST |
| 1930247000 | 3300-3300 W SHERIDAN AV |
| 1940343110 | 5480-5480 N 27TH ST |
| 2050306000 | 5076-5076 N 20TH ST |
| 2060805000 | 5118-5118 N 24TH PL |
| 2060833000 | 5007-5007 N 24TH ST |
| 2061601000 | 4928-4928 N 21ST ST |

OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT TODD A BRUNNER HAS AN OWNERSHIP INTEREST

| TAX KEY | PARCEL ADDRESS |
|---|---|
| 2080176000 | 5058-5058 N 42ND ST |
| 2080665000 | 4911 N 37TH ST |
| 2081099000 | 4212 W HAMPTON AVE |
| 2090027000 | 5120-5120 N 51ST BL |
| 2090272000 | 4847 N 48TH ST |
| 2091701000 | 4977-4977 N 46TH ST |
| 2101215000 | 4869 N 51ST BL |
| 2101234000 | 4861-4861 N 52ND ST |
| 2110415000 | 5125-5125 N 64TH ST |
| 2120025000 | 7330-7330 W MEDFORD AV |
| 2120119000 | 5159 N 71ST ST |
| 2120232000 | 5049-5049 N 69TH ST |
| 2120718000 | 4847-4847 N 71ST ST |
| 2130442000 | 7701 W PALMETTO AVE |
| 2149963100 | 5046-5046 N 85TH ST |
| 2250607000 | 4709-4709 N 71ST ST |
| 2250806000 | 4688-4688 N 72ND ST |
| 2251217100 | 4267-4267 N 70TH ST |
| 2260636000 | 4609-4609 N 67TH ST |
| 2271010000 | 4744 N 52ND ST |
| 2280228000 | 4567-4567 N 48TH ST |
| 2280314000 | 4627-4627 N 49TH ST |
| 2281010000 | 4554-4554 N 44TH ST |
| 2281120000 | 4542-4542 N 44TH ST |
| 2281314000 | 4636-4638 N 46TH ST |
| 2290483000 | 4414 N 38TH ST |
| 2290486000 | 4442 N 38TH ST |
| 2290783100 | 4663-4663 N 42ND ST |
| 2290973000 | 4647-4647 N 37TH ST |
| 2291130000 | 4723 N 35TH ST |
| 2291132000 | 4723 N 35TH ST |
| 2300643000 | 4515-4515 N 28TH ST |
| 2310281000 | 4582-4582 N 24TH PL |
| 2310585000 | 4544 N 22ND ST |
| 2430615000 | 1102-1102 W CAPITOL DR |
| 2440314000 | 4331-4331 N 19TH ST |
| 2441144000 | 4135-4135 N 15TH ST |
| 2450201000 | 4070-4070 N 23RD ST |

## OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT TODD A BRUNNER HAS AN OWNERSHIP INTEREST

| TAX KEY | PARCEL ADDRESS |
|---|---|
| 2451608000 | 4237-4237 N 24TH PL |
| 2470586000 | 4050-4052 N ELMHURST RD |
| 2470594000 | 4053 N ELMHURST RD |
| 2479830000 | 4215-4215 N 39TH ST |
| 2479898000 | 4338-4338 N 41ST ST |
| 2480057000 | 4368 N 49TH ST |
| 2480198100 | 4260 N 48TH ST |
| 2630773000 | 3505-3505 N 82ND ST |
| 2650230000 | 6204-6204 W NASH ST |
| 2650335000 | 3518-3518 N 63RD ST |
| 2660008000 | 3933-3933 N 58TH ST |
| 2660135000 | 3818-3818 N 55TH ST |
| 2660358000 | 3748-3748 N 57TH ST |
| 2680004000 | 3710-3710 N 36TH ST |
| 2680812000 | 3731-3731 N 36TH ST |
| 2681211000 | 3914-3914 N 36TH ST |
| 2681361000 | 3839-3839 N 38TH ST |
| 2681362000 | 3833-3835 N 38TH ST |
| 2681363000 | 3831-3831 N 38TH ST |
| 2681607000 | 3607-3607 W VIENNA AV |
| 2710461000 | 1715 W CAPITOL DR |
| 2710886000 | 3543-3543 N 15TH ST |
| 2712434000 | 3851 N 14TH ST |
| 2880032000 | 3335-3337 N 45TH ST |
| 2880143000 | 3235-3237 N 46TH ST |
| 2880197000 | 3453-3453 N 46TH ST |
| 2880623000 | 4405-4405 W TOWNSEND ST |
| 2880822000 | 3430-3430 N 44TH ST |
| 2890045000 | 3416-3418 N 58TH ST |
| 2890951000 | 3272-3272 N 52ND ST |
| 2920238000 | 8210-8210 W BURLEIGH ST |
| 3070219000 | 2722-2724 N 51ST ST |
| 3070248000 | 2718-20 N 50TH ST |
| 3070256000 | 2760-2762 N 50TH ST |
| 3070428000 | 2918-2920 N 50TH ST |
| 3071118000 | 2869-2869 N 46TH ST |
| 3080876000 | 2875 N 36TH ST |
| 3080879000 | 2861-2861 N 36TH ST |

## OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT TODD A BRUNNER HAS AN OWNERSHIP INTEREST

| TAX KEY | PARCEL ADDRESS |
|---|---|
| 3211824000 | 2714-2716 N RICHARDS ST |
| 3220208000 | 2339-2339 N RICHARDS ST |
| 3271077000 | 3813-3813 W CENTER ST |
| 3290423000 | 2634-2636 N 53RD ST |
| 3290623000 | 2473-2473 N 57TH ST |
| 3291625000 | 2435-2435 N 54TH ST |
| 3291869000 | 2566-2566 N 54TH ST |
| 3470402000 | 2132-2132 N 46TH ST |
| 3660547000 | 1318-1320 N 40TH ST |
| 3661091000 | 1450-1450 N 40TH ST |
| 3860602000 | 4226-4226 W MARTIN DR |
| 4060644000 | 118 N 72ND ST |
| 4060852000 | 181-181 N 69TH ST |
| 4320467000 | 627-629 W WASHINGTON ST |
| 4961054000 | 1337-1337 W HAYES AV |
| 4970905000 | 2690-2690 S 9TH PL |
| 4990443000 | 335-335 E DEER PL |
| 4991832000 | 2361-2361 S LENOX ST |
| 5000230000 | 2435-2435 S LOGAN AV |
| 5000281000 | 2618-2618 S CLEMENT AV |
| 5030003000 | 2945-2945 S KINNICKINNIC AV |
| 5040822000 | 2991-2991 S HERMAN ST |
| 5149906000 | 2911 S 60TH ST |
| 5350686000 | 3138 S 18TH ST |
| 5380110000 | 3404-3404 S QUINCY AV |
| 5519958000 | 3517-3517 S 15TH PL |
| 5519958000 | 3517 S 15TH PL |
| 5730044000 | 4206-4206 S 57TH ST |
| 5800243000 | 4155 S 1ST ST |
| 5940612000 | 4506-4506 S JASPER AV |
| 6449923100 | 5316-5316 S 21ST ST |

City of Milwaukee

**Payment Receipt**
Office of the City Treasurer
City Hall, Room 103
200 East Wells Street
Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: DION DROLL FOR TODD A BRUNNER

Tax Account No.: 643-2245-000-X

Property Address: 5205 D S 13TH ST

Check Amount $ 1370.00 Check No.: 483424

**Payment Type:**

Installment Payment ☐

Delinquent Payment ☐ Year

Bond Payment ☐

Current Collection Tax Payment ☐

Duplicate Bill Fee ☐

Other ☑ Explain VACATE OF JUDGEMENT

Received By: THERESA S.

Signature:

Date: 8/31/09

**Payment acknowledgement is not valid until tax payment checks have cleared all banks**

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

| Cashier Category | Cashier Payclass | | Dollar Amount |
|---|---|---|---|
| 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 8/31/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01

Taxkey Number: 643-2245-000 - X

Property Address: 5205 5205 D S 13TH ST

Applicant: THOMAS P BENSON

Parcel Number: 711

CaseNumber: 09-CV005281

**Teller Validation**

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 09/01/09 Receipt # 00675506
Teller ID: mgutie2210001

Payment Tendered: 8/31/2009 3:39 PM
1910 Delinquent Tax Cost Recovery
Document No. 643-2245-x $1,370.00
Transaction Total:

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840 $220.00
Allocation Total:

1912 DCD-Cost Recovery
987016 0001 1911 1840 $450.00
Allocation Total:

1913 City Clerk-Cost Recovery
987016 0001 1310 1840 $200.00
Allocation Total:

1914 City Attorney-Cost Recovery
987016 0001 1490 1840 $500.00
Allocation Total:

CK 483424 $1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****

City of Milwaukee

# OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

**Wayne F. Whittow**
**CITY TREASURER**

September 3, 2009

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 090621 Reopening and Vacating InRem Judgment
Tax Key No.: 643-2245-000-X
Address: 5205 5205 D S 13TH ST
Applicant/Requester: TODD BRUNNER
2009-01 in rem, Parcel: 711
Case: 09-CV005281, Acquired: 7/20/2009

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Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for three months. The administrative costs in the amount of $1,370.00 have been paid.

| TAX YEARS | IF PAID IN SEP | IF PAID IN OCT | IF PAID IN NOV |
|---|---|---|---|
| 2006-2008 & BOND MF000701 | $7,456.01 | $7,456.01 | $7,456.01 |
| Interest | $1,387.95 | $1,460.93 | $1,533.90 |
| Penalty | $691.61 | $727.71 | $763.80 |
| TOTAL* | $9,535.57 | $9,644.65 | $9,753.71 |

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also has ownership interest in the properties listed on the attached sheets.

WFW/slk

# OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE WITH OWNERSHIP INTEREST OF TODD A. BRUNNER

| TAX KEY | PARCEL ADDRESS | STATUS | TAX YEARS |
|---|---|---|---|
| 0340561000 | 8877-8877 N SWAN RD | DELQ. | 2008 |
| 0340820000 | 8910-8910 N 95TH ST | DELQ. * | 2007-2008 |
| 0341023000 | 8921-8921 N SWAN RD | DELQ. | 2008 |
| 0341032000 | 8931-8931 N SWAN RD | DELQ. * | 2007-2008 |
| 0840223000 | 7639-7639 N EDGEWORTH DR | DELQ. * | 2007-2008 |
| 1399708000 | 6427-6427 N 52ND ST | DELQ. | 2008 |
| 1450453000 | 6626-6626 N BOURBON ST | DELQ. | 2008 |
| 1450515000 | 10034-10034 W FOND DU LAC AV | DELQ. | 2008 |
| 1580125000 | 6120-6120 N 36TH ST | DELQ. * | 2007-2008 |
| 1580364000 | 6043-6043 N 38TH ST | PAID IN FULL | |
| 1580387000 | 6143-6143 N 38TH ST | DELQ. * | 2007-2008 |
| 1710464000 | 5753-5753 N 42ND ST | PAID IN FULL | |
| 1719643000 | 5930-5930 N 40TH ST | DELQ. | 2008 |
| 1719678000 | 5838-5838 N 41ST ST | PAID IN FULL | |
| 1740821000 | 5643-5643 N 66TH ST | PAID IN FULL | |
| 1750076000 | 5738 N 71ST ST | INSTALLMENT | 2008 |
| 1750805000 | 5763-5763 N 68TH ST | DELQ. * | 2007-2008 |
| 1750878000 | 5668-5668 N 70TH ST | DELQ. | 2008 |
| 1780397000 | 5715-5715 N 92ND ST | DELQ. * | 2007-2008 |
| 1870024000 | 8026-8026 W MEDFORD AV | PAID IN FULL | |
| 1880062000 | 5473-5473 N 75TH CT | DELQ. * | 2007-2008 |
| 1880197000 | 7010 W HERBERT AVE | DELQ. * | 2007-2008 |
| 1890070000 | 5329-5329 N 65TH ST | DELQ. | 2008 |
| 1900221000 | 5358-5358 N 56TH ST | DELQ. | 2008 |
| 1901927000 | 5434-5434 W SHERIDAN AV | PAID IN FULL | |
| 1919854000 | 5375-5375 N SHERMAN BL | DELQ. * | 2007-2008 |
| 1919928000 | 4714-4714 W VILLARD AV | DELQ. | 2008 |
| 1919988000 | 5311 N 49TH ST | PAID IN FULL | |
| 1919989000 | 5315-5315 N 49TH ST | DELQ. | 2008 |
| 1920022000 | 5568-5568 N 38TH ST | DELQ. | 2008 |
| 1920586000 | 5565-5565 N 35TH ST | PAID IN FULL | |
| 1930247000 | 3300-3300 W SHERIDAN AV | DELQ. | 2008 |
| 1940343110 | 5480-5480 N 27TH ST | DELQ. | 2008 |
| 2050306000 | 5076-5076 N 20TH ST | DELQ. | 2008 |
| 2060805000 | 5118-5118 N 24TH PL | PAID IN FULL | |
| 2060833000 | 5007-5007 N 24TH ST | DELQ. | 2008 |
| 2061601000 | 4928-4928 N 21ST ST | DELQ. * | 2007-2008 |
| 2080176000 | 5058-5058 N 42ND ST | DELQ. * | 2007-2008 |
| 2080665000 | 4911 N 37TH ST | PAID IN FULL | |
| 2081099000 | 4212 W HAMPTON AVE | DELQ. * | 2008 |
| 2090027000 | 5120-5120 N 51ST BL | DELQ. * | 2007-2008 |
| 2090272000 | 4847 N 48TH ST | INSTALLMENT | 2008 |
| 2091701000 | 4977-4977 N 46TH ST | PAID IN FULL | |
| 2101215000 | 4869 N 51ST BL | PAID IN FULL | |

# OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE WITH OWNERSHIP INTEREST OF TODD A. BRUNNER

| TAX KEY | PARCEL ADDRESS | STATUS | TAX YEARS |
|---|---|---|---|
| 2101234000 | 4861-4861 N 52ND ST | DELQ. * | 2007-2008 |
| 2110415000 | 5125-5125 N 64TH ST | PAID IN FULL | |
| 2120025000 | 7330-7330 W MEDFORD AV | DELQ. * | 2007-2008 |
| 2120119000 | 5159 N 71ST ST | INSTALLMENT | |
| 2120232000 | 5049-5049 N 69TH ST | DELQ. * | 2007-2008 |
| 2120718000 | 4847-4847 N 71ST ST | DELQ. * | 2007-2008 |
| 2130442000 | 7701 W PALMETTO AVE | PAID IN FULL | |
| 2149963100 | 5046-5046 N 85TH ST | DELQ. * | 2007-2008 |
| 2250607000 | 4709-4709 N 71ST ST | DELQ. | 2008 |
| 2250806000 | 4688-4688 N 72ND ST | DELQ. | 2008 |
| 2251217100 | 4267-4267 N 70TH ST | DELQ. * | 2007-2008 |
| 2260636000 | 4609-4609 N 67TH ST | DELQ. | 2008 |
| 2271010000 | 4744 N 52ND ST | DELQ. * | 2007-2008 |
| 2280228000 | 4567-4567 N 48TH ST | DELQ. | 2008 |
| 2280314000 | 4627-4627 N 49TH ST | DELQ. * | 2007-2008 |
| 2281010000 | 4554-4554 N 44TH ST | DELQ. * | 2007-2008 |
| 2281120000 | 4542-4542 N 44TH ST | DELQ. | 2008 |
| 2281314000 | 4636-4638 N 46TH ST | DELQ. * | 2007-2008 |
| 2290483000 | 4414 N 38TH ST | PAID IN FULL | |
| 2290486000 | 4442 N 38TH ST | DELQ. * | 2007-2008 |
| 2290783100 | 4663-4663 N 42ND ST | PAID IN FULL | |
| 2290973000 | 4647-4647 N 37TH ST | DELQ. * | 2007-2008 |
| 2291130000 | 4713 N 35TH ST | PAID IN FULL | |
| 2291132000 | 4723 N 35TH ST | INSTALLMENT | |
| 2300643000 | 4515-4515 N 28TH ST | DELQ. * | 2007-2008 |
| 2310281000 | 4582-4582 N 24TH PL | DELQ. | 2008 |
| 2310585000 | 4544 N 22ND ST | PAID IN FULL | |
| 2430615000 | 1102-1102 W CAPITOL DR | DELQ. * | 2007-2008 |
| 2440314000 | 4331-4331 N 19TH ST | DELQ. | 2008 |
| 2441144000 | 4135-4135 N 15TH ST | DELQ. * | 2007-2008 |
| 2450201000 | 4070-4070 N 23RD ST | DELQ. * | 2007-2008 |
| 2451608000 | 4237-4237 N 24TH PL | DELQ. | 2008 |
| 2470586000 | 4050-4052 N ELMHURST RD | PAID IN FULL | |
| 2470594000 | 4053 N ELMHURST RD | DELQ. | 2008 |
| 2479830000 | 4215-4215 N 39TH ST | PAID IN FULL | |
| 2479898000 | 4338-4338 N 41ST ST | DELQ. | 2008 |
| 2480057000 | 4368 N 49TH ST | PAID IN FULL | |
| 2480198100 | 4260 N 48TH ST | DELQ. | 2008 |
| 2630773000 | 3505-3505 N 82ND ST | DELQ. | 2007-2008 |
| 2650230000 | 6204-6204 W NASH ST | PAID IN FULL | |
| 2650335000 | 3518-3518 N 63RD ST | PAID IN FULL | |
| 2660008000 | 3933-3933 N 58TH ST | DELQ. * | 2007-2008 |
| 2660135000 | 3818-3818 N 55TH ST | DELQ. * | 2007-2008 |
| 2660358000 | 3748-3748 N 57TH ST | DELQ. * | 2007-2008 |
| 2680004000 | 3710-3710 N 36TH ST | DELQ. * | 2007-2008 |
| 2680812000 | 3731-3731 N 36TH ST | PAID IN FULL | |

# OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE WITH OWNERSHIP INTEREST OF TODD A. BRUNNER

| TAX KEY | PARCEL ADDRESS | STATUS | TAX YEARS |
|---|---|---|---|
| 2681211000 | 3914-3914 N 36TH ST | DELQ. | 2008 |
| 2681361000 | 3839-3839 N 38TH ST | DELQ. * | 2007-2008 |
| 2681362000 | 3833-3835 N 38TH ST | PAID IN FULL | |
| 2681363000 | 3831-3831 N 38TH ST | DELQ. * | 2007-2008 |
| 2681607000 | 3607-3607 W VIENNA AV | DELQ. | 2008 |
| 2710461000 | 1715 W CAPITOL DR | DELQ. | 2008 |
| 2710886000 | 3543-3543 N 15TH ST | DELQ. | 2008 |
| 2712434000 | 3851 N 14TH ST | DELQ. | 2008 |
| 2880032000 | 3335-3337 N 45TH ST | PAID IN FULL | |
| 2880143000 | 3235-3237 N 46TH ST | DELQ. * | 2007-2008 |
| 2880197000 | 3453-3453 N 46TH ST | DELQ. * | 2007-2008 |
| 2880623000 | 4405-4405 W TOWNSEND ST | DELQ. * | 2007-2008 |
| 2880822000 | 3430-3430 N 44TH ST | DELQ. * | 2007-2008 |
| 2890045000 | 3416-3418 N 58TH ST | DELQ. * | 2007-2008 |
| 2890951000 | 3272-3272 N 52ND ST | DELQ. | 2008 |
| 2920238000 | 8210-8210 W BURLEIGH ST | DELQ. * | 2007-2008 |
| 3070219000 | 2722-2724 N 51ST ST | DELQ. | 2008 |
| 3070248000 | 2718-20 N 50TH ST | PAID IN FULL | |
| 3070256000 | 2760-2762 N 50TH ST | PAID IN FULL | |
| 3070428000 | 2918-2920 N 50TH ST | PAID IN FULL | |
| 3071118000 | 2869-2869 N 46TH ST | DELQ. | 2008 |
| 3080876000 | 2875 N 36TH ST | DELQ. | 2008 |
| 3080879000 | 2861-2861 N 36TH ST | PAID IN FULL | |
| 3211824000 | 2714-2716 N RICHARDS ST | DELQ. * | 2007-2008 |
| 3220208000 | 2339-2339 N RICHARDS ST | DELQ. | 2008 |
| 3271077000 | 3813-3813 W CENTER ST | DELQ. ** | 2005-2008 |
| 3290423000 | 2634-2636 N 53RD ST | DELQ. | 2008 |
| 3290623000 | 2473-2473 N 57TH ST | DELQ. | 2008 |
| 3291625000 | 2435-2435 N 54TH ST | DELQ. * | 2007-2008 |
| 3291869000 | 2566-2566 N 54TH ST | DELQ. * | 2007-2008 |
| 3470402000 | 2132-2132 N 46TH ST | DELQ. * | 2007-2008 |
| 3660547000 | 1318-1320 N 40TH ST | DELQ. | 2008 |
| 3661091000 | 1450-1450 N 40TH ST | DELQ. * | 2007-2008 |
| 3860602000 | 4226-4226 W MARTIN DR | DELQ. | 2008 |
| 4060644000 | 118 N 72ND ST | PAID IN FULL | |
| 4060852000 | 181-181 N 69TH ST | PAID IN FULL | |
| 4320467000 | 627-629 W WASHINGTON ST | DELQ. * | 2007-2008 |
| 4961054000 | 1337-1337 W HAYES AV | DELQ. * | 2007-2008 |
| 4970905000 | 2690-2690 S 9TH PL | PAID IN FULL | |
| 4990443000 | 335-335 E DEER PL | DELQ. * | 2007-2008 |
| 4991832000 | 2361-2361 S LENOX ST | DELQ. * | 2007-2008 |
| 5000230000 | 2435-2435 S LOGAN AV | DELQ. | 2008 |
| 5000281000 | 2618-2618 S CLEMENT AV | PAID IN FULL | |
| 5030003000 | 2945-2945 S KINNICKINNIC AV | DELQ. * | 2007-2008 |
| 5040822000 | 2991-2991 S HERMAN ST | DELQ. | 2008 |
| 5149906000 | 2911 S 60TH ST | PAID IN FULL | |

# OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE WITH OWNERSHIP INTEREST OF TODD A. BRUNNER

| TAX KEY | PARCEL ADDRESS | STATUS | TAX YEARS |
|---|---|---|---|
| 5350686000 | 3138 S 18TH ST | PAID IN FULL | |
| 5380110000 | 3404-3404 S QUINCY AV | DELQ. | 2008 |
| 5519958000 | 3517-3517 S 15TH PL | PAID IN FULL | |
| 5730044000 | 4206-4206 S 57TH ST | DELQ. | 2008 |
| 5800243000 | 4155 S 1ST ST | PAID IN FULL | |
| 5940612000 | 4506-4506 S JASPER AV | DELQ. | 2008 |
| 6449923100 | 5316-5316 S 21ST ST | DELQ. | 2007-2008 |

*2007 LEVY AT KOHN LAW FIRM FOR COLLECTION.

**2005-2008 AT KOHN LAW FIRM FOR COLLECTION.

City of Milwaukee

**Department of Neighborhood Services**
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

September 1, 2009

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 090621
Address 5205 D S 13th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen

Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

-----Original Message-----
From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 090621
5205D South 13th Street

The Department of City Development reports that the tax foreclosed property located at 5205D South 13th Street, Tax Key No. 643-2245-000-X, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This condominium is occupied; rent has not been collected. Administrative costs incurred by our Department total $450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 090621:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Mary Smith | Health | 9/4/09 | | |
| Rosemary Binder | Health | x | | |
| Lynne Steffen | DNS | x | | |
| Karen Taylor | DCD | x | | |
| Kerry Urban | Treasurer's Office | x | | |
| Todd Brunner | N39 W27051 Glaciev Rd.<br>Pewaukee, WI 53072 | x | | |
| | | | | |
| | | | | |
| | |

DPW - ANNUA RPT. - 2003

# 2003 Statistics

## GENERAL INFORMATION ABOUT MILWAUKEE

| | |
|---|---|
| Altitude (City datum) | 581.2 feet |
| City Area | 96.1 square miles |
| Geographic Center | North 42nd Street and West North Avenue |
| Shoreline of Lake Michigan in City | 10.2 miles |
| Incorporated by Wisconsin Charter | January 31, 1846 |

## GENERAL INFORMATION ABOUT MILWAUKEE'S INFRASTRUCTURE

| | |
|---|---|
| Alleys, total | 414.6 miles |
| Freeways | 40.1 miles |
| Paved City Streets | 1,417 miles |
| Unpaved City Streets | 15 miles |
| Total city streets | 1,432 miles |
| Miles of lighted streets | 1,288.54 miles |
| City maintained bridges | 220 |
| Movable bridges | 20 |
| Total bridge openings | 18,119 |
| Total sewer mileage in operation (sanitary, storm and combined) | 2,437 |
| Main line sewers in the City | 120 miles |
| Streets with interim lighting | 81.84 miles |
| Unlit streets | 43.69 miles |
| Street lighting units | 66,871 |
| Alley lighting units | 8,790 |
| Traffic control signals | 728 intersections |
| Traffic control signs | 102,058 |
| Underground conduit | 546.3 miles |
| Bus stops, signage maintained | 4,267 |

## MILWAUKEE WATER WORKS

| | |
|---|---|
| Howard Avenue plant capacity | 105 million gallons/day (MGD) |
| Linnwood plant capacity | 275 million gallons/day (MGD) |
| Total annual pumpage (gallons) | 46.1 billion |
| Consumption per capita per day (gallons) | 65 |
| Meters in service | 160,966 |
| Water hydrants | 19,726 |
| Water mains in service (miles) | 1,954 |
| Revenue | $74.5 million |

Milwaukee Water Works' purification process is comprised of ozone disinfection, alum coagulation, dual media filtration, fluoridation, corrosion control, and chloramine post-disinfection.

Retail customers: Franklin, Greenfield, Hales Corners, St, Francis, West Milwaukee

Wholesale customers: Brown Deer, Butler, Greendale, Menomonee Falls, Milwaukee County Grounds, New Berlin, Shorewood, Wauwatosa, West Allis, WE Energies Water Services

## SANITATION

| | |
|---|---|
| Residential Waste collected | 179,784 Tons |
| Recyclables collected | 26,100 Tons |
| Leaves and Yard Waste collected & composted | 25,285 Tons |
| Snowfall (January – December) | 32.6 Inches |
| General snow plowings | 2 |
| Ice control operations | 23 |

## FORESTRY DIVISION

| | |
|---|---|
| Trees on city streets | 200,000 |
| Shade trees planted | 2,731 |
| Trees pruned | 50,258 |
| Trees removed (all causes) | 3,529 |
| Stumps removed | 4,143 |
| Boulevard medians & greenspaces maintained | 476 acres |
| Flowers produced, annuals | 371,546 |
| Flowers planted, annuals | 185,448 |
| Flowers planted, perennials & bulbs | 7,455 |
| Shrubs planted | 1,497 |
| Evergreens planted | 107 |
| Landscaped boulevard medians | 121.8 miles |
| Greenspaces maintained | 59 |
| Totlots maintained | 57 |
| City properties maintained | 20 |
| Service requests | 9,620 |

## INFRASTRUCTURE SERVICES – SEWER DESIGN AND MAINTENANCE

| | |
|---|---|
| Sewers examined | 84 miles |
| Sewers cleaned | 422.2 miles |
| New sewers | 81 miles |
| Replacement sewers | 13.11 miles |
| Sewer lining | 2.0 miles |
| Service calls answered | 7,937 |

## FLEET SERVICES

| | |
|---|---|
| Work Orders | 31,415 |
| Preventive Maintenance Inspections Performed | 7,359 |
| Tires Mounted | 3,933 |
| Field Service Calls, Tires | 4,392 |
| Field Service Calls, Other | 7,212 |
| Stockroom Activity | $4,710,704 |
| Vehicles Serviced | |
| Passenger Vehicles | 1,047 |
| Packers, Rear Load | 144 |
| Packers, Front Load and Roll-off | 22 |
| Packers, Recycling | 51 |
| Tractors | 65 |
| Street Sweepers | 29 |
| Sewer cleaners, flushers, etc. | 7 |
| Construction equipment | 487 |
| Trucks, all other | 842 |
| Compressors | 96 |
| Vehicle Total | 2,790 |
| Non-automotive equipment | 1,395 |
| Total Serviced | 4,185 |

## STREET AND BRIDGE MAINTENANCE

| | |
|---|---|
| Bridges, inspected | 180 |
| Bridges, number of openings | 14,119 |
| Pavement seal coating (square yards) | 261,288 |
| Asphalt surface by contract (tons) | 3,057 |
| Production of asphalt mixes (tons) | 15,012 |

| | |
|---|---|
| Average Total DPW Employees, 2003 | 2,400 |

Rec'd 2/24/2005

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090386 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to the claim of Southeastern Pediatric & Adolescent Medicine for property damage. (5th Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS | | |
| **Attachments:** | City Attorney Letter, Claim, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090386
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to the claim of Southeastern Pediatric & Adolescent Medicine for property damage. (5th Aldermanic District)
**Requestor**
City Attorney
**Drafter**
JAS:beg
June 17, 2009
1029-2009-1150:147041



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
**JOHN J. HEINEN**
**DAVID J. STANOSZ**
**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
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**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

June 17, 2009

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

Re: Resolution relating to the claim of Southeastern Pediatric & Adolescent Medicine
C.I. File No. 09-L-38

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, Southeastern Pediatric & Adolescent Medicine, 8532 West Capitol Drive, Milwaukee, WI 53222 alleges that on January 23, 2009 a City equipment failure caused a WE Energies breaker to activate which allowed electricity to back up and damage the claimant's property. They claim damages in the amount of $5,484.85.

Our investigation reveals that the Infrastructure Services Division records indicate that on January 23, 1009 a City breaker in the substation located at 8723 West Capitol Drive shorted out and caused a WE Energies breaker to activate. Prior to this, there were no complaints and the City had no notice of any problems with the breaker. After a City crew repaired the City breaker, all services affected were restored by WE Energies. Their electrical grid is set up to protect their clients from electricity back feeding into any power lines. The WE Energies breaker should have protected their clients. There is no

evidence that the City was negligent 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
1029-2009-1150:147039

SOUTHEASTERN
Pediatric & Adolescen
MEDICINE
Your Family. Our Focu

Noemi Prieto, MD
Gary Nordyke, MD
Rati Masunungure, MD
Rosanna Carpita, MD
Lori Falci, M
Manuel Thomas, M
Ted Muellerleile, M
Kathleen Lemke, M

www.sepediatrics.com

**April 10, 2009**

**City Clerk**
**ATTN; CLAIMS**

**CLAIM for $ 5,184.85**

**Dear Mr Leonhardt**

**On January 23, 2009, there was a power outage at 10:30pm. Due to this power outage, on the morning of January 26, 2009 we found that our computers were not operating. I called WE Energies regarding our losses and was told that a breaker operated due to City of Milwaukee equipment failure. Our computers were recovered after several hours by our computer specialist. However at the time of the outage, it had also caused our Time Clock program and time clock to burn out. This system serves our office at 8532 W Capitol where the outage took place. and our three other locations. We were unable to have our employees punch in and punch out. This in turn meant that we had to have our employees (36) keep track of their time on paper. It took till March 4th s to purchase a new system and installation .**

**We are filing a claim for our loss of the Time Clock. I have a copy of letter from WE Electric stating this was the fault of the City of Milwaukee. I am also submitting a bill from Integrated Time for the purchase of new equipment and program and a bill from Munger Technical Services to install cabling and whatever was necessary to use the program that was purchased.**

**Please contact me at 414-967-4885 regarding any additional information or questions you may have**

ROCEIVED
2009 APR 16 AM 9:26
ROCKLEDGE LEONHARDT
CITY CLERK
CITY OF MILWAUKEE

**Thank you.**

Christine Cloninger

**Christine Cloninger**
**Accounting Manager**

Northwest*
8532 W. Capitol Dr.
Milwaukee, WI 53222
**414/463-6640**
Fax: 414/463-6743

Downtown
756 N. 35th St.
Milwaukee, WI 53208
**414/342-3337**
Fax: 414/931-1855

Franklin
10500 W. Loomis Rd.
Franklin, WI 53132
**414/529-9261**
Fax: 414/529-9278

South Side
1308 S. 16th St.
Milwaukee, WI 53204
**414/831-0100**
Fax: 414/831-1584

South Milwaukee
1725 College Av
So. Milwaukee, WI 5317
**414/570-939**
Fax: 414/570-939

** Urgent care locations*

ATTN:
Steve Carini

Pages 6

NOEMI PRIETO, MD.SC.
Christine Cloninger
Tel.414-967-4885 Fax 414-967-1766
e-mail -chrisclon328

FAX

DATE: 4/15/09

FAX: 286-3456 PAGES:

TO: City Clerk - Milwaukee

FROM: Southeastern Pediatrics & Adolescent Medicine

RE: Claim

SOUTHEASTERN
Pediatric & Adolescen
MEDICINE
Your Family. Our Fo

Noemi Prieto, MD
Gary Nordyke, MD
Rati Masunungure, MD
Rosanna Carpita, MD
Lori Falci,
Manuel Thomas,
Ted Muellerleile,
Kathleen Lemke

www.sepediatrics.co

**April 10, 2009**

**City Clerk**
**ATTN; CLAIMS**

**CLAIM for $ 5,184.85**

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**Please contact me at 414-967-4885 regarding any additional information or questions you may have**

**Thank you.**

Christine Cloninger

**Christine Cloninger**
**Accounting Manager**

Northwest*
8532 W. Capitol Dr.
Milwaukee, WI 53222
**414/463-6640**
Fax: 414/463-6743

Downtown
756 N. 35th St.
Milwaukee, WI 53208
**414/342-3337**
Fax: 414/931-1855

Franklin
10500 W. Loomis Rd.
Franklin, WI 53132
**414/529-9261**
Fax: 414/529-9278

South Side
1308 S. 16th St.
Milwaukee, WI 53204
**414/831-0100**
Fax: 414/831-1584

South Milwaukee
1725 College Ave
So. Milwaukee, WI 5317
**414/570-939**
Fax: 414/570-939

* *Urgent care locations*

**We Energies**
Legal Services
Claims Department - P41B
P.O. Box 1132
Milwaukee, WI 53201-1132
Phone 414-221-3437
Fax 414-221-3449
Email damageclaims@we-energies.com
www.we-energies.com

Refax 4/15/09

| Post-it® Fax Note 7671 | Date 3/24/09 | # of pages ▶ 1 |
|---|---|---|
| To Christine | From Mary | |
| Co./Dept. GNR Property Mgmt | Co. We Energies | |
| Phone # | Phone # 414-221-3788 | |
| Fax # 967-1766 | Fax # | |

March 24, 2009

GNR Realty and Property Mgmt LLC
Attn: Christine
8532 W Capitol Dr
Milwaukee WI 53222

Dear Christine:

RE: Power Outage on January 23, 2009
File # 2009205913

This letter is in response to your request for information regarding the power outage that affected customers in your neighborhood on Friday January 23, 2009.

Our investigation revealed a breaker operated due to City of Milwaukee equipment failure at 8723 W Capitol Drive, Milwaukee, Wisconsin, which caused the outage.

I hope this information is of assistance to you.

Sincerely,

Mary Ritenour

Mary Ritenour
Claims Analyst
414-221-3788

Invoice

INTEGRATED TIME SYSTEMS
AUTOMATE YOUR WORLD

www.integratedtime.com

Phone: 262-754-0401
Fax: 262-754-0402

295 Regency Ct. #200
Brookfield, WI 53045

| DATE | INVOICE # |
|---|---|
| 3/5/2009 | 14472 |

PAID

| BILL TO | SHIP TO |
|---|---|
| Southeastern Pediactrics<br>8532 W Capital #100<br>Milwaukee, WI 53222 | |

| P.O. NUMBER | TERMS | REP | SHIP | VIA | F.O.B. | PROJECT |
|---|---|---|---|---|---|---|
| | | | 3/5/2009 | UPS | | |

| QUANTITY | ITEM CODE | DESCRIPTION | PRICE EACH | AMOUNT |
|---|---|---|---|---|
| 1 | Time Q Plus | Time Q Plus Software and Biometric Terminal | 600.00 | 600.00T |
| 3 | TQ100 | TQ100 Terminal | 600.00 | 1,800.00T |
| 8 | Installation | Installation of terminals at each location. Please have Ethernet ready at the clock locations so we can connect to server. If VPN services are not installed and functioning there may be additional charges for connectivity.<br><br>1 Hour Preparation/Planning<br>4 Hours Clock install at locations (client to have Ethernet available)<br>2 Hours Software load on server and connection of clocks<br>1 Hour Assist customer with anything needed. Utilize Acroprint Support for any software issues/questions 800-334-7190. | 125.00 | 1,000.00T |
| 1 | M.A. - Acro... | Yearly Unlimited Software Support | 300.00 | 300.00T |

| | |
|---|---|
| | **Subtotal** |
| | **Sales Tax (5.6%)** |
| | **Payments/Credits** |
| | **Total** |
| | **Balance Due** |

Invoice

INTEGRATED TIME SYSTEMS
AUTOMATE YOUR WORLD
www.integratedtime.com
Phone: 262-754-0401
Fax: 262-754-0402
295 Regency Ct. #200
Brookfield, WI 53045

| DATE | INVOICE # |
|---|---|
| 3/5/2009 | 14472 |

PAID

| BILL TO | SHIP TO |
|---|---|
| Southeastern Pediatrics<br>8532 W Capital #100<br>Milwaukee, WI 53222 | |

| P.O. NUMBER | TERMS | REP | SHIP | VIA | F.O.B. | PROJECT |
|---|---|---|---|---|---|---|
| | | | 3/5/2009 | UPS | | |

| QUANTITY | ITEM CODE | DESCRIPTION | PRICE EACH | AMOUNT |
|---|---|---|---|---|
| | | Loaner punch clock at no charge until time of install, which is estimated for Feb 12.<br><br>Note: customer indicated old system mal-functioned due to an electrical overload incident.<br><br>$1200 deposit required. | | |

| | |
|---|---|
| Subtotal | $3,700.00 |
| Sales Tax (5.6%) | $207.20 |
| Payments/Credits | $-3,907.20 |
| Total | $3,907.20 |
| Balance Due | $0.00 |

technical services

414.332.5700

888.332.5701

414.332.5710

www.mungerinc.com

# INVOICE

SOLD TO:

Southeastern Pediatric
3484 North Shepard Avenue
Milwaukee, Wisconsin 53211

Attn: Christine

| Purchase Order Number | Terms | Date | Invoice Number |
|---|---|---|---|
| | NET 10 days | 3.16.2009 | 90305 |

Configure IP addresses for time clocks.
Install cabling at 16th Street and College locations.
Assist with configuration and testing.
Completed March 5, 2009.

| | |
|---|---|
| MATERIALS: | |
| 1 CAT5e cable | $ 26.50 |
| 2 Data jacks @$6.60 | $ 13.20 |
| 2 Faceplates @$3.00 | $ 6.00 |
| 4 Patch cables @$1.80 | $ 7.20 |
| LABOR: | |
| 10 Hours configuration and testing @$80.00 | $ 800.00 |
| 6.5 Hours cable installation @$55.00 | $ 357.00 |
| Subtotal | $1,209.90 |
| Sales tax | $ 67.75 |
| **TOTAL AMOUNT DUE:** | **$1,277.65** |

Accounts 30 days and over are subject to a finance charge of 1 ½ % per month which is an annual rate of 18% to be applied to the unpaid balance, plus collections costs.

**NOEMI PRIETO, MD.SC.**
Christine Cloninger
Tel.414-967-4885 Fax 414-967-1766
e-mail -chrisclon328

FAX

DATE: 4/15/09

FAX: 286-3456 PAGES:

TO: City Clerk - Milwaukee

FROM: Southeastern Pediatrics & Adolescent Medicine

RE: Claim

CITY OF MILWAUKEE
2009 APR 16 AM 9:26
RONALD D. LEONHARDT
CITY CLERK

CITY ATTORNEY

2009 APR 16 PM 3:58
CITY OF MILWAUKEE
RECEIVED

**NOTICES SENT TO FOR FILE 090386:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Southeastern Pediatric and Adolescent Medicine | 8532 W. Capitol Dr.<br>Milwaukee, WI 53222<br>Attn: Christine Cloninger | 9/4/09 | | |
| Jeff Polenske | DPW | x | | |
| Jeff Mantes | DPW | x | | |
| Clark Wantoch | DPW | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090434 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Appeal of Hall Chrevrolet Co., Inc. for loss of property. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS APPEAL | | |
| **Attachments:** | City Attorney Letter, Appeal, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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## Number
090434
## Version
ORIGINAL
## Reference

## Sponsor
THE CHAIR
## Title
Appeal of Hall Chrevrolet Co., Inc. for loss of property.
## Requestor

## Drafter
City Atty.
smc
7/23/09



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
**Office of the City Attorney**

**THOMAS O. GARTNER**
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**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

June 30, 2009

Hall Chevrolet Co. Inc.
11011 West North Avenue
Milwaukee, WI 53226

RE: Hall Chevrolet Co., Inc.
C.I. File No.: 09-S-186

Dear Sir or Madam:

We have received your claim in the amount of $4,279.87, relating to the sale of a vehicle, allegedly without notice to you as a lien holder, by the City of Milwaukee Tow Lot.

Our investigation reveals that the vehicle was towed on July 18, 2008 for safekeeping after it was involved in an accident. The tow lot followed applicable regulations for the notice of the tow and disposition, sending proper notices to the VIN owner and lien holder. As such, a certified notice was also sent to your address and it was received and signed for by Kelly Gayle. There were no attempts made by anyone to retrieve the vehicle. The vehicle was later sold. The City followed proper procedure under Wisconsin Statute § 341.65 (2)(g), which is the relevant section. As such, the City would not be liable. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:beg
c: David Lawrence
1029-2009-1422:147342

CITY OF MILWAUKEE
2009 JUL 20 AM 9:36
RONALD D. LEONHARDT
CITY CLERK

Grant F. Langeley
City Attorney
200 East Wells Street
Suite 800
Milwaukee, WI 53202-3551

Milw. City Clerk
200 E. Wells St.
Room 205
Milw. WI 53202

July 16, 2009

Atty. Langley,

We are appealing your letter of June 30, 2009 regarding C.I. File No. 09-S-186 based on Wisconsin Statute 779, specifically subsection 779.415(2). I would expect the City of Milwaukee is to be held to the same standard of law that we as ordinary citizens are held. While I understand your reference to statute 341.65(2)(g), which may be the relevant section for disposal, however, that doesn't relieve you of the required disbursement of funds gained from such action to the legal parties entitled to those funds based on state statute 779.415. The senior lienholder being Hall Chevrolet is to be paid after all fees are paid from the proceeds.

I ask you to review that section of statute, determine what your fees for towing and storage were, inform us of those fees, and remit the balance to us immediately. If necessary, I am requesting a hearing as well. I ask for your response within 21 days from the date of this letter.

CITY OF MILWAUKEE
2009 JUL 20 PM 3:21
RONALD D. LEONHARDT
CITY CLERK

The events leading up to this problem are as follows:
Hall Chevrolet was the perfected security lienholder of a vehicle owned by Tramosia Phillips as clearly demonstrated on the registration information for the said vehicle. The vehicle in question is a 2005 Chevrolet Malibu, Vehicle ID# 1G1ZT54835F156462. Ms. Phillips allowed her vehicle to be towed to your city lot as the result of some mishap on July 18, 2008. After attempts to notify how she could retrieve her car, she did not respond. The vehicle in question was disposed of by the city on September 4, 2008. Monies for the vehicle were received by the city in the amount of $4,279.87. We, as secured lienholder, were not notified of the sale nor were forwarded any of the proceeds after your tow and storage fees.

CITY OF MILWAUKEE
RECEIVED
2009 JUL 20 PM 4:00
OFFICE OF
CITY ATTORNEY

Please call me if you have any questions.

Sincerely,

David A. Poch
Chief Financial Officer
Hall Chevrolet Co. Inc.

cc: Milwaukee City Clerk
Attn: Steven M. Carini
enc: 2

**WORLD CLASS CHEVY CENTER**

HALL

11011 W. North Avenue • Milwaukee, Wisconsin 53226 • 414-778-1500 HALL CHEVROLET CO., INC.

the motor carrier, licensed motor vehicle salvage dealer or licensed motor vehicle dealer would otherwise be entitled under sub. (1).

779.415(2)

**(2)** At least 20 days prior to sale or junking, notice thereof shall be given by registered mail to the person shown to be the owner of the vehicle in the records of the department of transportation and to any person who has a lien on such vehicle perfected under ch. 342, stating that unless the vehicle is claimed by the owner or the owner's agent within said 20 days the vehicle will be exposed for sale or junked, as the case may be. If the proceeds of the sale exceed the charges, the balance shall be paid to the holder of the senior lien perfected under ch. 342, and if none, then to the owner as shown in the records of the department of transportation.

779.415 - ANNOT.

**History:** *1977 c. 29 s. 1654 (7) (b); 1977 c. 273; 1979 c. 32 ss. 57, 92 (9); Stats. 1979 s. 779.415; 1983 a. 213, 445; 1989 a. 320; 1995 a. 62.*

City Hall
200 East Wells Street
City Clerk, Room 205
Milwaukee, WI 53202

CITY OF MILWAUKEE
2009 MAY 18 AM 11:22
RONALD D. LEONHARDT
CITY CLERK

May 15,2009

Ronald D. Leonhardt

CITY OF MILWAUKEE
RECEIVED
2009 MAY 18 PM 3:57
CITY ATTORNEY

It has come to our attention after requesting open records information that monies were given to the City of Milwaukee that legally belonged to us. The amount of our claim against the City is $4,279.87. The circumstances surrounding our claim are described herein.

Hall Chevrolet was the perfected security lienholder of a vehicle owned by Tramosia Phillips as clearly demonstrated on the registration information for the said vehicle. The vehicle in question is a 2005 Chevrolet Malibu, Vehicle ID# 1G1ZT54835F156462. Ms. Phillips allowed her vehicle to be towed to your city lot as the result of some mishap on July 18, 2008. After attempts to notify how she could retrieve her car, she did not respond. The vehicle in question was disposed of by the city on September 4, 2008. Monies for the vehicle were received by the city in the amount of $4,279.87. We, as secured lienholder, were not notified of the transaction nor were forwarded any of the proceeds.

CITY OF MILWAUKEE
2009 MAY 18 AM 11:48
RONALD D. LEONHARDT
CITY CLERK

In December of 2008, telephone calls were made to the city tow lot seeking information as to what the disposal result was and how much was received for the vehicle. This was followed up a fax on December 8, 2008 requesting information regarding the vehicles disposal. Again on February 4, 2009, seeking this information again. And again o February 18, 2009, a letter was sent to David Lawrence, the tow lot administrator. Complete information was finally received on May 14, 2009.

We are entitled to this recovery according Wis. Stats. 779 and therefore seek the amount of $4,279.87 from the City of Milwaukee. Since time is of the essence, this amount is due us immediate The name and address these monies should be sent to is:

Hall Chevrolet Co. Inc.
11011 West North Avenue
Milwaukee, WI 53226

Please call me if you have any questions.
Sincerely,

David A. Poch
Chief Financial Officer
Hall Chevrolet Co. Inc.

cc: Michael T. Simons

enc: 17

BILL TO:

CITY OF MILWAUKEE
200 EAST WELLS STREET
CITY CLERK, ROOM 205
MILWAUKEE, WI 53202

AMOUNT:

$4,279.87

REMIT TO:

HALL CHEVROLET CO. INC.
11011 WEST NORTH AVENUE
MILWAUKEE, WI 53226

13302P Tramosia Phillips

# CONFIRMATION OF SECURITY INTEREST (LIEN) PERFECTION

T084 10/2004 s.342.20(3)Wis. Stats.

**DEBTOR NAME AND ADDRESS** This lien has been recorded with the Wisconsin Department of Transportation.

PHILLIPS TRAMOSIA S
4007 W CHAMBERS ST #4
MILWAUKEE WI 53210

County of Debtor Residence MILWAUKEE

| Year | Make | Body Style | Vehicle Identification Number | Secured Party No. | Date Printed |
|---|---|---|---|---|---|
| 2005 | CHEV | 4D | 1G1ZT54835F156462 | 107955 | 03/25/06 |

SECURED PARTY (LIENHOLDER) NAME AND ADDRESS

000415
HALL CHEVROLET CO INC
11011 W NORTH AVE
MILWAUKEE WI 53226

Lending Agency: Retain this document until the lien has been satisfied. See reverse side of this form for removing this lien. Valid lien release only if signed on reverse side.

# OFFICE OF THE CITY CLERK

Milwaukee, Wisconsin

Instructions for filing a Claim against the City of Milwaukee

To file a claim against the **City of Milwaukee** which complies with Sec. 893.80, Stats., the following information must be submitted in writing to:

City Hall
200 East Wells Street
City Clerk, Room 205
Milwaukee, WI 53202

1. A document stating the circumstances of the claim, which must be signed by the claimant or his/her agent or attorney. This document should be filed within 120 days of the event.

2. A document stating the address of the claimant and a statement of the relief sought. If money damanges are sought, a specific sum must be indicated.

In order to allow the City of Milwaukee to thoroughly and promptly act on your claim, the following Information should also be submitted:

1. Proof of the amount of the claim by means of either two itemized estimates or itemized receipted bills.

2. The telephone number where you can be reached during business hours.

3. A detailed description of the incident, being as clear as possible as to episode of events, including the date, time and place.

RONALD D. LEONHARDT
City Clerk

CITY OF MILWAUKEE
OFFICE OF THE CITY ATTORNEY

MICHAEL T. SIMONS
PARKING CITATION REVIEW MANAGER

*may be directed to : 414/286-2221*

*Thank you!*

POLICE ADMINISTRATION BUILDING
749 WEST STATE STREET, ROOM 205
MILWAUKEE, WI 53233
414-286-5440
FAX: 414-286-2126
EMAIL mslmons@milwaukee.gov

3811 W LINCOLN AVE
MILWAUKEE WI 53215
Telephone (414) 286-2700
FAX # (414) 286-5093

Ind. Enforcement
414-286-2676

# FAX COVER SHEET

Mike Simons

To: Hal Clement Fax: (414) 431-1976

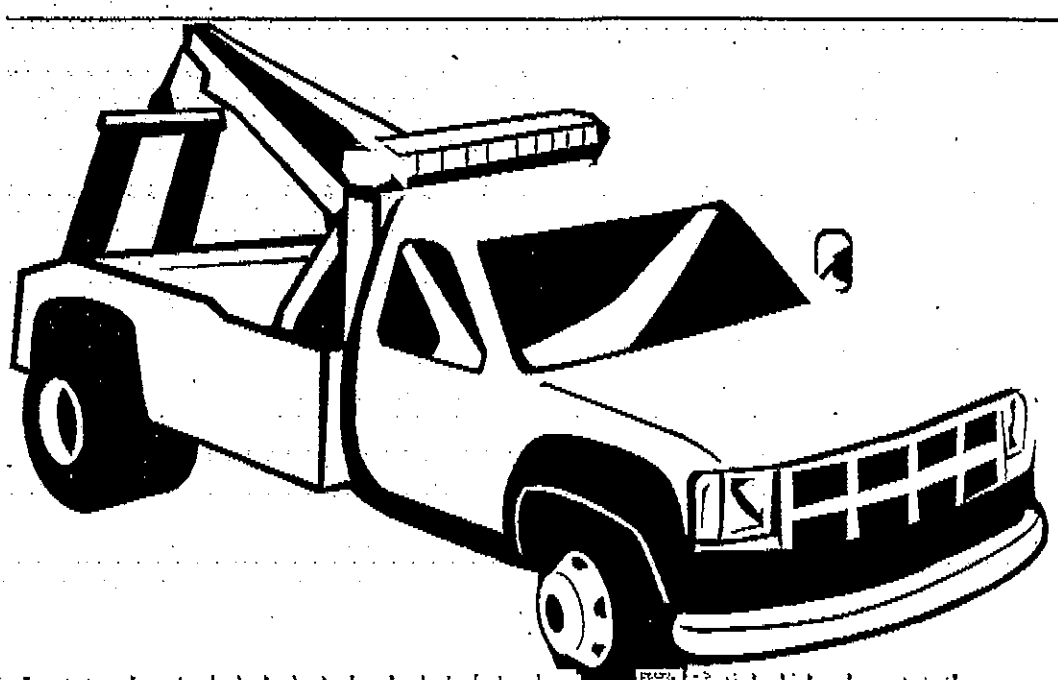
From: Dave Lawrence Date: 5-14-09

Re: Tow # 1362991 Pages: 10 including cover

CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Here is the info you Requested,



CITY OF MILWAUKEE TOW LOT

City of Milwaukee

DEPARTMENT OF PUBLIC WORKS - TOW LOT
3811 West Lincoln Avenue - Milwaukee, WI 53215
Ph: (414) 286-2700 - Fax: (414) 286-5093
TDD: (414) 286-2025

Tuesday, February 17, 2009

Hall Chevrolet
David A. Poch
11011 W. North Ave.
Milwaukee, WI 53226

RE: Public Records Request

Dear Poch:

We are in receipt of your public records request dated February 4, 2009 for Tow Number 1362991. Enclosed you will find a copy of the Tow Record.

This vehicle was sold on September 4, 2008 on J-Bid #2455. The vehicle was sold to 688 CARS INC., W230 S8895 Clark Street, West Bend, Wisconsin 53103. The vehicle was sold for $4, 279.87.

The Milwaukee Tow Lot is a subsidiary of the City of Milwaukee, Department of Public Works. Any fees or monies collected are deposited accordingly.

Please do not hesitate to contact me should you have any questions regarding this matter.

Very Truly Yours,

V. Young
City of Milwaukee
Tow Lot Assistant III

1 414-431-1976

letter mailed 2-17-09

Tow No.: 1362991 Process Status: CONFIRMED OFF Amount Due: $0.00

Reason: 15 ACCIDENT Ticket: Violation:

Stolen: Towable? Moved to Loc: RLS TO GRUBER LAW

Location: 7200 N 107TH ST

Disp: 13 J-BID 09/03/2008 Fees Last Calculated: 09/08/2008

J-Bid No.: 2455 Bid Amt.: $0.00 Vendor ID: Zone: AN

12/9/08
Information on J-Bid Vehicle requested by D. Lawrence
MLS

| | Date | Time | Operator | Off. Dist. | Squad | PR No. | |
|---|---|---|---|---|---|---|---|
| Placarded: | / / | : AM | | | | | |
| Authorized: | 07/18/2008 | 06:30 PM | TD6853 | 96 | 4227 | 013528 | Crew: |
| Cancelled: | / / | : AM | | | | | |
| Dispatched: | 07/18/2008 | 08:33 PM | TD68538 | | | Crew: 007-CHI | |
| Arrived: | 07/18/2008 | 06:56 PM | TD68538 | | Driver Name: 1345 | | |
| Confirm On: | 07/18/2008 | 08:14 PM | KELL | Lot: 1 | Row: H | Space: 048NK | |
| Released: | 09/08/2008 | 12:19 PM | LDIB | | Location of keys: NK | | |
| Confirm Off: | 09/08/2008 | 12:19 PM | LDIB | | | | |

Process Status: COF Process Date: / /

Lic No.: WI PC AUT Exp.: Make: CHEV Model: MAL

VIN: 1G1ZT54835F156462 Style: 4D Year: 05 Color: RED

Property: Inventory No.:

Surface Damage Areas (excluding rust):

Dented Areas: DVR FT END, UNDERCARRAGE

Crushed Areas:

| LOCKED | EQUIPMENT | ADDITIONAL DAMAGE | |
|---|---|---|---|
| Doors: N | Radio: Y | Column: N | No. Flat Tires: 1 |
| Trunk: Y | Tape Plyr.: N | Total Burn: N | No. Tires Missing: 0 |
| Glove Comp.: N | Speakers: Y | Elect. Locks: Y | No. Hubcaps Missing: 0 |

Additional Comments:
DRV FT TIRE FLAT

Initial Disposition: 13 J-BID

PLATE - Name: Status: UNK

Address 1: Last Notice:

Address 2: Date: / /

City: State: ZIP:

VIN - Name: PHILLIPS TRAMOSIA S Status: ACT

Address 1: 4007 W CHAMBERS ST # 4 Last Notice: 401

Address 2: Date: 07/25/2008

City: MILWAUKEE State: WI ZIP: 53210

LIEN - Name: HALL CHEVROLET CO INC Status: ACT

Address 1: 11011 W NORTH AVE Last Notice: 402

Address 2: Date: 07/25/2008

City: MILWAUKEE State: WI ZIP: 53226

LIEN 2 - Name: Status:

Address 1: Last Notice:

Address 2: Date: / /

City: State: ZIP:

Entry ID: TD6853

City of Milwaukee

# Sales Order

JBid 2455

**REMOVAL ORDER**
**City of MILWAUKEE**
DEPARTMENT OF PUBLIC WORKS - TOW LOT
3811 WEST LINCOLN AV.
MILWAUKEE WI 53215

ORIGINAL 9/4/2008

Sold To: 688 CARS INC.
W230 S 8895 CLARK STREET
BIG BEND,WI. 53103

Contacts:
THOMAS L SARNOWSK PEDRO RIVERA
(414) 688-2277 (414) 234-0345

| | Tow Num | Row | Space | VIN | Year | Make | Model | Style | Color | Price |
|---|---|---|---|---|---|---|---|---|---|---|
| 19 | 1362991 | H | 048NK | 1G1ZT54835F156462 | 5 | CHEV | MAL | 4D | RED | $4,279.87 |
| 41 | 1363146 | H | 108NK | 1GCGK29F6RE217631 | 94 | CHEV | TK | PK | SIL | $676.99 |
| 46 | 1363172 | G | 023NK | WBAAK740XE9022475 | 84 | BMW | 318I | 2D | BLK | $527.39 |

Check / MO number 1121 Total Cars 3 Amount Due: $5,484.25
Payment Recd Date 9/8/08
Payment Recd By V.R.

9-5-08
2125
Thomas S

PAID SEP 0 8 2008

Authorized Agent Tow Lot Manager

THIS MATERIAL IS TO BE REMOVED IN ACCORDANCE WITH CITY POLICIES AND BID FORM WHICH ARE PART OF THIS AWARD. PAYMENTS SHALL BE MADE IN ADVANCE BY CASH OR CERTIFIED CHECK. AFTER WHICH THE MATERIAL MAY BE REMOVED ONLY IN THE PRESENCE OF A REPRESENTATIVE OF DPW. NOTIFICATION WILL BE GIVEN WHEN THE MATERIAL IS TO BE REMOVED FROM THE DESIGNATED AREA.

A REPRESENTATIVE OF DPW MUST BE ON HAND WHEN VEHICLES ARE REMOVED.
ALL MATERIAL IS "AS IS WHERE IS"
VEHICLES MUST BE REMOVED FROM THE TOW LOT WITHIN 3 BUSINESS DAYS. OTHERWISE, A STORAGE FEE OF $11/DAY WILL BE CHARGED.

V.R.

CERTIFIED MAIL

FORM DPW 119A

City of Milwaukee

Department of Public Works - To
3811 West Lincoln Avenue
Milwaukee, Wisconsin 53215

JB1L# 2455

91 7108 2133 3932 9767 0586

UNITED STATES POSTAGE

$ 04.12

MAILED FROM ZIP CODE 53215

1362991 05 Chev Mal -

PHILLIPS TRAMOSIA S
4007 W CHAMBERS ST # 4

MILWAUKEE, WI 53210

RECLAMAT
BID N
TOW N
DATE (

VEHI
VIN
TOW

53210 1 1465 C032
53215 02938

X 530 N3E 1 507C 05 07/31/09
FORWARD TIME EXP RTN TO SEND
PHILLIPS'TRAMOSIA
PO BOX 250511
MILWAUKEE WI 53225-6506

RETURN TO SENDER

Pitney Bowes Engineering the flow of communication

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# Track Current Shipments

A list of your current shipments appears below. A current shipment is any shipment sent by your system in the past two weeks.To view detailed shipping information, click on the tracking number.

Postage By Phone® Account Number: 45561271 Add Account

Confine your search to this date range :

Start: 19 Aug 2008 End: 02 Sep 2008

Meter Number ALL

Search by Tracking Number :

Tracking Number 9171082133393297670579

Search

Download tracking list to excel

E-Return receipt Signature files

Frequently Asked Questions

Results 1 of 1

| Date Shipped | Tracking Number | Dest. ZIP | Class | Service | Delivery Status | Event Date | Signed By | Postage | Reference # | Comments | Ser E-m |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 07/29/08 | 9171082133393297670579 | 53226 | FC | CM | Delivered | 07/30/08 | | $4.12 | | | |

Results 1 of 1

Contact Us | Our Company | Investor Relations | Media Room | Careers | Site Map | Privacy Statement | Legal

Lisa Holden
delivered
7-30-08
05 chev Malibu

City of Milwaukee

# Sales Order

City of MILWAUKEE
DEPARTMENT OF PUBLIC WORKS - TOW LOT
3811 WEST LINCOLN AV.
MILWAUKEE WI 53215

JBid 2455

ORIGINAL 9/4/2008

Sold To: 688 CARS INC.
W230 S 8895 CLARK STREET
BIG BEND,WI. 53103

Contacts:
THOMAS L SARNOWSK PEDRO RIVERA
(414) 688-2277 (414) 234-0345

| | Tow Num | Row | Space | VIN | Year | Make | Model | Style | Color | Price |
|---|---|---|---|---|---|---|---|---|---|---|
| 19 | 1362991 | H | 048NK | 1G1ZT54835F156462 | 5 | CHEV | MAL | 4D | RED | $4,279.87 |
| 41 | 1363146 | H | 108NK | 1GCGK29F6RE217631 | 94 | CHEV | TK | PK | SIL | $676.99 |
| 46 | 1363172 | G | 023NK | WBAAK740XE9022475 | 84 | BMW | 318I | 2D | BLK | $527.39 |

Check / MO number 1127 Total Cars 3 Amount Due: $5,484.25

Payment Recd Date 9/8/08

Payment Recd By V.R.

9-5-08
7125
Thomas S.

PAID SEP 0 8 2008

Authorized Agent Tow Lot Manager

THIS MATERIAL IS TO BE REMOVED IN ACCORDANCE WITH CITY POLICIES AND BID FORM WHICH ARE PART OF THIS AWARD. PAYMENTS SHALL BE MADE IN ADVANCE BY CASH OR CERTIFIED CHECK. AFTER WHICH THE MATERIAL MAY BE REMOVED ONLY IN THE PRESENCE OF A REPRESENTATIVE OF DPW. NOTIFICATION WILL BE GIVEN WHEN THE MATERIAL IS TO BE REMOVED FROM THE DESIGNATED AREA.

A REPRESENTATIVE OF DPW MUST BE ON HAND WHEN VEHICLES ARE REMOVED.
ALL MATERIAL IS "AS IS WHERE IS".
VEHICLES MUST BE REMOVED FROM THE TOW LOT WITHIN 3 BUSINESS DAYS. OTHERWISE, A STORAGE FEE OF $11/DAY WILL BE CHARGED.

V.R.

688-CARS, INC.
W230S8695 CLARK STREET
BIG BEND, WI 53103

12 2-750

DATE 9-8-08

PAY TO THE ORDER OF MILWAUKEE TOW LOT $5484.25

FIVE THOUSAND four hundred eighty four DOLLARS

usbank
usbank.com

FOR JB-2455

⑈001127⑈ ⑆075000022⑆ 18 2372 5454 5⑈

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Pitney Bowes Worldwide Logout

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# Track Current Shipments

A list of your current shipments appears below. A current shipment is any shipment sent by your system in the past two weeks.To view detailed shipping information, click on the tracking number.

**Postage By Phone® Account Number:** 45561271 **Add Account**

**Confine your search to this date range :**

Start: 19 Aug 2008 End: 02 Sep 2008

**Meter Number** ALL

**Search by Tracking Number :**

Tracking Number 9171082133393297670586

Search

Download tracking list to excel

E-Return receipt Signature files

Frequently Asked Questions

Results 1 of 1

| Date Shipped | Tracking Number | Dest. ZIP | Class | Service | Delivery Status | Event Date | Signed By | Postage | Reference # | Comments | Sen E-ma |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 07/29/08 | 9171082133393297670586 | 53210 | FC | CM | MA - See Table | 07/29/08 | | $4.12 | | Add | Add |

Results 1 of 1

Contact Us | Our Company | Investor Relations | Media Room | Careers | Site Map | Privacy Statement | Legal

Owner Returned 05 chr malibu 136299 Owner Sheed (Reuse)

Mr. David Lawrence-Tow Lot Administrator
Milwaukee Tow Lot
3811 West Lincoln Ave.
Milwaukee, WI 53215

February 18, 2009

Re: Tow Number 1362991 and J-Bid # 2455

Mr. Lawrence,

I am requesting a complete accounting for the funds you received and how they were disbursed as they relate to a vehicle in your possession and which you ultimately sold thru Bid #2455.

The reason for this request is that, since we are the perfected lienholder on this vehicle, we are entitled to all excess funds over and above your towing and storage costs as defined by Wis. Stats. 779.415. I have attached a copy herein of the statute and our lien perfection.

Please respond as soon as possible. And if you have any questions, do not hesitate to call me at 414-778-1500.

Sincerely,

David A. Poch
Chief Financial Officer

City of Milwaukee

DEPARTMENT OF PUBLIC WORKS - TOW LOT
3811 West Lincoln Avenue - Milwaukee, WI 53215
Ph: (414) 286-2700 - Fax: (414) 286-5093
TDD: (414) 286-2025

Monday, February 09, 2009

Hall.Chevrolet
David A. Poch
11011 W. North Ave.
Milwaukee, WI 53226

RE: Public Records Request

Dear Poch:

We are in receipt of your public records request dated February 4, 2009 for "complete information as to who the vehicle was sold to, date of sale and the disbursements of the sale, their name, address, etc" for Tow Number 1362991.

This letter is to inform you that we will comply with our statutory obligations and provide our response to your public records request as soon as practicable. We are seeking advice from the City Attorney's office. We will respond to your records request as soon as we receive advice from that office.

Please do not hesitate to contact me should you have any questions regarding this matter.

Very Truly Yours,

Cell 708 903

David A. Lawrence
City of Milwaukee
Towing Manager

GFL:bl
68618
1077-2002-732

2nd Request 2-4-09

12-3-08

City of Milwaukee
Tow lot - 3811 W. Lincoln
Milw WI 53215
Fax # 414-286-5093

3 pages

To whom it may concern,

re: Tow # 1362991

We are requesting complete details of the disposal of the following vehicle:

2005 Chevrolet
VIN # 1G1ZT54835F156462

We are the lienholder on this vehicle. Please include how much the vehicle was sold for, to whom, the date of sale and how the proceeds of the sale were disbursed and to whom and when. Please mail the info to my attention.

Thank you
David A. Pock CFO

Hall Chevrolet Co.
11011 W. North Ave.
Milwaukee, WI 53226

**WORLD CLASS CHEVY CENTER**

HALL

City of Milwaukee

DEPARTMENT OF PUBLIC WORKS - TOW LOT
3811 West Lincoln Avenue - Milwaukee, WI 53215
Ph: (414) 286-2700 - Fax: (414) 286-5093
TDD: (414) 286-2025

HALL CHEVROLET CO INC
11011 W NORTH AVE

MILWAUKEE, WI 53226

NOTICE DATE: 07/25/2008
RECLAMATION DATE: 09/03/2008
BID NUMBER: 2455
TOW NUMBER: 1362991
DATE OF TOW: 07/18/2008
LICENSE NUMBER:
VEHICLE YEAR AND MAKE: 05 CHEV
VIN NUMBER: 1G1ZT54835F156462
TOW ADDRESS: 7200 N 107TH ST
REGISTERED OWNER:
VIN OWNER: PHILLIPS TRAMOSIA S

**SECOND NOTICE - CERTIFIED NOTICE OF VEHICLE DISPOSAL**

/ehicle listed above has been towed and impounded at the City of Milwaukee Tow Lot located at 3811 W. Lincoln Avenue, Milwaukee Wisconsin and has unclaimed for 7 days.

**uant to Section 105-65 of the Milwaukee Code of Ordinances, your vehicle has been appraised and found to have a scrap value of more than $200. have until the close of business on the above listed RECLAMATION DATE to reclaim your vehicle or it will be sold or destroyed by the City of /aukee. (If the reclamation date is a Sunday or a holiday, you have until the close of the next business day to reclaim your vehicle.) PLEASE ACT MPTLY!**

**JR FAILURE TO RECLAIM THE VEHICLE SHALL BE DEEMED A WAIVER OF ALL RIGHT, TITLE AND INTEREST IN THE VEHICLE ) A CONSENT TO THE SALE OF THE VEHICLE BY THE CITY.**

may obtain your vehicle at 3811 W. Lincoln Avenue any time during regular business hours.

Tow Lot hours of operation are 8:00 a.m. to 6:00 p.m., Monday through Friday, and Saturday from 8:00 a.m. to Noon. The Tow Lot is closed on the wing holidays: January 1st, Martin Luther King Jr. Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after nksgiving, Christmas Eve, Christmas Day and December 31.

RECLAIM YOUR VEHICLE, YOU MUST BRING THE FOLLOWING TO THE TOW LOT:

Vehicle title (must be in owner's name).

A valid driver's license (if you are driving the vehicle from the lot). If you do not have a driver's license, you must have a photo ID and be accompanied by someone with a valid driver's license.

To retrieve a vehicle on behalf of an owner, you must have the vehicle title, a driver's license or photo ID and be accompanied by someone with a valid license and have a signed, notarized letter or release form from the vehicle owner authorizing you to pick up the vehicle. The notarized letter and release form must identify the vehicle by color, make, model, VIN, license plate number and tow number. Insurance companies and tow companies must have a notarized letter or signed release form.

Cash, cashier's check, money order, VISA or Mastercard are accepted for payment. The vehicle reclamation fee is $95 plus $20 per day for storage. **You are not required to pay for open citations in order to reclaim your vehicle.**

u may reclaim loose or personal property from within the vehicle by presenting proof of ownership and a valid picture ID at the tow lot. Personal property in vehicle will be returned free of charge during posted business hours, but will be destroyed if your vehicle is unclaimed.

DISPUTE THE LEGALITY OF YOUR TOW, YOU MAY OBTAIN A REVIEW BY THE CITY ATTORNEY AT 951 N. JAMES LOVELL STREET, OM 205.

**/ou are no longer the owner or lienholder of this vehicle, or have any questions about this notice, please contact the City of Milwaukee Tow Lot at (414) 5-2700 during the business hours listed above.**

WTOW-402-L

**NOTICES SENT TO FOR FILE 090434:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| David Poch | Hall Chevolet Company, Inc.<br>11011 W. North Ave.<br>Milwaukee, WI 53226 | 9/4/09 | | |
| Louis Black | Tow Lot | x | | |
| Dave Lawrence | Tow Lot | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090487 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to an appeal from John Zanger for property damage. (2nd Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS APPEAL | | |
| **Attachments:** | City Attorney Letter, Appeal, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

**Number**
080487
**Version**
ORIGINAL
**Reference**
**Sponsor**
THE CHAIR
**Title**

Resolution relating to an appeal from John Zanger for property damage. (2nd Aldermanic District)

**Drafter**
CC-CC
dkf
8/6/09



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**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
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**JAN A. SMOKOWICZ**
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**HEIDI WICK SPOERL**
**KURT A. BEHLING**
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**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
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**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

July 7, 2009

John A. Zanger
3616 North 62nd Street
Milwaukee, WI 53216

RE: John A. Zanger
C.I. File No. 09-V-120

Dear Mr. Zanger:

This office is in receipt of your claim in the amount of $6,581.69, relating to damage sustained to your vehicle on May 4, 2009 when it was struck by a City of Milwaukee truck at North 60th Street and West Chambers Street.

Pursuant to the June 25, 2009 conversation you had with our office, your car was determined to be a total loss. The City of Milwaukee is prepared to offer you $2,200.00, the actual cash value of the car. As such, the City of Milwaukee proposes to settle this claim for $2,200.00.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

steven m. carini

STEVEN M. CARINI
Investigator Adjuster

SMC:beg
1030-2009-1493:147609

July 17, 2009

Milwaukee City Clerk
ATT: Appeal of Claim Decision
200 East Wells Street, Room 205
Milwaukee, WI 53202-3567

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: John A. Zanger, C.I. File No. 09-V-120, Appeal of July 7, 2009 Decision

CITY OF MILWAUKEE
RECEIVED
2009 JUL 29 PM 2: 35
CITY ATTORNEY

Dear City Clerk:

The purpose of this letter is to appeal the decision on my claim, which was made in the city's letter of July 7, 2009; a copy of which is attached and request a hearing.

Why would I accept $2,200 for a car I paid $5,995 for 17 days prior to the accident and put in additional money for tires and rims. The factual basis for my appeal is as follows:

#1. The best determination of the actual cash value of the car is $5,995. This is establish by the enclosed "Motor Vehicle Purchase Contract" dated April 17, 2009. While I understand there are referenced resources that state what the value of a car is, these are based on average or approximate values. The best determination of a car's value would have been an appraisal the day before the accident. When this is not available you have to look at other indicators, such as an arm's length purchase 17 days prior to the accident.

#2. As you can also see from the "Motor Vehicle Purchase Contract", the 1994 vehicle had only 52,233 miles on the odometer or an average of 3,482.2 miles per year.

#3. The accident also damaged one of the new tires I put on the car.

#4. The pictures enclosed with the original claim show the car was in excellent shape.

#5. Further, if the investigating adjuster would have come out to see the car as I offered, rather than relying on a generic valuation of the car, it would have been apparent the generic value of $2,200 was incorrect.

#6. Finally, I am appealing the decision because my original request was for $6,775.99 based on the documents submitted with my original letter of May 13, 2009; not the $6,581.69 stated in the city's letter of July 7, 2009.

Again, why would I accept $2,200 for a car I paid $5,995 for 17 days prior to the accident. Based on these facts, I am appealing the decision on my claim, which was made in the city's letter of July 7, 2009; and requesting a hearing. Should you need anything further, please feel free to contact me.

CITY OF MILWAUKEE
2009 JUL 28 AM 11: 12
RONALD D. LEONHARDT
CITY CLERK

Sincerely,

John A. Zanger

JOHN ZANGER
3616 NORTH 62ND STREET
MILWAUKEE WI 53216
414-873-4254
zangerb@aol.com

OR REJECT THE OFFER WITHIN 2 WORKING HOURS OR THE OFFER IS AUTOMATICALLY VOIDED AND YOU MAY RESCIND THE OFFER UNLESS AND UNTIL ACCEPTED BY THE DEALER. UNTIL ACCEPTANCE OR REJECTION OF THE OFFER THE DEALER SHALL BE PROHIBITED FROM SELLING THE VEHICLE TO ANY OTHER PARTY.

| | | | |
|---|---|---|---|
| DEALER NAME: WILDE TOYOTA, INC. | VEH. STOCK NO. OR ORDER NO.: 51768A | MILEAGE AT SIGNING: 52233 | ORDER DATE: 04/17/2009 |
| ADDRESS: 5225 S. 108TH STREET | SALESPERSON'S NAME (PLEASE PRINT): RICHARD D BROWN | | |
| CITY, STATE, ZIP: WEST ALLIS WI 53227 | SALESPERSON'S LICENSE NUMBER: 86507536 | | |
| TELEPHONE NO.: (414)545-8010 | | | |

PROSPECTIVE PURCHASER (YOU) NAME(S): JOHN ZAMDER

| PROSPECTIVE PURCHASER STREET ADDRESS | CITY | STATE | ZIP |
|---|---|---|---|
| 5010 W 62 ST | MILWAUKEE | WI | 53216 |

| RESIDENCE PHONE | CELL PHONE | BUSINESS PHONE | RESIDENCE COUNTY | RESIDENCE TOWNSHIP | E-MAIL ADDRESS |
|---|---|---|---|---|---|
| (414)873-4234 | | | | | |
| | | | | | |

PLEASE ENTER MY ORDER FOR THE FOLLOWING DESCRIBED VEHICLE ☐ NEW ☑ USED (☐ DEMO ☐ EXEC) TITLE AS ☐ CAR ☐ TRUCK ☑ OTHER ☐ MOTORCYCLE LICENSE NO.

| | MODEL YEAR | MAKE – TRADE NAME | MODEL | BODY TYPE | COLOR | IDENTIFICATION NO. |
|---|---|---|---|---|---|---|
| PURCHASED VEHICLE | 1994 | FORD | THUNDERBI | 2DR CPE | GREEN | 1FALP6242RH190786 |
| OWNED OR LEASED TRADE-IN | 1997 | FORD | THUNDERBI | 2DR CPE | | 1FALP62W0VH171942 |

**WARRANTY INFORMATION** (Check Applicable Boxes) Refer to separate document for coverages and exclusions.

**Manufacturer Warranty Information** (Dealer is not a party to any manufacturer warranty)

1. ☐ New Vehicle Manufacturer Warranty
2. ☐ Remaining vehicle mfr. warranty—Call mfr. or refer to warranty booklet for details.

   Expiration: _____ (date) _____ (miles), whichever comes first.

   Deductible to be paid by You $ N/A

   Transfer fee to be paid by You $ N/A Pay to: ☐ Dealer ☐ Manufacturer
3. ☐ Not known 4. ☐ Expired 5. ☐ Cancelled due to salvage or other vehicle history

**Dealer Warranty Information**

6. ☒ **AS IS–NO WARRANTY. DEALER DISCLAIMS ALL WARRANTIES INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.**
7. ☐ Limited Warranty

   Term: _____ (months) _____ (miles), whichever comes first.

   Percent of retail repair costs to be paid by You: _____% Deductible to be paid by You: $ N/A

**SERVICE CONTRACT INFORMATION Refer to separate document for coverages and exclusions.**

8. ☐ Service Contract (Administered by _____)

   Terms: _____ (months) _____ (miles), whichever comes first.

   Percent of retail repair costs to be paid by You: _____% Deductible to be paid by You: $ _____

**OTHER CONDITIONS OF SALE**

THIS CONTRACT SUPERCEDES ALL OTHERS

| | | |
|---|---|---|
| **USED:** PRICE from the Wisconsin Buyers Guide | $ 5995.00 | |
| **NEW:** ☐ MSRP detail provided on window label | | |
| ☐ MSRP detail provided on attachment | | |
| Total MSRP (Manufacturer Suggested Retail Price) $ | | N/A |
| Dealer Markup | | |
| Dealer installed options — Has a warranty if ☑ at left. | | |
| N/A | | |
| N/A | | |
| N/A | | |
| Total Dealer Installed Options (Add to Used Price or MSRP and enter in line a) | | |
| PRICE OF THE VEHICLE | | |
| a. Dealer Retail Price ..... | 5995.00 | |
| b. Services Fee ..... | ~~119.00~~ | |
| c. Discount ..... | ~~1995.00~~ | |
| 1. Cash Price (a + b – c) .....1. | | 4119.00 |
| TAXABLE ITEMS PURCHASED WITH VEHICLE | | |
| d. Other ..... | N/A | |
| e. Service Contract ..... | N/A | |
| 2. Total of Taxable items (d + e) .....2. | | N/A |
| TRADE ALLOWANCE | | |
| f. Owned Trade-in Allowance ..... | 900.00 | |
| Leased trade-in allowance (Net lease equity calculation) | | |
| (i) Gross Allowance ..... | N/A | |
| (ii) Estimated Lease Payoff .... | N/A | |
| Payoff to: N/A | | |
| g. Net Lease Equity (i – ii) ..... | N/A | |
| 3. Trade Allowance (f + g) (If number is negative add in line h and 8) ..3. | | ~~900.00~~ |
| SALES TAX CALCULATION | | |
| h. Amount Subject to Sales Tax (1 + 2 – 3) | 3219.00 | |
| 4. 5.6 % State, County and Regional Tax on h .....4. | | 180.27 |

ANTICIPATED DELIVERY DATE: APR 17, 20 09

**Regardless of reason, if the vehicle ordered by the purchaser is not available for delivery within 15 calendar days after the anticipated delivery date, the purchaser may cancel this order and shall, within one business day, receive a full refund of any down payment, and return of trade-in vehicle, or title for trade-in vehicle, or both. If the trade-in is not available, the purchaser shall receive the trade-in allowance. Unless delivery date is otherwise qualified on the purchase contract by the purchaser, if the ordered vehicle becomes available for delivery prior to the stated anticipated delivery date, the dealer licensee may require acceptance not less than 21 calendar days after having notified the purchaser of availability of delivery, in which case no penalty shall be assessed for nonacceptance of delivery prior to the stated anticipated delivery date.**

☐ **THE ORDERED VEHICLE MUST BE LOCATED**
**If the motor vehicle dealer and purchaser enter into a purchase contract for a new motor vehicle not available at the dealer's lot, the dealer and purchaser agree that the vehicle mileage upon delivery will not exceed** N/A **miles. Before vehicle delivery, purchaser has the right to cancel the purchase contract if the mileage of the vehicle exceeds that amount. The option to cancel ends at acceptance of delivery.**

☐ **This is a Finance Transaction.** (Check A. or B.):
Closing scheduled at dealer's office on specified delivery date or as mutually agreed. You are obligated to purchase, subject to availability of financing through dealer, on terms:
A. ☐ In attached disclosure. These items do not extend beyond the closing date if dealer is willing and able to deliver vehicle on these terms.
B. ☐ Acceptable to You.

☐ **This transaction is subject to financing being arranged through creditor of Your choice.** You must obtain acceptable financing and dealer must receive written notice by (date) _____ or this contract is void.

☐ **This is a cash transaction.** You are obligated to pay the balance due on delivery.

| | | |
|---|---|---|
| NON-TAXABLE ITEMS PURCHASED WITH VEHICLE | | |
| j. Fees to appear on MV11 | 188.00 | |
| k. Warranty/Service Contract Transfer Fee | N/A | |
| l. Other N/A | N/A | |
| 5. Total of Non-Taxable Items (j + k + l) .....5. | | 188.00 |
| OWNED VEHICLE PAYOFF Due to N/A | | |
| 6. Estimated Payoff Amount on Owned Trade-in .....6. | | N/A |
| CASH & CASH EQUIVALENTS | | |
| m. Cash Down Payment on Order | N/A | |
| n. MANUFACTURER REBATES (CASH BACK / ASSIGNED) | | |
| _____ ☐ ☐ | N/A | |
| _____ ☐ ☐ | N/A | |
| _____ ☐ ☐ | N/A | |
| o. Additional Cash Due (Date/Amount) | N/A | |
| 7. Total Cash and Rebates (m + n [if assigned] + o) .....7. | | N/A |
| 8. Due on Delivery or Balance to Finance (1 + 2 − 3 + 4 + 5 + 6 − 7) .....8. $ | | 3587.27 |

A service fee is not required by law, but may be charged to motor vehicle purchasers or lessees for services related to compliance with state and federal laws, verifications and public safety, and must be reasonable.

☐ ORDER OUT VEHICLE NOT PRICE PROTECTED (See Back of Contract for Details)

THE APPRAISAL OF THE TRADE-IN IS BASED ON AN ODOMETER READING OF UP TO _____ MILES/KILOMETERS, AND THE TRADE-IN MAY BE REAPPRAISED IF IT EXCEEDS THIS LIMIT.

**This transaction is voidable at the option of the dealer at any time prior to the delivery of the purchased vehicle if any of the following representations are untrue. The undersigned purchaser(s) warrants that the below representations are true. The option to void this transaction in no way limits or restricts the election of other remedies available to the dealer prior to or after the closing of this transaction and these representations survive the closing of this transaction as to other remedies.**

| | YES | NO |
|---|---|---|
| (A) That I am 18 years of age or older. | ☐ | ☐ |
| (B) That I have full power, right and lawful authority to dispose of the trade-in. | ☐ | ☐ |
| (C) That, except for the payoff amount that dealer agrees to make as indicated in the components of price of the Purchase Contract or under Other Conditions of Sale, I will ensure that any and all liens or encumbrances on the trade-in are satisfied and released before or immediately upon delivery of the trade-in to the dealer. | ☐ | ☐ |
| (D) That the trade-in does not have a cracked or defective head, block, powertrain, or frame (including supportive portion of unibody). | ☐ | ☐ |
| (E) That all parts of the trade-in emission control system are as originally installed by the manufacturer or have comparable and tested replacement equipment. | ☐ | ☐ |
| (F) That the engine and transmission of the trade-in have not been changed from manufacturer's original equipment specifications. | ☐ | ☐ |
| (G) That while I have owned or leased the trade-in its odometer has not been replaced, tampered with or otherwise altered in any way and I believe that the trade-in's current odometer reading of N/A miles/kilometers reflects its actual mileage. | ☐ | ☐ |
| (H) That while I have owned or leased the trade-in its restraining devices (including airbags and belts) have not been replaced, tampered with, or otherwise altered in any way. | ☐ | ☐ |
| (I) That the trade-in has not previously been a salvage vehicle, manufacturer buyback, or subject to any other title brands. | ☐ | ☐ |
| (J) That the trade-in has not previously been flood or water damaged. | ☐ | ☐ |
| (K) That the trade-in does not have any corrective welds or other evidence of repair to the strut tower, floor pan, frame or structural portion of the unibody. | ☐ | ☐ |
| (L) That the only holder(s) of a security interest or lien in the trade-in ("Lienholders") is (are) shown below. | ☐ | ☐ |

Lienholder(s): _____

Explain All "NO" Answers: _____

No oral representations are binding unless written on this form. The document (including the items printed on the Reverse Side) is the entire agreement between You and Dealer, and supersedes any prior agreements and representations, regarding the transactions described above. No modification or waiver of this agreement is enforceable against either party unless agreed to in writing by that party. You will receive a copy of this order.

As a deterrent to purchaser failing to take delivery on the vehicle as herein provided, you agree that if you do not accept delivery, you shall, at dealer's option, forfeit to dealer, as a penalty, N/A % (not to exceed 5%) of the cash price of the vehicle as authorized by Section 218.0141 Wisconsin Statutes. Dealer retains the right to bring action for actual damages caused by breach of this contract, in lieu of the above penalty.

YOUR SIGNATURE(S) X John A Zanger — DATE SIGNED 04/17/2009 — TIME SIGNED 6:55 A.M. / P.M.

ACCEPTED BY DEALER OR AUTHORIZED AGENT — DATE SIGNED 04/17/2009 — TIME SIGNED A.M. / P.M.

AUTHORIZED SIGNATURE

May 13, 2009

City Clerk of Milwaukee
ATT: CLAIMS
200 East Wells Street, Room 205
Milwaukee, WI 53202-3567

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Notice of Claim Against City of Milwaukee
Accident on May 4, 2009

Dear City Clerk:

The purpose of this letter is to comply with the City of Milwaukee claim procedures and Section 893.80(1) of Wisconsin Statutes.

The circumstances of the claim are that on May 4, 2009; a City of Milwaukee dump truck damaged my car while making an improper right turn at West Chambers and 60th Street. See the enclosed Wisconsin Motor Vehicle - Accident Report, 9H228ND. Specifically, the driver of the City of Milwaukee dump truck was cited for an improper right turn, see page 5 of the Accident Report.

The damage to my car is shown in the attached photographs and includes a broken window, a pushed in driver door, a flat tire, a marked tire and scratch marks along the driver's side.

I have enclosed 3 estimates to repair the damage: Quinn & Sons Auto Body, Inc for $6,475.14; Soerens Ford, Inc for $6,412.48 and Durst Auto Body, Inc for $6,181.69, which averages: *$6,356.44*. I am also seeking reimbursement for the flat tire and the damaged tire in the amount of *$400.00*, the cost of the pictures: *$9.55* and postage / copy costs: *$10.00*.

I am seeking money damages in the total amount of **$6,775.99**

Should you need anything further, please feel free to contact me.

Sincerely,

John A. Zanger

JOHN ZANGER
3616 NORTH 62ND STREET
MILWAUKEE WI 53216

414-873-4254

zangerb@aol.com

CITY OF MILWAUKEE
2009 MAY 27 PM 3:47
RONALD D. LEONHARDI
CITY CLERK

# Wisconsin Motor Vehicle Accident Report

MV4000e 01/2005

9H228ND



PK2007

POLICE # DISTRICT 7

ACCIDENT # 091240574

## GENERAL INFORMATION

| | | | | |
|---|---|---|---|---|
| ☒ Reportable Accident | ☐ On Emergency | ☐ Amended | DOT Document Number: 9H228ND | Document Override Number: |
| Agency Accident Number: 091240574 | | Police Number: DISTRICT 7 | | |
| 4 - Accident Date: 05/04/2009 | 5 - Time of Accident (Military Time): 0925 | 6 - Total Units: 02 | 7 - Total Injured: 00 | 8 - Total Killed: 00 |
| 2 - County: MILWAUKEE - 40 | 3 - Municipality: MILWAUKEE - 57, CITY | | 11 - Accident Location: INTERSECTION | |
| 14 - On Hwy No. | 14 - On Street Name: 60TH ST N | 14 - Bus/Fmt/Rmp | 15 - Est. Dist | Ft/Mi / 15 - Hwy. Dir |
| 16 - Fr/At Hwy No. | 16 - From/At Street Name: CHAMBERS ST W | 16 - Business/Frontage/Ramp | | |
| 17 - Structure Type | 17 - Structure Number | 12 - Latitude | 13 - Longitude: - | |
| 80 - First Harmful Event: MOTOR VEHICLE IN TRANSPORT | | 93 - Manner of Collision: SIDESWIPE. SAME DIRECTION | | |
| 112 - Access Control: NO CONTROL | 113 - Road Curvature: STRAIGHT | 113 - Road Terrain: LEVEL/FLAT | Surface Type: CONCRETE - 1 | |
| 115 - Traffic Way: NOT-PHYSICALLY-DIVIDED-(2-WAY TRAFFIC) | | | | |
| 117 - Relation To Roadway: ON-ROADWAY | | | | |
| 114 - Light Condition: DAYLIGHT | 116 - Road Surface Condition: DRY | 118 - Weather: CLEAR | | |
| 9 ☐ Hit and Run | 9 ☐ Government Property | 9 ☐ Fire | 9 ☒ Photos Taken | 9 ☐ Trailer or Towed |
| 9 ☒ Truck, Bus, or Hazardous Materials | 9 ☐ Load Spillage | 9 ☐ Construction Zone | 9 ☐ Names Exchanged | |
| 101 ☒ Supplemental Reports | 102 ☐ Witness Statements | 103 ☐ Measurements Taken | 79 - E M S Number | |

## Operator/Pedestrian

OPERATOR/PEDESTRIAN 01

| | | | |
|---|---|---|---|
| Unit Status | 61 - Most Harmful Event: Collision With: MOTOR VEHICLE IN TRANSPORT | 23 - Dir Of Travel: SOUTH | 24 - Speed Limit: 30 |
| 36 - Operating as Classified: C CLASS | 37 - Endorsements | 35 ☒ Operating Commercial Motor Vehicle | |
| 29 - Driver's License Number: D6003305942906 | 30 - State: WI | 31 - Expiration Year: 2009 | 34 - On Duty Accident |
| 25 - Operator/Pedestrian Last Name: DUERR | 25 - First Name: HARVEY | 25 - Middle Initial: J | 25 - Suffix |
| 32 - Date Of Birth: 11/29/1959 | 33 - Sex: MALE | | |
| 26 - Address Street & Number: 2815 S 61ST ST | | | 26 - PO Box |
| 27 - City: MILWAUKEE | 27 - State: WI | 27 - Zip Code: 53219 | 26 - Telephone Number: (414) 327-6946 EXT. |
| 39 - Seat Position: FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR) | | 40 - Safety Equipment: SHOULDER-BELT-AND-LAP-BELT-USED | |
| 36 - Injury Severity: N - NO APPARENT INJURY | 41 - Airbag: NON-DEPLOYED | 42 - Ejected: NOT-EJECTED | 44 ☐ Medical Transport |
| 43 - Trapped/Extricated: NOT-TRAPPED | 92 - Pedestrian Location | 92 - Pedestrian Action | |
| 119 - What Driver Was Doing: MAKING-RIGHT-TURN | 120 - Traffic Control: NO-CONTROL | 62 - No. of Citations Issued: 1 | |
| 64 - 1st Statute No.: 346.31(2) | 64 - 2nd Statute No. | 64 - 3rd Statute No. | 64 - 4th Statute No. / 64 - 5th Statute No. |
| 122 - Driver Factors: NOT-APPLICABLE | | | |
| 88 - Driver or Pedestrian Cond: APPEARED NORMAL | 89 - Substance Presence: NEITHER-ALCOHOL-NOR-DRUGS-PRESENT | | |
| 90 - Alcohol Test: TEST NOT GIVEN | 90 - Alcohol Content | 91 - Drug Test: TEST-NOT-GIVEN | |

91 - Drugs Reported

124 - Highway Factors
**NOT-APPLICABLE**

## Vehicle

**VEHICLE 01**

| 21 - Unit Type | Vehicle Type | 22 - Total Occupants |
|---|---|---|
| TRUCK | UTILITY-TRUCK | 2 |

| 56 - License Plate Number | 57 - Plate Type | 58 - State | 59 - Exp Year | 55 - Vehicle Identification Number |
|---|---|---|---|---|
| 64082 | MUN | WI | | 2FZACHBS44AM26506 |

| 50 - Year | 51 - Make | 52 - Model | 53 - Body Style | 54 - Color | 100 - Skidmarks to Impact (Ft) |
|---|---|---|---|---|---|
| 2004 | STLG | ACTERRA | | YEL | |

94 - Vehicle Damage
**FRONT, FRONT PASSENGER SIDE**

| 95 - Extent Of Damage | 96 | 97 - Vehicle Removed By |
|---|---|---|
| MINOR | ☐ Vehicle Towed Due To Damage | OPERATOR |

123 - Vehicle Factors
**NOT-APPLICABLE**

## Vehicle Owner

**VEH OWNER 01**

45 ☐ Vehicle Owner Same As Operator

| 46 - Vehicle Owner Last Name | 46 - First Name | 46 - Middle Initial | 46 - Suffix |
|---|---|---|---|
| | | | |

46 - Company Name
**CITY OF MILWAUKEE**

| 47- Address Street & Number | 47 - PO Box |
|---|---|
| 2142 W CANAL ST | |

| 48 - City | 48 - State | 48 - Zip Code | 49 - Telephone Number |
|---|---|---|---|
| MILWAUKEE | WI | 53233 | (414) 286-2150 EXT. |

## Insurance

**INS 01**

| 63 - Liability Insurance Company | 60 |
|---|---|
| GOVERNMENT | ☐ Policy Holder Same As Owner |

| 61 - Policy Holder Last Name | 61 - Policy Holder First Name |
|---|---|
| | |

61 - Policy Holder Company

## School Bus

**BUS 01**

| Bus Travelling to/from | School Name | Body Make | Seating Capacity |
|---|---|---|---|
| ○ To ○ From | | | |

School District Contracted With

## Operator/Pedestrian

| Unit Status | 81 - Most Harmful Event: Collision With | 23 - Dir Of Travel | 24 - Speed Limit |
|---|---|---|---|
| | MOTOR VEHICLE IN TRANSPORT | SOUTH | 30 |

| 36 - Operating as Classified | 37 - Endorsements | 35 |
|---|---|---|
| D CLASS | | ☐ Operating Commercial Motor Vehicle |

| 29 - Driver's License Number | 30 - State | 31 - Expiration Year | 34 - On Duty Accident |
|---|---|---|---|
| Z526461481 7102 | WI | 2015 | |

| 25 - Operator/Pedestrian Last Name | 25 - First Name | 25 - Middle Initial | 25 - Suffix |
|---|---|---|---|
| ZANGER | JOHN | A | |

| 32 - Date Of Birth | 33 - Sex |
|---|---|
| 05/11/1948 | MALE |

PK2007

**OPERATOR/PEDESTRIAN 02**

| | | | |
|---|---|---|---|
| 26 - Address Street & Number: 3616 N 62ND ST | | | 26 - PO Box: |
| 27 - City: MILWAUKEE | 27 - State: WI | 27 - Zip Code: 53216 | 28 - Telephone Number: (414) 873-4254 EXT. |
| 39 - Seat Position: FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR) | | 40 - Safety Equipment: SHOULDER-BELT-AND-LAP-BELT-USED | |
| 38 - Injury Severity: N - NO APPARENT INJURY | 41 - Airbag: NON-DEPLOYED | 42 - Ejected: NOT-EJECTED | 44 ☐ Medical Transport |
| 43 - Trapped/Extricated: NOT-TRAPPED | 92 - Pedestrian Location: | 92 - Pedestrian Action: | |
| 119 - What Driver Was Doing: GOING-STRAIGHT | 120 - Traffic Control: NO-CONTROL | | 62 - No. of Citations Issued: |
| 64 - 1st Statute No.: | 64 - 2nd Statute No.: | 64 - 3rd Statute No.: | 64 - 4th Statute No.: / 64 - 5th Statute No.: |
| 122 - Driver Factors: NOT-APPLICABLE | | | |
| 88 - Driver or Pedestrian Cond: APPEARED NORMAL | 89 - Substance Presence: NEITHER-ALCOHOL-NOR-DRUGS-PRESENT | | |
| 90 - Alcohol Test: TEST NOT GIVEN | 90 - Alcohol Content: | 91 - Drug Test: TEST-NOT-GIVEN | |
| 91 - Drugs Reported: | | | |
| 124 - Highway Factors: NOT-APPLICABLE | | | |

## Vehicle

**VEHICLE 02**

| | | | | | |
|---|---|---|---|---|---|
| 21 - Unit Type: AUTOMOBILE | | Vehicle Type: PASSENGER-CAR | | | 22 - Total Occupants: 1 |
| 56 - License Plate Number: 634NBG | 57 - Plate Type: AUT | 58 - State: WI | 59 - Exp Year: 2009 | 55 - Vehicle Identification Number: 1FALP6242RH190786 | |
| 50 - Year: 1994 | 51 - Make: FORD | 52 - Model: THUNDERBIR | 53 - Body Style: 2D | 54 - Color: GRN | 100 - Skidmarks to Impact (Ft): |
| 94 - Vehicle Damage: REAR DRIVER SIDE, MIDDLE DRIVER SIDE | | | | | |
| 95 - Extent Of Damage: MODERATE | 96 ☐ Vehicle Towed Due To Damage | | 97 - Vehicle Removed By: OPERATOR | | |
| 123 - Vehicle Factors: NOT-APPLICABLE | | | | | |

## Vehicle Owner

**VEH OWNER 02**

| | | | |
|---|---|---|---|
| 45 ☒ Vehicle Owner Same As Operator | | | |
| 46 - Vehicle Owner Last Name: ZANGER | 46 - First Name: JOHN | 46 - Middle Initial: A | 46 - Suffix: |
| 46 - Company Name: | | | |
| 47- Address Street & Number: 3616 N 62ND ST | | 47 - PO Box: | |
| 48 - City: MILWAUKEE | 48 - State: WI | 48 - Zip Code: 53216 | 49 - Telephone Number: (414) 873-4254 EXT. |

## Insurance

# Wisconsin Motor Vehicle Accident Report

9H228ND

MV4000e 01/2005

PK2007

**INS 02**

| | |
|---|---|
| 63 - Liability Insurance Company<br>BADGER-MUTUAL-INS-CO | 60<br>☒ Policy Holder Same As Owner |
| 61 - Policy Holder Last Name<br>ZANGER | 61 - Policy Holder First Name<br>JOHN |
| 61 - Policy Holder Company | |

## School Bus

**BUS 02**

| | | | |
|---|---|---|---|
| Bus Travelling to/from<br>○ To ○ From | School Name | Body Make | Seating Capacity |
| School District Contracted With | | | |

## Occupant

**OCCUPANT 01**

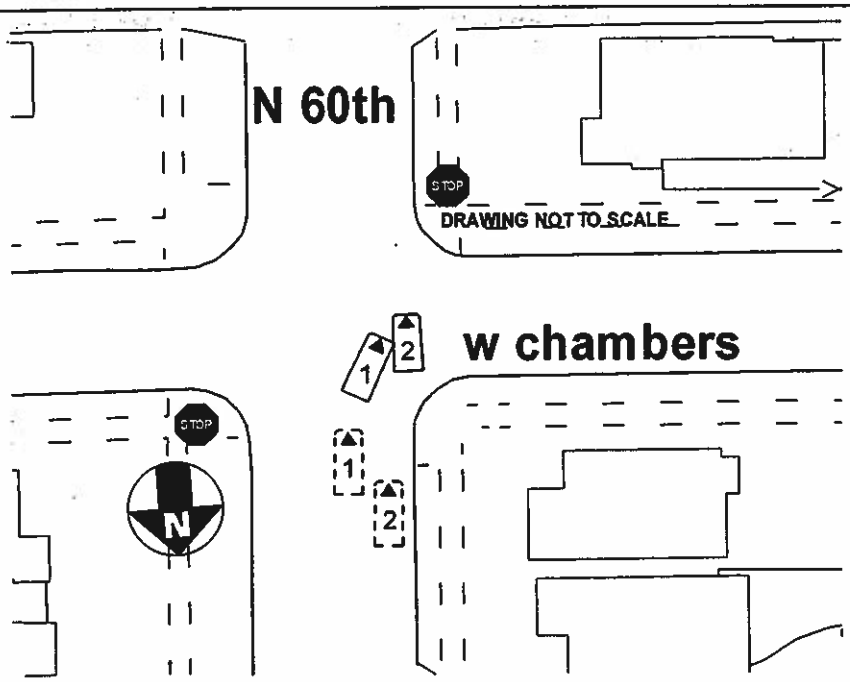
☐ Address Same As Operator

| | | | | |
|---|---|---|---|---|
| 65 - Unit No<br>01 | 66 - Occupant Last Name<br>SPITZER | 66 - First Name<br>TAMMY | 66 - Middle Initial<br>R | 66 - Suffix |
| 66 - Address Street & Number<br>2142 W CANAL ST | | 68 - PO Box | | |
| 68 - City<br>MILWAUKEE | | 68 - State<br>WI | 68 - Zip Code<br>53233 | |
| 67 - Date of Birth<br>08/02/1979 | | 69 - Sex<br>FEMALE | | |
| 71 - Seat Position<br>FRONT-SEAT-RIGHT-SIDE-(TRAIN ENGINEER) | | 72 - Safety Equipment<br>SHOULDER-BELT-AND-LAP-BELT-USED | | |
| 70 - Injury Severity<br>N - NO APPARENT INJURY | 73 - Airbag<br>NON-DEPLOYED | 75 - Ejected<br>NOT-EJECTED | 77<br>☐ Medical Transport | |
| 76 - Trapped/Extricated<br>NOT-TRAPPED | 76 - Agency Space | | | |

## Diagram and Narrative

**DIAGRAM AND NARRATIVE**

105 - PHOTOS BY
PO CRAWLEY




DRIVER OF UNIT ONE STATED THAT HE WAS TRAVELING SOUTHBOUND ON N. 60TH STREET. DRIVER OF UNIT ONE STATED THAT HE WAS ATTEMPTING TO MAKE A WIDE RIGHT TURN ONTO W. CHAMBERS ST FROM N. 60TH STREET WHEN HE COLLIDED WITH UNIT TWO WHICH WAS ATTEMPTING TO PASS HIM ON HIS RIGHT SIDE AND OUT OF HIS VIEW. DRIVER OF UNIT ONE STATED THAT HE HAD HIS RIGHT TURN SIGNAL ACTIVATED AT THE TIME OF THE ACCIDENT.

PK2007

DRIVER OF UNIT TWO STATED THAT HE OBSERVED THE LEFT TURN SIGNAL ACTIVATED ON UNIT ONE AND ASSUMED THAT HE WAS IN THE PROCESS OF TURNING LEFT SO HE BEGAN TO PASS UNIT ONE ON THE RIGHT SIDE. DRIVER OF UNIT TWO STATED THAT UNIT ONE MUST HAVE CHANGED HIS TURN SIGNAL AT THE LAST SECOND AND TURNED RIGHT COLLIDING WITH THE DRIVER'S SIDE OF HIS AUTO.

DRIVER OF UNIT TWO STATED THAT HE WAS ALSO TRAVELING SOUTH ON N 60TH ST AT THE TIME OF THE ACCIDENT. PASSENGER INSIDE OF UNIT ONE STATED THAT SHE NOTICED THAT THE DRIVER OF UNIT ONE WAS ATTEMPTING TO MAKE A RIGHT TURN AND THEN THE COLLISION TOOK PLACE AND SHE SAW GLASS FLYING IN THE AIR. THE DRIVER OF UNIT ONE WAS CITED FOR IMPROPER RIGHT TURN. UNIT ONE WAS AN ON-DUTY CITY OF MILWAUKEE DUMP TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS.

## Officer Information

**OFFICER INFORMATION**

| 125 - Officer Last Name | 125 - First Name | 125 - Middle Initial | 131 - Officer ID |
|---|---|---|---|
| SUAREZ | JORGE | O | 08513 |

| 129 - Law Enforcement Agency No. | 130 - Law Enforcement Agency Name |
|---|---|
| 006 | MILWAUKEE POLICE DEPARTMENT |

126 - Law Enforcement Agency Address Street & Number: 749 WEST STATE STREET

| 127 - City | 127 - State | 127 - Zip Code | 128 - Telephone Number |
|---|---|---|---|
| MILWAUKEE | WI | 53233 | (414) 933-4444 EXT. |

| 132 - Date Notified | 133 - Time Notified (Military Time) | 134 - Time Arrived (Military Time) | 135 - Date Of Report |
|---|---|---|---|
| 05/04/2009 | 0928 | 0943 | 05/04/2009 |

| Agency Accident Number | Police Number | 19 - Special Study |
|---|---|---|
| 091240574 | DISTRICT 7 | |

18 - Agency Space: 3000 N 60TH ST

## Truck and Bus

**TRUCK/BUS 01**

136 ☒ A truck or truck combination > 10,000 lbs GVWR/GCWR

136 ☐ Any vehicle displaying a hazardous materials placard

136 ☐ A vehicle designed to carry 9 or more people, including the driver

136 ☐ Fatal Injury | 136 ☐ Medical Transport | 136 ☒ Towed

Unit Number: 01

137 - Hazardous Materials Class Numbers:

137 - Hazardous Materials "UN" Nos.: | Hazardous Material Placard Displayed ☐ | Hazardous Cargo Was Released ☐

137 - Name Of Hazardous Materials In this Load: | 137 - Name Of Hazardous Materials Released:

| 138 | 140 - US DOT No. | 140 - ICC MC No. | LC No. | IC No. | 141 - Source |
|---|---|---|---|---|---|
| Interstate Carrier ☐ | | | | | |

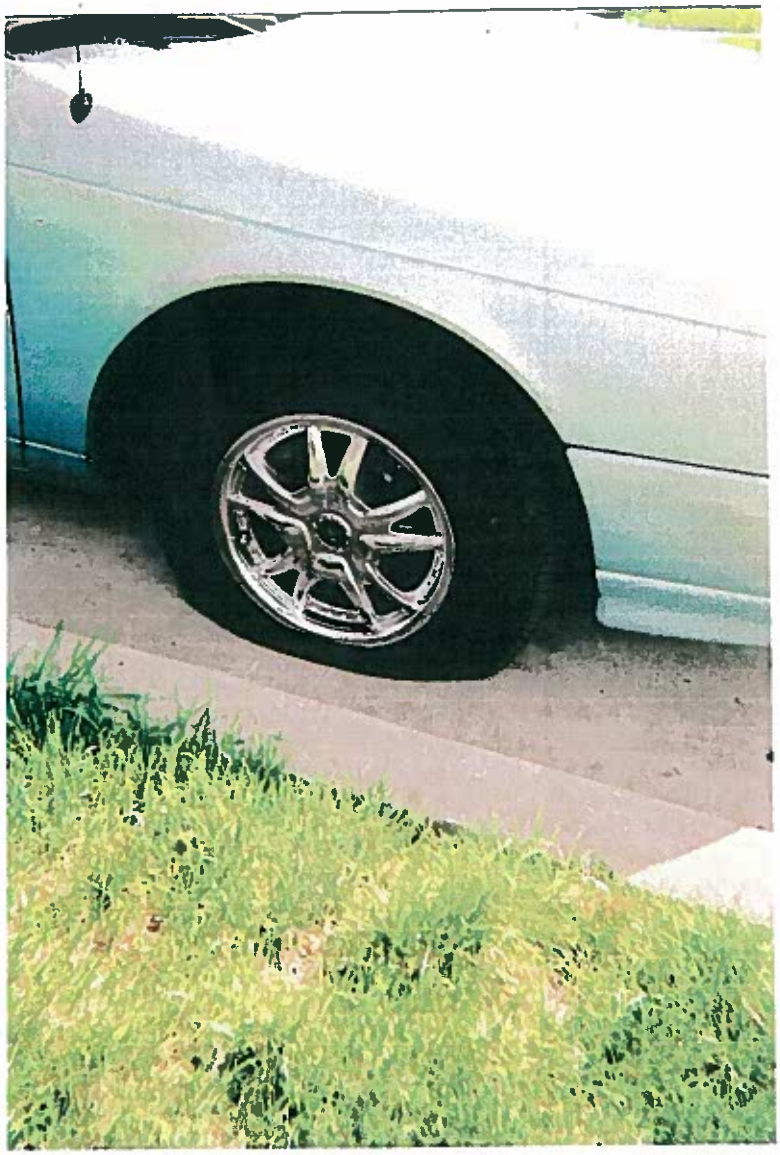
139 - Carrier Name: CITY OF MILWAUKEE

| 142 - Carrier Address | City | State | Zip Code |
|---|---|---|---|
| 2142 W CANAL ST | MILWAUKEE | WI | 53233 |

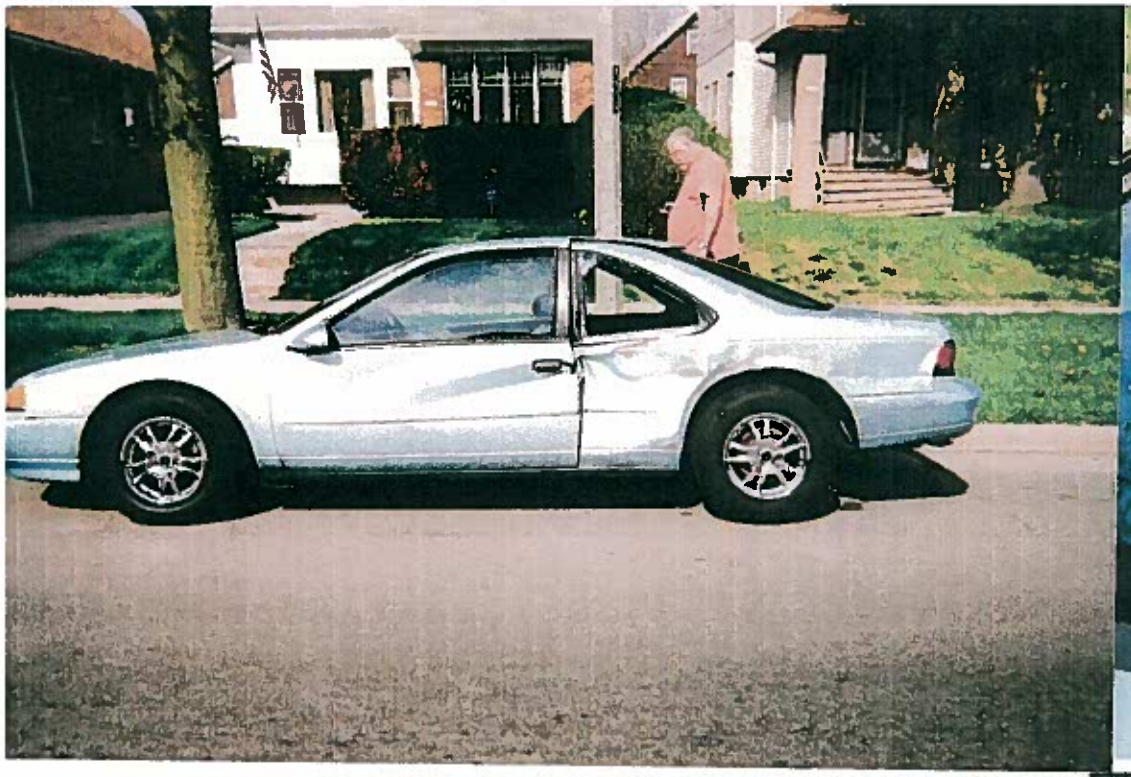
| 143 - GVWR (Lbs) | 144 - Total No. of Axles | 145 - Vehicle Configuration | 147 - Cargo Body Type |
|---|---|---|---|
| 19,900 | 2 | TRUCK/TRACTOR | DUMP |

| 146 - First Event | 146 - Second Event |
|---|---|
| BLANK | BLANK |
| **146 - Third Event** | **146 - Fourth Event** |
| BLANK | BLANK |

2525



634-NBG



QUINN & SONS AUTO BODY INC.
5710 W NATIONAL AVE
WEST ALLIS, WISCONSIN 53214
414-476-9687 FAX: 414-476-4816

CD LOG NO 6903-1 DATE 05/07/09

| | | | |
|---|---|---|---|
| SHOP: | QUINN & SONS AUTO BODY | INSP DATE: | 05/04/09 |
| ADDRESS: | 5710 WEST NATIONAL AVENUE | CONTACT: | TIM QUINN |
| CITY STATE: | WEST ALLIS, WI | PHONE 1: | (414)476-9687 |
| ZIP: | 53214- | FAX: | (414)476-4816 |
| OWNER: | ZANGNER, JOHN | HOME PHONE: | (414)873-425[illegible] |
| ADDRESS: | 3616 N. 62ND | | |
| CITY STATE: | MILWAUKEE, WI | | |
| ZIP: | 53216 | | |

POINT OF IMPACT: 7

| | | | |
|---|---|---|---|
| LIC#: | STATE: | VIN: | 1FALP6242RH190786 |
| BODY COLOR: BLUE | | MILEAGE: | |
| CONDITION: | | ACCTNG CTL#: | |

| | | |
|---|---|---|
| *=USER-ENTERED VALUE | E=REPLACE OEM | NG=REPLACE NAGS |
| EC=REPLACE ECONOMY | UE=REPLACE OE SURPLUS | UC=RECONDITIONED PRT |
| UM=REMAN/REBUILT PRT | EU=REPLACE SALVAGE | EP=REPLACE PXN |
| OE=REPLACE PXN OE SRPLS | PC=PXN RECONDITIONED | PM=PXN REMAN/REBUILT |
| TE=PARTL REPL PRICE | ET=PARTL REPL LABOR | IT=PARTIAL REPAIR |
| I=REPAIR | L=REFINISH | BR=BLEND REFINISH |
| TT=TWO-TONE | CG=CHIPGUARD | SB=SUBLET |
| N=ADDITIONAL LABOR | RI=R&I ASSEMBLY | P=CHECK |
| AA=APPEAR ALLOWANCE | RP=RELATED PRIOR | UP=UNRELATED PRIOR |

1994 FORD THUNDERBIRD LX 2DOOR COUPE 6CYL GASOLINE 3.8
CODE: P4272B/A OPTNS B/24FHLN

OPTIONS:

| | |
|---|---|
| TWO-STAGE - EXTERIOR SURFACES | TWO-STAGE - INTERIOR SURFACES |
| POWER DOOR LOCKS | HEATED BACK GLASS |
| AUTOMATIC TRANS | CRUISE CONTROL |

| OP | GDE | MC | DESCRIPTION | | MFG.PART NO. | PRICE | AJ% | B% | HOURS | R |
|---|---|---|---|---|---|---|---|---|---|---|
| EU | 0207 | | DOOR ASSEMBLY,FRONT | LT | SALVAGE PART | 500.00* | | | 3.4 | 1 |
| L | 0207 | 13 | DOOR SHELL,FRONT | LT | REFINISH | | | | 5.2 | 4 |
| E | 0321 | # | MLDG,FRONT DOOR SID | LT | 1W6Z6320939PTMB | 102.83 | | | 0.6 | 1 |
| | | | # = 01, 02 | | | | | | | |
| I | 0341 | | PANEL,ROOF | | REPAIR | | | | 6.0* | 1 |
| L | 0341 | | PANEL,ROOF | | REFINISH | | | | 4.6 | 4 |
| RI | 0369 | | BACK GLASS R & I | | R&I ASSEMBLY | | | | 2.3 | 1 |
| E | 0389 | 02 | PANEL,QUARTER | LT | F2SZ6327841A | 777.98 | | | 15.0 | 1 |
| L | 0389 | | PANEL,QUARTER | LT | REFINISH | | | | 5.0 | 4 |

1994 FORD THUNDERBIRD LX 2DOOR COUPE
6 ) LOG NO 6903-1

| | | | | | |
|---|---|---|---|---|---|
| E 0405 # | PNL,QUARTER INNER | LT | F4SZ6327791A | 956.55 | 6.9 1 |
| | # = 02, 07 | | | | |
| L 0405 | PNL,QUARTER INNER | LT | REFINISH | | 0.7 4 |
| EU0395 | GLASS,QUARTER TINTE | LT | SALVAGE PART | 350.00* | INC 1 |
| RI0566 | REAR BUMPER ASSY R&I | | R&I ASSEMBLY | | INC 1 |
| N M18 | SET-UP & MEASURE | | ADDNL LABOR OPERA | | 2.0*3* |
| N | ROUGH PULL | | ADDNL LABOR OPERA | | 5.0*1* |

14 ITEMS

MC MESSAGE(S)
01 CALL DEALER FOR EXACT PART NUMBER / PRICE
02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO
07 STRUCTURAL PART AS IDENTIFIED BY I-CAR
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

| | | | | |
|---|---|---|---|---|
| GROSS PARTS | | | | 1,837.36 |
| OTHER PARTS | | | | 850.00 |
| PAINT MATERIAL | | | | 496.00 |
| PARTS & MATERIAL TOTAL | | | | 3,183.36 |
| TAX ON PARTS & MATERIAL @ | | | 5.600% | 178.27 |
| LABOR | RATE | REPLACE HRS | REPAIR HRS | |
| 1-SHEET METAL | 52.00 | 28.2 | 11.0 | 2,038.40 |
| 2-MECH/ELEC | 65.00 | | | |
| 3-FRAME | 52.00 | | 2.0 | 104.00 |
| 4-REFINISH | 52.00 | 15.5 | | 806.00 |
| 5-PAINT MATERIAL | 32.00 | | | |
| LABOR TOTAL | | | | 2,948.40 |
| TAX ON LABOR | | @ | 5.600% | 165.11 |
| SUBLET REPAIRS | | | | |
| TOWING | | | | |
| STORAGE | | | | |
| GROSS TOTAL | | | | 6,475.14 |
| NET TOTAL | | | | 6,475.14 |

SHOPLINK UA732 ES CD LOG 6903-1 DATE 05/07/09 01:57:12PM R6.37 CD 04/09
PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53214
HOST LOG
(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

3.0 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA. AUDATEX TWO-STAGE EXTERIOR THRESHOLD OF 2.5 HOURS WAS CALCULATED IN THIS ESTIMATE.

---

SOERENS FORD INC.
18900 W. CAPITOL DRIVE
BROOKFIELD, WI 53045
262-781-9800
DIRECT: 262-790-5143 FAX: 262-781-6940 E-MAIL: BODYSHOP@SOERENS.COM

CD LOG NO 3652-1 DATE 05/04/09

| | | | |
|---|---|---|---|
| SHOP: | SOERENS FORD INC. | INSP DATE: | 05/04/09 |
| ADDRESS: | 18900 WEST CAPITOL DRIVE | CONTACT: | RACHEL MINSHALL |
| CITY STATE: | BROOKFIELD, WI | PHONE 1: | (262)790-5143 |
| ZIP: | 53045- | FAX: | (262)781-6940 |
| EMAIL: | BODYSHOP@SOERENS.COM | | |

| | | | |
|---|---|---|---|
| OWNER: | ZANGER, JOHN | HOME PHONE: | (414)873-4254 |
| ADDRESS: | 3616 N 62ND ST | | |
| CITY STATE: | MILWAUKEE, WI | | |
| ZIP: | 53216 | | |

POINT OF IMPACT: 6

DAYS TO REPAIR: 11

| | | | |
|---|---|---|---|
| LIC#: | 634-NBG STATE: WI | VIN: | 1FALP6242RH190786 |
| BODY COLOR: | LIGHT EVERGREE | MILEAGE: | 51,345 |
| CONDITION: | GOOD | ACCTNG CTL#: | |
| DRIVEABLE: | NO | VEH. INSP#: | |
| PROD.DATE: | 04/94 | PAINT CODE: | FA |

| | | |
|---|---|---|
| *=USER-ENTERED VALUE | E=REPLACE OEM | NG=REPLACE NAGS |
| EC=REPLACE ECONOMY | UE=REPLACE OE SURPLUS | UC=RECONDITIONED PRT |
| UM=REMAN/REBUILT PRT | EU=REPLACE SALVAGE | EP=REPLACE PXN |
| OE=REPLACE PXN OE SRPLS | PC=PXN RECONDITIONED | PM=PXN REMAN/REBUILT |
| TE=PARTL REPL PRICE | ET=PARTL REPL LABOR | IT=PARTIAL REPAIR |
| I=REPAIR | L=REFINISH | BR=BLEND REFINISH |
| TT=TWO-TONE | CG=CHIPGUARD | SB=SUBLET |
| N=ADDITIONAL LABOR | RI=R&I ASSEMBLY | P=CHECK |
| AA=APPEAR ALLOWANCE | RP=RELATED PRIOR | UP=UNRELATED PRIOR |

1994 FORD THUNDERBIRD LX 2DOOR COUPE 6CYL GASOLINE 3.8
CODE: P4272B/A OPTNS B/24FHLN

OPTIONS:

| | |
|---|---|
| TWO-STAGE - EXTERIOR SURFACES | TWO-STAGE - INTERIOR SURFACES |
| POWER DOOR LOCKS | HEATED BACK GLASS |
| AUTOMATIC TRANS | CRUISE CONTROL |

| OP GDE | MC | DESCRIPTION | MFG.PART NO. | PRICE | AJ% | B% | HOURS | R |
|---|---|---|---|---|---|---|---|---|
| BR0103 | 13 | FENDER,FRONT LT | BLEND REFINISH | | | | 2.1 | 4 |
| RI0883 | | HEADLINER R & I | R&I ASSEMBLY | | | | 3.1 | 1 |
| TE0592 | 02 | KIT,LOCK CYLINDER | PART/PARTIAL REPL | 61.17 | | | 2.5* | 1 |
| RI0885 | | SEAT ASSEMBLY,DRIVE LT | R&I ASSEMBLY | | | | INC | 1 |

1994 FORD THUNDERBIRD LX 2DOOR COUPE
CD LOG NO 3652-1

| | | | | | | |
|---|---|---|---|---|---|---|
| RI0888 | | SEAT ASSEMBLY,REAR | | R&I ASSEMBLY | | 1.0*1 |
| E 1661 | # | SEATBELT | LT | F4SZ63611B09EE | 214.78 | INC 1 |
| | | # = 01, 02 | | | | |
| RI0203 | 02 | TRACK,DRIVER BUCKET | LT | R&I ASSEMBLY | | 0.7 1 |
| EU0207 | | DOOR ASSEMBLY,FRONT | LT | SALVAGE PART | 350.00*+25.00 | 3.4 1 |
| | | B&M QUOTE # 323956 | | | | |
| L 0207 | | DOOR SHELL,FRONT | LT | REFINISH | | 4.1 4 |
| RI0321 | # | MLDG,FRONT DOOR SID | LT | R&I ASSEMBLY | | 0.6 1 |
| | | # = 01, 02 | | | | |
| L 0321 | | MLDG,FRONT DOOR SID | LT | REFINISH | | 0.6 4 |
| RI0229 | 02 | MIRROR,OUTER R/C | LT | R&I ASSEMBLY | | INC 1 |
| RI0369 | | BACK GLASS R & I | | R&I ASSEMBLY | | 2.3 1 |
| E 0271 | | MLDG,BACK GLASS UPPER | | E9SZ6342430A9G | 45.17 | INC 1 |
| E 0277 | | MLDG,BACK GLASS LOWER | | E9SZ6342404A9G | 55.60 | INC 1 |
| EU0389 | 02 | PANEL,QUARTER | LT | SALVAGE PART | 300.00*+25.00 | 15.0 1 |
| | | B&M QUOTE # 323956 | | | | |
| L 0389 | | PANEL,QUARTER | LT | REFINISH | | 5.2 4 |
| EU0405 | # | PNL,QUARTER INNER | LT | R&I ASSEMBLY | | 6.9 1 |
| | | # = 02, 07 | | | | |
| L 0405 | | PNL,QUARTER INNER | LT | REFINISH | | 0.7 4 |
| L 0393 | | PNL,WHEELHOUSE INNE | LT | REFINISH | | 0.6 4 |
| EU0395 | | GLASS,QUARTER TINTE | LT | SALVAGE PART | 100.00*+25.00 | 2.5*1 |
| | | B&M QUOTE # 323956 | | | | |
| E 0399 | # | PNL,INNER QTR TRIM | LT | F4SZ6352019AE7 | 429.40 | INC 1 |
| | | # = 01, 02 | | | | |
| E 0488 | # | PNL,QTR TRIM LOWER | LT | F4SZ6331077BBS | 122.68 | INC 1 |
| | | # = 01, 02 | | | | |
| RI0496 | 02 | TAILLAMP ASSEMBLY,O | LT | R&I ASSEMBLY | | INC 1 |
| N 0566 | | REAR BUMPER ASSY R&I | | ADDNL LABOR OPERA | | INC 1 |
| I 0566 | | COVER,REAR BUMPER | | REPAIR | | 1.0*1 |
| L 0566 | | COVER,REAR BUMPER | | REFINISH | | 3.4 4 |
| ECM03 | | FLEX ADDITIVE | | ECONOMY PART | 5.00* | 4* |
| ECM14 | | CORROSION PROTECTION | | ECONOMY PART | 10.00* | 0.5*1* |
| I M18 | | SET-UP & MEASURE | | REPAIR | | 1.5*3* |
| I M60 | | HAZARD. WSTE. REM. | | SUBLET REPAIR | 5.00* | 1* |
| N | | QUARTER TRIM CLEAN UP | | ADDNL LABOR OPERA | | 6.0*1* |
| L | | COVER CAR | | REFINISH | 5.00* | 4 |
| L | | MASK JAMBS | | REFINISH | | 0.3*4* |
| N | | PULL LEFT CENTER POST | | ADDNL LABOR OPERA | | 5.0*3* |
| N | | CARPET | | ADDNL LABOR OPERA | | 1.5*1* |
| | | PARTIAL REMOVAL | | | | |

36 ITEMS

MC MESSAGE(S)
01 CALL DEALER FOR EXACT PART NUMBER / PRICE
02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO
07 STRUCTURAL PART AS IDENTIFIED BY I-CAR
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

| | |
|---|---|
| GROSS PARTS | 928.80 |
| OTHER PARTS | 770.00 |

1994 FORD THUNDERBIRD LX 2DOOR COUPE
CD LOG NO 3652-1

| | | | | |
|---|---|---|---|---|
| LINE ITEM MARKUP | | | | 187.50+ |
| PAINT MATERIAL | | | | 544.00 |
| PARTS & MATERIAL TOTAL | | | | 2,430.30 |
| TAX ON PARTS & MATERIAL @ | | | 5.100% | 123.95 |
| LABOR | RATE | REPLACE HRS | REPAIR HRS | |
| 1-SHEET METAL | 52.00 | 38.5 | 8.5 | 2,444.00 |
| 2-MECH/ELEC | 91.00 | | | |
| 3-FRAME | 52.00 | | 6.5 | 338.00 |
| 4-REFINISH | 52.00 | 17.0 | | 884.00 |
| 5-PAINT MATERIAL | 32.00 | | | |
| LABOR TOTAL | | | | 3,666.00 |
| TAX ON LABOR | | @ | 5.100% | 186.97 |
| SUBLET REPAIRS | | | | 5.00 |
| TAX ON SUBLET | | @ | 5.100% | 0.26 |
| TOWING | | | | |
| STORAGE | | | | |
| GROSS TOTAL | | | | 6,412.48 |
| NET TOTAL | | | | 6,412.48 |

SHOPLINK U8313 ES CD LOG 3652-1 DATE 05/04/09 04:59:28PM R6.37 CD 04/09
PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53045
HOST LOG
(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

3.6 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA.

---

DURST AUTO BODY, INC.
9921 WEST CARMEN AVENUE
MILWAUKEE, WI 53225
OFFICE: (414) 466-0210

CD LOG NO 3313-1 DATE 05/07/09

SHOP: DURST AUTO BODY
ADDRESS: 9921 WEST CARMEN AVENUE
CITY STATE: MILWAUKEE, WI
ZIP: 53225-

INSP DATE: 05/07/09
CONTACT: JOHN DURST
PHONE 1: (414)466-0210
PHONE 2: (414)466-6030
FAX: (414)466-8337

OWNER: JOHN ZANGER
ADDRESS: 3616 N 62 ST
CITY STATE: MILWAUKEE, WI
ZIP: 53216

HOME PHONE: (414)873-4254

POINT OF IMPACT: 6

LIC#: 634 NBG STATE: WI
BODY COLOR: LIGHT GREENFA
CONDITION: GOOD

VIN: 1FALP6242RH190786
MILEAGE: 51,369
ACCTNG CTL#:

PROD.DATE:

PAINT CODE: FA

*=USER-ENTERED VALUE
EC=REPLACE ECONOMY
UM=REMAN/REBUILT PRT
OE=REPLACE PXN OE SRPLS
TE=PARTL REPL PRICE
I=REPAIR
TT=TWO-TONE
N=ADDITIONAL LABOR
AA=APPEAR ALLOWANCE

E=REPLACE OEM
UE=REPLACE OE SURPLUS
EU=REPLACE SALVAGE
PC=PXN RECONDITIONED
ET=PARTL REPL LABOR
L=REFINISH
CG=CHIPGUARD
RI=R&I ASSEMBLY
RP=RELATED PRIOR

NG=REPLACE NAGS
UC=RECONDITIONED PRT
EP=REPLACE PXN
PM=PXN REMAN/REBUILT
IT=PARTIAL REPAIR
BR=BLEND REFINISH
SB=SUBLET
P=CHECK
UP=UNRELATED PRIOR

1994 FORD THUNDERBIRD LX 2DOOR COUPE 6CYL GASOLINE 3.8
CODE: P4272B/A OPTNS B/24FHLN

OPTIONS:
TWO-STAGE - EXTERIOR SURFACES
POWER DOOR LOCKS
AUTOMATIC TRANS
TWO-STAGE - INTERIOR SURFACES
HEATED BACK GLASS
CRUISE CONTROL

| OP | GDE | MC | DESCRIPTION | MFG.PART NO. | PRICE | AJ% | B% | HOURS | R |
|---|---|---|---|---|---|---|---|---|---|
| 3R | 0103 | 13 | FENDER,FRONT LT | BLEND REFINISH | | | | 2.1 | 4 |
| RI | 0161 | 02 | TRACK ASSEMBLY,POWER | R&I ASSEMBLY | | | | 1.5 | 1 |
| EU | 0207 | | DOOR ASSEMBLY,FRONT LT | SALVAGE PART | 375.00*+25.00 | | | 3.4 | 1 |
| , | 0207 | | DOOR SHELL,FRONT LT | REFINISH | | | | 4.1 | 4 |
| RI | 0312 | # | MLDG,FRONT DOOR LOW LT | R&I ASSEMBLY | | | | 0.6 | 1 |
| | | | # = 01, 02 | | | | | | |
| , | 0312 | | MLDG,FRONT DOOR LOW LT | REFINISH | | | | 1.0 | 4 |

1994 FORD THUNDERBIRD LX 2DOOR COUPE
CD LOG NO 3313-1

| | | | | | | |
|---|---|---|---|---|---|---|
| RI0229 | 02 | MIRROR,OUTER R/C | LT | R&I ASSEMBLY | | INC 1 |
| RI0369 | | BACK GLASS R & I | | R&I ASSEMBLY | | 2.3 1 |
| E 0271 | | MLDG,BACK GLASS UPPER | | E9SZ6342430A9G | 45.17 | INC 1 |
| E 0277 | | MLDG,BACK GLASS LOWER | | E9SZ6342404A9G | 55.60 | INC 1 |
| EU0389 | 02 | PANEL,QUARTER | LT | SALVAGE PART | 300.00*+25.00 | 15.0 1 |
| L 0389 | | PANEL,QUARTER | LT | REFINISH | | 5.2 4 |
| I 0405 | 07 | PNL,QUARTER INNER | LT | REPAIR | | 5.0*1 |
| L 0405 | | PNL,QUARTER INNER | LT | REFINISH | | 0.7 4 |
| EU0393 | # | PNL,WHEELHOUSE INNE | LT | R&I ASSEMBLY | | 5.0*1 |
| | | # = 02, 07 | | | | |
| L 0393 | | PNL,WHEELHOUSE INNE | LT | REFINISH | | 0.6 4 |
| EU0395 | | GLASS,QUARTER TINTE | LT | SALVAGE PART | 110.00*+25.00 | INC 1 |
| E 0399 | # | PNL,INNER QTR TRIM | LT | F4SZ6352019AE7 | 429.40 | INC 1 |
| | | # = 01, 02 | | | | |
| E 0488 | # | PNL,QTR TRIM LOWER | LT | F4SZ6331077BBS | 122.68 | INC 1 |
| | | # = 01, 02 | | | | |
| I 0566 | | COVER,REAR BUMPER | | REPAIR | | 2.0*1 |
| L 0566 | | COVER,REAR BUMPER | | REFINISH | | 3.4 4 |
| E M03 | | FLEX ADDITIVE | | NEW PART | 6.00* | 4 |
| E M14 | | CORROSION PROTECTION | | NEW PART | 12.00* | 4 |
| E M17 | | COVER CAR EXTERIOR | | NEW PART | 4.00* | 4 |
| E M60 | | HAZARD. WSTE. REM. | | NEW PART | 3.00* | 1 |
| L M66 | | COLOR, SAND & BUFF | | REFINISH | | 1.0*4 |
| E | | L SEAT BELT REAR | | NEW PART | 214.78* | 1* |
| N | | HEADLINER R @ I | | ADDNL LABOR OPERA | | 2.5*1* |
| N | | PULL L SIDE UNIT BODY | | ADDNL LABOR OPERA | | 8.0*3* |

29 ITEMS

MC MESSAGE(S)
01 CALL DEALER FOR EXACT PART NUMBER / PRICE
02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO
07 STRUCTURAL PART AS IDENTIFIED BY I-CAR
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

| | | |
|---|---|---|
| GROSS PARTS | | 892.63 |
| OTHER PARTS | | 785.00 |
| LINE ITEM MARKUP | | 196.25+ |
| PAINT MATERIAL | | 579.20 |
| PARTS & MATERIAL TOTAL | | 2,453.08 |
| TAX ON PARTS & MATERIAL @ | 5.600% | 137.37 |

| LABOR | RATE | REPLACE HRS | REPAIR HRS | |
|---|---|---|---|---|
| 1-SHEET METAL | 52.00 | 27.8 | 9.5 | 1,939.60 |
| 2-MECH/ELEC | 75.00 | | | |
| 3-FRAME | 65.00 | | 8.0 | 520.00 |
| 4-REFINISH | 52.00 | 18.1 | | 941.20 |
| 5-PAINT MATERIAL | 32.00 | | | |
| LABOR TOTAL | | | | 3,400.80 |
| TAX ON LABOR | | @ | 5.600% | 190.44 |
| SUBLET REPAIRS | | | | |
| TOWING | | | | |

1994 FORD THUNDERBIRD LX 2DOOR COUPE
CD LOG NO 3313-1

STORAGE

| | |
|---|---|
| GROSS TOTAL | 6,181.69 |
| NET TOTAL | 6,181.69 |

SHOPLINK U1094 ES CD LOG 3313-1 DATE 05/07/09 01:37:43PM R6.37 CD 04/09
HOST LOG
(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

3.7 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA. AUDATEX TWO-STAGE EXTERIOR THRESHOLD OF 2.5 HOURS WAS CALCULATED IN THIS ESTIMATE.

---

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

**NOTICES SENT TO FOR FILE 090487:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| John Zanger | 3616 N. 62nd St.<br>Milwaukee, WI 53216<br><br>zangerb@aol.com | 9/4/09 | | |
| Wayne King | DPW | x | | |
| | | | | |
| | | | | |
| | |

| | | | | |
|---|---|---|---|---|
| | | | | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090514 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to an appeal from Nationwide Insurance on behalf of Joseph and Susan Boucher for property damage. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS APPEAL | | |
| **Attachments:** | City Attorney Letter, Appeal, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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Number
090514
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to an appeal from Nationwide Insurance on behalf of Joseph and Susan Boucher for property damage.
Drafter
City Atty.
dkf
8/24/09



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF
MILWAUKEE
Office of the City Attorney

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRLICH
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLE
HEIDI E. GALVAN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

July 22, 2009

Nationwide
Attn: Courtney Arthur
One Nationwide Gateway
Dept 2004
Des Moines, IA 50391-2004

RE: C.I. File No.: 09-V-126
Your Claim No.: 72 48 20 010270 05182009 01
Your Insured: Joseph & Susan Boucher

Dear Sir/Madam:

We have received your claim in the amount of $4,608.76, relating to damage sustained to your interest and the interest of your insured arising from a May 18, 2009 loss in which your insured's vehicle sustained damage when it was struck by a City of Milwaukee truck which allegedly went through a red light at North Old World Third Street and West State Street.

Our investigation reveals that the Wisconsin Motor Vehicle Accident Report and the Fleet Accident Report completed as a result of this accident note that the driver of the City truck stated that he had the green light. The liability for this accident is upon your insured. As such, the City cannot accept liability for your insured's damages. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

steven m. carini

STEVEN M. CARINI
Investigator/Adjuster

SMC:beg
1030-2009-1595:147930

Nationwide
On Your Side

CITY OF MILWAUKEE
2009 AUG 17 PM 12: 14
RONALD D. LEONHARDT
CITY CLERK

August 13, 2009

Milwaukee City Clerk
200 East Wells St, Room 205
Milwaukee, WI 53202

CITY OF MILWAUKEE
RECEIVED
2009 AUG 18 PM 2: 35
OFFICE OF
CITY ATTORNEY

Your File# 09-V-126
Date of Loss: 05/18/2009
Our Claim# 724820010270
Our Insured-Joseph & Susan Boucher

Our letter was
mailed on 7-29-09
(INCLUDE)

Dear Sir/Madam:

This correspondence is a follow up to your letter dated July 22, 2009. In your letter you denied liability stating that your driver claimed that they had a green light. Our insured also claims to have had a green light. This comes down to a word vs word light dispute. In my opinion the determining factor regarding liability is where the vehicles were located in the intersection at the time of the collision. If you please review a copy of the police report diagram which I have included you will see that our insured had traveled over ½ way through the intersection. Your driver had just pulled into the intersection. Our insured was established and had control of the intersection.

I request that you please reconsider your denial of liability.

Please contact me at the phone number below with any questions or concerns.

Sincerely,

Tony Brundage
Legal Representative
Allied Insurance
1100 Locust St Dept 2019
Des Moines, IA 50391
Fax – 866-313-0535
Ph – 800-879-6707 ext 2520
brundat@nationwide.com

Nationwide Insurance
Allied Insurance
Nationwide Agribusiness
Titan Insurance
Victoria Insurance

Nationwide
On Your Side®

One Nationwide Gateway * Dept 2004 * Des Moines, IA 50391-2004

CITY OF MILW
RECEIV

2009 JUN -8 PM 3:19

CITY ATTORNEY

June 3, 2009

City Of Milwaukee
City Clerk Attn:Claims
200 E Wells St., Room 205
Milwaukee, WI 53202

CITY OF MILWAUKEE
2009 JUN 8 PM 1:48
RONALD D. LEONHARDT
CITY CLERK

**OUR INSURED :** Joseph Boucher Susan Boucher 6318 Landfall Dr Madison, WI 53705 #608-645-5370
**OUR CLAIM NUMBER :** 72 48 20 010270 05182009 01
**DATE OF LOSS :** 05-18-2009
**YOUR INSURED :** City Of Milwaukee City Clerk Attn:Claims
**YOUR INSURED'S ADDRESS :** 200 E Wells St., Room 205
Milwaukee, WI 53202

**YOUR POLICY NUMBER :**
**ACCIDENT LOCATION :** State St and 3rd St Milwaukee WI

Dear City Of Milwaukee City Clerk Attn:Claims:

We have been informed that you are the representative for the City Of Milwaukee . Our assessment of the accident between our respective insureds which occurred on the above date indicates that your insured was responsible.

The accident occurred on State St. and 3rd St. in Milwaukee, WI. Our insured has stated he was traveling west bound on State St., when he was hit by the City vehicle who ran the red light on 3rd St. At this time, the only information we have for the City driver is his name is Ben.

This letter is notice of our subrogation rights. At this time, we have not made final payment for our insured damages, but there included is an initial estimate. We will provide you with supporting documents and the amount due, once we have issued payments.

If you have any questions, please contact me. Thank you for your cooperation.

Sincerely,

Nationwide Affinity Insurance Company
Courtney Arthur
Claims Department
1-(800)532-1212 Ext. 7534

05/21/2009 AT 09:30 AM JOB NUMBER: 82158

GATES AUTO BODY
5317 WAYNE TERRACE
MADISON, WI 53718
(608)249-7032 FAX: (608)249-8273

ESTIMATE OF RECORD

WRITTEN BY: SHANNON CRY 05/21/2009 09:29 AM
ADJUSTER: ADJUSTER UNKNOWN
ASSIGNMENT TYPE: 75 INSPECT AND REPAIR

INSURED: JOSEPH BOUCHER SUSAN BOUCH
OWNER: JOSEPH BOUCHER SUSAN BOUCH
ADDRESS: 6318 LANDFALL DR
MADISON, WI 53705-4309
DAY: (608)661-4500
EVENING: (608)233-4105

CLAIM #72482001027005180901J/B11
POLICY #NATIONWIDE AFFINITY INS
DEDUCTIBLE: $500.00
DATE OF LOSS: 05/18/2009 AT 12:01 AM
TYPE OF LOSS: COLLISION
POINT OF IMPACT: 4. RIGHT QTR POST

INSPECT LOCATION: GATES AUTO BODY UNK

INSURANCE COMPANY: NATIONWIDE ENTERPRISE
1100 LOCUST ST.
DES MOINES, IA 50391

OTHER: (515)508-4211
DAYS TO REPAIR

2006 LEXU ES 330 6-3.3L-FI 4D SED BLACK INT:
VIN: JTHBA30G165157115 LIC: BIZ LAW WI PROD DATE: 10/2005 ODOMETER: 44460

| | | |
|---|---|---|
| AIR CONDITIONING | REAR DEFOGGER | TILT WHEEL |
| CRUISE CONTROL | INTERMITTENT WIPERS | KEYLESS ENTRY |
| THEFT DETERRENT/ALARM | STEERING WHEEL CONTROLS | MESSAGE CENTER |
| WOOD INTERIOR TRIM | DUAL MIRRORS | CONSOLE/STORAGE |
| ELECTRIC GLASS SUNROOF | FOG LAMPS | CLEAR COAT PAINT |
| POWER STEERING | POWER BRAKES | POWER WINDOWS |
| POWER LOCKS | POWER DRIVER SEAT | POWER PASSENGER SEAT |
| POWER MIRRORS | HEATED MIRRORS | POWER TRUNK/TAILGATE |
| MEMORY PACKAGE | AM RADIO | FM RADIO |
| STEREO | CASSETTE | SEARCH/SEEK |
| CD PLAYER | ANTI-LOCK BRAKES (4) | DRIVER AIR BAG |
| PASSENGER AIR BAG | HEAD/CURTAIN AIR BAGS | FRONT SIDE IMPACT AIR BAG |
| 4 WHEEL DISC BRAKES | LEATHER SEATS | BUCKET SEATS |
| AUTOMATIC TRANSMISSION | OVERDRIVE | ALUMINUM/ALLOY WHEELS |

| NO. | OP. | DESCRIPTION | QTY | EXT. PRICE | LABOR | PAINT |
|---|---|---|---|---|---|---|
| 1# | | 39.8*1.5/8=7 DAYS | 1 | | | |
| 2 | | QUARTER PANEL | | | | |
| 3 | SECT | RT QUARTER PANEL CUT IN SAIL PANEL | 1 | 481.15 | 15.0 | 3.1 |
| 4 | | ADD FOR CLEAR COAT | | | | 1.2 |
| 5 | REPL | RT PROTECTOR | 1 | 12.60 | 0.1 | |
| 6 | REPL | RT WHEEL OPNG MLDG | 1 | 45.95 | 0.3 | |
| 7* | RPR | RT OUTER WHEELHOUSE FROM 10/02 | | | 1.0* | 0.5* |
| 8* | R&I | RT WHEELHOUSE LINER | | | 0.2* | |

05/21/2009 AT 09:30 AM JOB NUMBER: 82158

ESTIMATE OF RECORD
2006 LEXU ES 330 6-3.3L-FI 4D SED BLACK INT:

| | NO. | OP. | DESCRIPTION | QTY | EXT. PRICE | | LABOR | | PAINT |
|---|---|---|---|---|---|---|---|---|---|
| | 9 | REPL | RT WHEELHOUSE LINER CLIP FRONT | 1 | 1.09 | | | | |
| | 10 | REPL | RT WHEELHOUSE LINER CLIP REAR | 1 | 0.83 | | | | |
| | 11 | | REAR DOOR | | | | | | |
| N | 12 | REPL | RT DOOR SHELL | 1 | 467.18 | | 4.5 | | 3.0 |
| | 13 | | OVERLAP MAJOR ADJ. PANEL | | | | | | -0.4 |
| | 14 | | ADD FOR CLEAR COAT | | | | | | 0.5 |
| | 15 | R&I | RT BODY SIDE MLDG BLACK | | | | 0.3 | | |
| | 16 | R&I | RT LOWER MOLDING BLACK | | | | 0.3 | | |
| | 17 | | REAR LAMPS | | | | | | |
| | 18 | R&I | RT LENS & HOUSING | | | | INCL. | | |
| | 19 | | WHEELS | | | | | | |
| | 20** | REPL | RECOND RT/REAR WHEEL, ALLOY TYPE C | 1 | 179.00 | M | 0.0* | | |
| | 21 | | REAR BUMPER | | | | | | |
| | 22 | R&I | R&I BUMPER COVER | | | | INCL. | | |
| | 23* | RPR | BUMPER COVER | | | | 0.5* | | 2.3* |
| | 24 | | OVERLAP MAJOR NON-ADJ. PANEL | | | | | | -0.2 |
| | 25 | | ADD FOR CLEAR COAT | | | | | | 0.4 |
| | 26 | | BACK GLASS | | | | | | |
| | 27 | R&I | BACK GLASS TOYOTA | | | | INCL. | | |
| | 28 | REPL | REVEAL MOLDING | 1 | 105.71 | | INCL. | | |
| | 29# | REPL | URETHANE KIT | 1 | 25.00 | | | | |
| | 30 | | ROOF | | | | | | |
| | 31 | R&I | RT DRIP MOLDING BLACK | | | | 0.3 | | |
| | 32 | | REAR SUSPENSION | | | | | | |
| | 33 | REPL | RT STABILIZER LINK | 1 | 81.54 | M | 0.4 | M | |
| | 34** | REPL | QUAL REPL PARTS RT STRUT W/O RIDE CONTROL | 1 | 168.90* | M | 1.6 | M | |
| | 35# | RPR | CLEAN & RE-TAPE MLDG(S)-F | | | | 0.5 | | |
| | 36# | REPL | RT REAR TIRE BRIDGESTONE TURANZA EL42 B20% | 1 | 199.99 | | | | |
| | 37# | | 2-SIDED TAPE-F | 1 | 3.00 | | | | |
| | 38# | SUBL | FOUR WHEEL ALIGNMENT-F | 1 | 79.95 | T | | | |
| | 39# | SUBL | TIRE MOUNT & BALANCE | 1 | 20.00 | T | | | |
| | 40# | RPR | SET-UP TO PULL | | | | 1.0 | | |
| | 41# | RPR | ROUGH PULL RT QUARTER | | | | 1.0 | | |
| | 42# | RPR | MASK WINDSHIELD | | | | 0.5 | | |
| | 43 | | FRONT DOOR | | | | | | |
| N | 44* | R&I | RT DOOR W'STRIP | | | | 0.2* | | |
| | 45 | | PILLARS, ROCKER & FLOOR | | | | | | |
| | 46 | R&I | RT ROCKER MOLDING BLACK | | | | 0.4 | | |
| | 47# | SUBL | HAZARDOUS WASTE DISPOSAL-F | 1 | 3.00 | T | | | |
| N | 48* | BLND | RT CENTER PILLAR W/ROCKER PANEL | | | S | | | 0.5* |
| | 49# | | CAR COVER/ MASK FOR OVERSPRAY-F | 1 | 6.00 | T | | | |
| | 50# | | RESTORE CORROSION PROTECTION-F | 1 | 12.00 | T | 0.3 | | |
| | 51# | | FLEX ADDITIVE-F | 1 | 8.00 | T | | | |

05/21/2009 AT 09:30 AM JOB NUMBER: 82158

ESTIMATE OF RECORD
2006 LEXU ES 330 6-3.3L-FI 4D SED BLACK INT:

| NO. | OP. | DESCRIPTION | QTY | EXT. PRICE | LABOR | PAINT |
|---|---|---|---|---|---|---|
| N 52* | | BLND RT HINGE PILLAR | | | S | 0.5* |
| | | SUBTOTALS ==> | | 1900.89 | 28.4 | 11.4 |

LINE 12 : LKQ NOT C/E

SMART PARTS--2131308

JANTZ--62837
LINE 44 : LOOSEN ONLY
LINE 48 : BLEND ROCKER AFTER WELD
LINE 52 : UPPER BODY

| | | | |
|---|---|---|---|
| PARTS | | | 1771.94 |
| BODY LABOR | 26.4 HRS | @$ 52.00/HR | 1372.80 |
| PAINT LABOR | 11.4 HRS | @$ 52.00/HR | 592.80 |
| MECHANICAL LABOR | 2.0 HRS | @$ 80.00/HR | 160.00 |
| PAINT SUPPLIES | 11.4 HRS | @$ 30.00/HR | 342.00 |
| SUBLET/MISC. | | | 128.95 |
| SUBTOTAL | | | $ 4368.49 |
| SALES TAX | $ 4368.49 | @ 5.5000% | 240.27 |
| GRAND TOTAL | | | $ 4608.76 |
| ADJUSTMENTS: | | | |
| DEDUCTIBLE | | | 500.00 |
| RT REAR TIRE BRIDGESTONE B20% | | | 42.20 |
| CUSTOMER PAY | | | $ 542.20 |
| INSURANCE PAY | | | $ 4066.56 |

THE LIMIT OF YOUR COVERAGE IS THE ACTUAL CASH VALUE OF YOUR AUTO OR ITS DAMAGED PARTS AT THE TIME OF LOSS. FAIR MARKET VALUE, AGE AND CONDITION OF YOUR DAMAGED VEHICLE WILL BE CONSIDERED WHEN DETERMINING THE ACTUAL CASH VALUE OF A LOSS. CERTAIN PARTS LOSE VALUE OR DEPRECIATE BECAUSE OF AGE, CONDITION, AND/OR WEAR AND TEAR. BETTERMENT IS THE INCREASE IN VALUE OF A VEHICLE OR ANY OF ITS PARTS AS A RESULT OF REPLACING CERTAIN PARTS DAMAGED IN A LOSS. IF THE REPLACEMENT OF CERTAIN PARTS RESULTS IN AN INCREASE IN VALUE TO YOUR VEHICLE OR ANY OF ITS PARTS, A DEDUCTION FOR BETTERMENT MAY BE MADE TO YOUR LOSS PAYMENT TO REFLECT THE ACTUAL CASH VALUE YOU ARE OWED UNDER YOUR POLICY.

# Wisconsin Motor Vehicle Accident Report

9G88X81

MV4000e 01/2005

PK2007

POLICE# DISTRICT 1

ACCIDENT# 091380554

## GENERAL INFORMATION

| | | | | |
|---|---|---|---|---|
| ☒ Reportable Accident | ☐ On Emergency | ☐ Amended | DOT Document Number 9G88X81 | Document Override Number |
| Agency Accident Number 091380554 | | Police Number DISTRICT 1 | | |
| 4 - Accident Date 05/18/2009 | 5 - Time of Accident (Military Time) 0900 | 6 - Total Units 02 | 7 - Total Injured 00 | 8 - Total Killed 00 |
| 9 - County MILWAUKEE 40 | 10 - Municipality MILWAUKEE - 51 CITY | | | 11 - Accident Location INTERSECTION |
| 14 - On Hwy No. | 14 - On Street Name STATE ST W | 14 - Bus/Fmt/Rmp | 15 - Est. Dist | Ft/Mi / 15 - Hwy. Dir |
| 16 - Fr/At Hwy No. | 16 - From/At Street Name OLD WORLD 3RD ST N | 16 - Business/Frontage/Ramp | | |
| 17 - Structure Type | 17 - Structure Number | 12 - Latitude | 13 - Longitude - | |
| 80 - First Harmful Event MOTOR VEHICLE IN TRANSPORT | | 93 - Manner of Collision ANGLE | | |
| 112 - Access Control NO CONTROL | 113 - Road Curvature STRAIGHT | 113 - Road Terrain LEVEL/FLAT | Surface Type BLACKTOP (BITUMINOUS) - 2 | |
| 115 - Traffic Way ONE-WAY-TRAFFIC | | | | |
| 117 - Relation To Roadway ON-ROADWAY | | | | |
| 114 - Light Condition DAYLIGHT | 118 - Road Surface Condition DRY | 116 - Weather CLEAR | | |
| 9 ☐ Hit and Run | 9 ☐ Government Property | 9 ☐ Fire | 9 ☐ Photos Taken | 9 ☐ Trailer or Towed |
| 9 ☐ Truck, Bus, or Hazardous Materials | 9 ☐ Load Spillage | 9 ☐ Construction Zone | 9 ☒ Names Exchanged | |
| 101 ☐ Supplemental Reports | 102 ☐ Witness Statements | 103 ☐ Measurements Taken | 79 - E M S Number | |

## Operator/Pedestrian

OPERATOR/PEDESTRIAN 01

| | | | |
|---|---|---|---|
| Unit Status | 81 - Most Harmful Event: Collision With MOTOR VEHICLE IN TRANSPORT | 23 - Dir Of Travel SOUTH | 24 - Speed Limit 30 |
| 36 - Operating as Classified D CLASS | 37 - Endorsements | 35 ☐ Operating Commercial Motor Vehicle | |
| 29 - Driver's License Number C4320-0622-4608 | 30 - State WI | 31 - Expiration Year 2018 | 34 - On Duty Accident |
| 22 - Operator/Pedestrian Last Name GERTZEN | 23 - First Name BEN | 24 - Middle Initial | 25 - Suffix |
| 32 - Date Of Birth 07/06/1962 | 33 - Sex MALE | | |
| 26 - Address Street & Number 3805 N. 35TH ST. | | | 26 - PO Box |
| 27 - City MILWAUKEE | 27 - State WI | 27 - Zip Code 53210 | 28 - Telephone Number (414) 708-2839 EXT. |
| 39 - Seat Position FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR) | | 40 - Safety Equipment SHOULDER-BELT-AND-LAP-BELT-USED | |
| 38 - Injury Severity N - NO APPARENT INJURY | 41 - Airbag NON-DEPLOYED | 42 - Ejected NOT-EJECTED | 44 ☐ Medical Transport |
| 43 - Trapped/Extricated NOT-TRAPPED | 92 - Pedestrian Location | 92 - Pedestrian Action | |
| 119 - What Driver Was Doing GOING-STRAIGHT | 120 - Traffic Control TRAFFIC-SIGNAL-OPERATING | | 62 - No. of Citations Issued |
| 64 - 1st Statute No. | 64 - 2nd Statute No. | 64 - 3rd Statute No. | 64 - 4th Statute No. / 64 - 5th Statute No. |
| 122 - Driver Factors NOT-APPLICABLE | | | |
| 88 - Driver or Pedestrian Cond APPEARED NORMAL | 89 - Substance Presence NEITHER-ALCOHOL-NOR-DRUGS-PRESENT | | |
| 90 - Alcohol Test TEST NOT GIVEN | 90 - Alcohol Content | 91 - Drug Test TEST-NOT-GIVEN | |

# Wisconsin Motor Vehicle Accident Report MV4000e 01/2005

9G88X81

PK2007

91 - Drugs Reported

124 - Highway Factors
NOT-APPLICABLE

## Vehicle

VEHICLE 01

| | | | | |
|---|---|---|---|---|
| 21 - Unit Type: AUTOMOBILE | | Vehicle Type: PASSENGER-CAR | | 22 - Total Occupants: 1 |
| 56 - License Plate Number: 66895 | 57 - Plate Type: MUN | 58 - State: WI | 59 - Exp. Year: | 35 - Vehicle Identification Number: 1GNDT13X24K186965 |
| 50 - Year: 2004 | 51 - Make: CHEV | 52 - Model: BLAZER | 53 - Body Style: 4D | 54 - Color: YEL |
| 100 - Skidmarks to Impact (Ft) | | | | |
| 94 - Vehicle Damage: FRONT | | | | |
| 95 - Extent Of Damage: MINOR | 96 ☐ Vehicle Towed Due To Damage | | 97 - Vehicle Removed By: OPERATOR | |
| 123 - Vehicle Factors: NOT-APPLICABLE | | | | |

## Vehicle Owner

VEH OWNER 01

| | | | |
|---|---|---|---|
| 45 ☐ Vehicle Owner Same As Operator | | | |
| 46 - Vehicle Owner Last Name | 46 - First Name | 46 - Middle Initial | 46 - Suffix |
| 46 - Company Name: CITY OF MILWAUKEE | | | |
| 47 - Address Street & Number: 2142 W. CANEL ST. | 47 - PO Box | | |
| 48 - City: MILWAUKEE | 48 - State: WI | 48 - Zip Code: 53233 | 49 - Telephone Number: (414) - EXT. |

## Insurance

INS 01

| | |
|---|---|
| 63 - Liability Insurance Company: GOVERNMENT | 60 ☐ Policy Holder Same As Owner |
| 61 - Policy Holder Last Name | 61 - Policy Holder First Name |
| 61 - Policy Holder Company | |

## School Bus

BUS 01

| | | | |
|---|---|---|---|
| Bus Traveling to/from: ○ To ○ From | School Name | Body Make | Seating Capacity |
| School District Contracted With | | | |

## Operator/Pedestrian

| | | | | |
|---|---|---|---|---|
| Unit Status | | 81 - Most Harmful Event: Collision With: MOTOR VEHICLE IN TRANSPORT | 23 - Dir Of Travel: WEST | 24 - Speed Limit: 30 |
| 36 - Operating as Classified: D CLASS | 37 - Endorsements | | 35 ☐ Operating Commercial Motor Vehicle | |
| 29 - Driver's License Number: B260499518880 | 30 - State: WI | 31 - Expiration Year: 2011 | 34 - On Duty Accident | |
| 25 - Operator/Pedestrian Last Name: BOUCHER | 25 - First Name: JOSEPH | | 25 - Middle Initial: W | 25 - Suffix |
| 32 - Date Of Birth: 10/28/1951 | 33 - Sex: MALE | | | |

# Wisconsin Motor Vehicle Accident Report

9G88X81

MV4000e 01/2005

PK2007

## OPERATOR/PEDESTRIAN 02

26 - Address Street & Number: 6318 LANDFALL DR.
26 - PO Box:
27 - City: MADISON
27 - State: WI
27 - Zip Code: 53705
28 - Telephone Number: (608) 233-4105 EXT.
39 - Seat Position: FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR)
40 - Safety Equipment: SHOULDER-BELT-AND-LAP-BELT-USED
38 - Injury Severity: N - NO APPARENT INJURY
41 - Airbag: NON-DEPLOYED
42 - Ejected: NOT-EJECTED
44 ☐ Medical Transport
43 - Trapped/Extricated: NOT-TRAPPED
92 - Pedestrian Location:
92 - Pedestrian Action:
119 - What Driver Was Doing: GOING-STRAIGHT
120 - Traffic Control: TRAFFIC-SIGNAL-OPERATING
62 - No. of Citations Issued:
64 - 1st Statute No.:
64 - 2nd Statute No.:
64 - 3rd Statute No.:
64 - 4th Statute No.:
64 - 5th Statute No.:
122 - Driver Factors: NOT-APPLICABLE
88 - Driver or Pedestrian Cond: APPEARED NORMAL
89 - Substance Presence: NEITHER-ALCOHOL-NOR-DRUGS-PRESENT
90 - Alcohol Test: TEST NOT GIVEN
90 - Alcohol Content:
91 - Drug Test: TEST-NOT-GIVEN
91 - Drugs Reported:
124 - Highway Factors: NOT-APPLICABLE

## Vehicle

## VEHICLE 02

21 - Unit Type: AUTOMOBILE
Vehicle Type: PASSENGER-CAR
22 - Total Occupants: 1
56 - License Plate Number: BIZLAW
57 - Plate Type: SES
58 - State: WI
59 - Exp Year: 2010
55 - Vehicle Identification Number: JTHBA30G165157115
50 - Year: 2006
51 - Make: LEXS
62 - Model: ES 330
53 - Body Style: 4D
54 - Color: BLK
100 - Skidmarks to Impact (Ft):
94 - Vehicle Damage: MIDDLE PASSENGER SIDE, REAR PASSENGER SIDE
95 - Extent Of Damage: MODERATE
96 ☒ Vehicle Towed Due To Damage
97 - Vehicle Removed By: AAA
123 - Vehicle Factors: NOT-APPLICABLE

## Vehicle Owner

## VEH OWNER 02

45 ☒ Vehicle Owner Same As Operator
46 - Vehicle Owner Last Name: BOUCHER
46 - First Name: JOSEPH
46 - Middle Initial: W
46 - Suffix:
46 - Company Name:
47 - Address Street & Number: 6318 LANDFALL DR.
47 - PO Box:
48 - City: MADISON
48 - State: WI
48 - Zip Code: 53705
49 - Telephone Number: (608) 233-4105 EXT.

## Insurance

# Wisconsin Motor Vehicle Accident Report 9G88X81

MV4000e 01/2005

PK2007

## INS 02

| | |
|---|---|
| 63 - Liability Insurance Company: NATIONWIDE-AFFINITY-INSURANCE-COMPANY-OF-AMERICA | 60 ☒ Policy Holder Same As Owner |
| 61 - Policy Holder Last Name: BOUCHER | 61 - Policy Holder First Name: JOSEPH |
| 61 - Policy Holder Company: | |

## School Bus

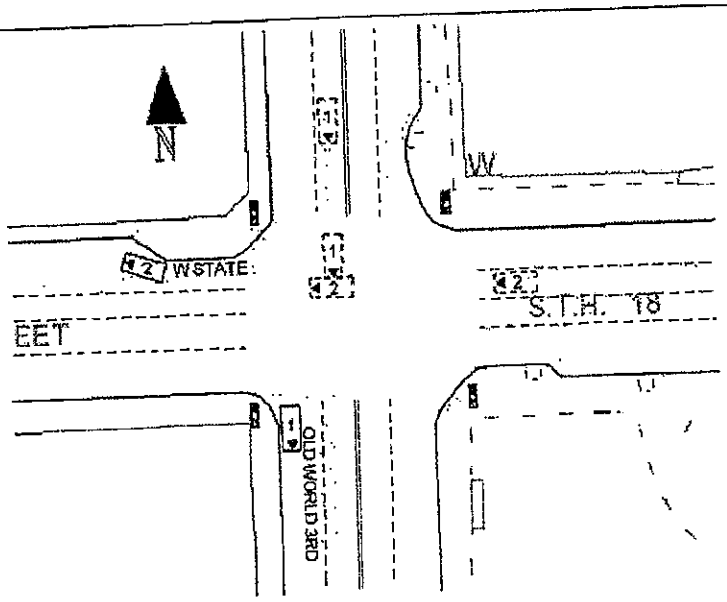
## BUS 02

| | | | |
|---|---|---|---|
| Bus Travelling to/from ○ To ○ From | School Name | Body Make | Seating Capacity |
| School District Contracted With | | | |

## Diagram and Narrative

## DIAGRAM AND NARRATIVE

105 - PHOTOS BY




UNIT 2 WAS W/B ON W. STATE ST. ENTERING THE INTERSECTION AT N. OLD WORLD 3RD ST., WHEN IT WAS STRUCK BY UNIT 1, WHICH WAS S/B ON N. OLD WORLD 3RD ST. ENTERING THE INTERSECTION AT W. STATE ST. BOTH DRIVERS RELATED THAT THEY THOUGHT THEY HAD THE GREEN LIGHT.

## Officer Information

## OFFICER INFORMATION

| | | | |
|---|---|---|---|
| 125 - Officer Last Name: GRABER | 125 - First Name: PETER | 125 - Middle Initial: J | 131 - Officer ID: 10007 |
| 129 - Law Enforcement Agency No.: 006 | 130 - Law Enforcement Agency Name: MILWAUKEE POLICE DEPARTMENT | | |
| 126 - Law Enforcement Agency Address Street & Number: 749 WEST STATE STREET | | | |
| 127 - City: MILWAUKEE | 127 - State: WI | 127 - Zip Code: 53233 | 128 - Telephone Number: (414) 933-4444 EXT. |
| 132 - Date Notified: 05/18/2009 | 133 - Time Notified (Military Time): 0907 | 134 - Time Arrived (Military Time): 0910 | 135 - Date Of Report: 05/18/2009 |
| Agency Accident Number: 091380554 | Police Number: DISTRICT 1 | 19 - Special Study: | |
| 18 - Agency Space: | | | |

**NOTICES SENT TO FOR FILE 090514:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Courtney Arthur | Nationwide Insurance<br>One Nationwide Gateway<br>Dept. 2004<br>Des Moines, IA 50391-2004 | 9/4/09 | | |
| Joseph and Susan Boucher | 8318 Landfail Dr.<br>Madison, WI 53705 | x | | |
| Tony Brundage | Legal Representative<br>Allied Insurance<br>1100 Locust St., Dept. 2019<br>Des Moines, IA 50391<br>brundat@nationwide.com | x | | |
| Wayne King | DPW | x | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090388 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to the claim of Timothy Lock, Agent for Farmers Insurance on behalf of Robert Williams for property damage. (7th Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS | | |
| **Attachments:** | City Attorney Letter, Claim, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090388
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to the claim of Timothy Lock, Agent for Farmers Insurance on behalf of Robert Williams for property damage. (7th Aldermanic District)
**Requestor**
City Attorney
**Drafter**
JAS:beg
July 13, 2009
1030-2009-839:147858



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
**JOHN J. HEINEN**
**DAVID J. STANOSZ**
**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
**PATRICIA A. FRICKER**
**HEIDI WICK SPOERL**
**KURT A. BEHLING**
**GREGG C. HAGOPIAN**
**ELLEN H. TANGEN**
**MELANIE R. SWANK**
**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

July 13, 2009

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

Re: Resolution relating to the claim of Robert Williams
C.I. File No. 09-L-34

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, Robert Williams, by his insurance company, Farmers Insurance, by Timothy Lock, Auto Subrogation Representative, P.O. Box 268992, Oklahoma City, OK 73126-8992, allege that on February 12, 2009 Mr. Williams' vehicle was damaged when he struck a pothole at West Burleigh Street and West Lisbon Avenue, Milwaukee, WI. They claim damages in the amount of $17,975.72.

Our investigation reveals that the Infrastructure Service Division (ISD) reviewed their records and the records of the DPW Call Center relative to this incident. This ISD found they have had patching operations in this area, however, the winter weather has hampered the repair work and the ability of the patch materials to remain in the repair. The ISD followed its normal procedures and it was acting within the City's discretion. As such, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1030-2009-839:147853

National Document Center
P.O. Box 268992
Oklahoma City, OK 73126-8992
claimsdocuments@farmersinsurance.com
Fax : 877-217-1389

03/19/2009

FAX COVER SHEET

City of Milwaukee Public Works
Attn: City Clerk
Fax #: 414-286-3456
Pages:

CITY OF MILWAUKEE
RECEIVED
2009 MAR 19 PM 3:48
CITY ATTORNEY

| | |
|---|---|
| Our Insured: | Robert Williams |
| Our Claim #: | 1013554610-1 |
| Date of Loss: | 02/12/2009 |
| Your Insured: | City Of Milwaukee: Public Works |
| Your Claim #: | INSURED: ROBERT WILLIAMS |

Attached is the subrogation demand for our claim 1013554610-1. Please review and send payment to Farmers Insurance, P.O. Box 268992, Oklahoma City, OK. 73126-8992. If you have any questions, please call me or email me at timothy.lock@farmersinsurance.com. Thank you.

CITY OF MILWAUKEE
2009 MAR 19 PM 2:20
RONALD D. LEONHARDT
CITY CLERK

Sincerely,
Farmers Insurance Exchange

Timothy Lock

Tim Lock
Auto Subrogation Representative
630-907-6950
timothy.lock@farmersinsurance.com

FARMERS

National Document Center
P.O. Box 268992
Oklahoma City, OK 73126-8992
claimsdocuments@farmersinsurance.com
Fax : 877-217-1389

03/17/2009

City Clerk: Attention Claims
200 East Wells, Room 205
Milwaukee, WI 53202

| | | |
|---|---|---|
| Re: | Our Insured: | Robert Williams |
| | Our Claim #: | 099 SUB 1013554610-1 |
| | Date of Loss: | 02/12/2009 |
| | Your Insured: | City Of Milwaukee: Public Works |
| | Your Claim #: | INSURED: ROBERT WILLIAMS |
| | Deductible Amount: | $750.00 |
| | Loss of Use Amount: | $500.00 |
| | Total Amount Owed: | $17,975.72 |

Dear City Clerk: Attention Claims:

We have made payment to our insured for damages resulting from this accident. Our investigation has established that the above loss was caused by the negligence of your driver. By virtue of our subrogation rights this letter is to advise you that we expect payment from you for the amount of damages within 14 days of the receipt of this letter.

Be advised that no partial payment, which is less than the full amount claimed herein, will be considered in any way an acceptance of benefits, a novation or an accord and satisfaction of this claim without the express written release of our claim executed by an individual who identifies himself/herself as a member of our subrogation department. Therefore, our legal rights to enforce collection on the remaining amount of the claim shall not be waived or estoppod due to a partial payment by you.

If you need additional support for our claim or require further information, please call us at 630-907-6950 with your FAX number so that the requested information can be sent to you.

Sincerely,
Farmers Insurance Exchange

Timothy Lock

Tim Lock
Auto Subrogation Representative
timothy.lock@farmersinsurance.com
Self Insured
ATTACHMENT(S)

FARMERS

National Document Center
P.O. Box 268992
Oklahoma City, OK 73126-8992
claimsdocuments@farmersinsurance.com
Fax: 877-217-1389

Insured: ROBERT WILLIAMS
Claim Number: 1013554610-1-5, 1013554610-1-1
Policy Number: 0184058168
Loss Date: 2/12/2009

Total Loss Settlement

Vehicle Information:

| | | | |
|---|---|---|---|
| Year: | 2001 | Serial Number/Trailer ID: | |
| Make: | AUDI | VIN: | WAURD68D01A133811 |
| Model: | S4 2.7T AWD | Inspected VIN: | WAURD68D01A133811 |
| Mileage: | 103000 | Boat Registration: | |

Settlement Detail:

| | | | |
|---|---|---|---|
| Valuation Method: | CCC | Valuation Id: | 41026334 |
| Valuation Amount: | $10,600.00 | Salvage Bid: | $1,599.02 |
| Adjustment (+/-): | $4,713.80 | Sales Tax: | $857.57 |
| Actual Cash Value: | $15,313.80 | Lien: | $0.00 |
| Lic/Transfer Fee: | $69.50 | Residual Debt: | $0.00 |
| Other Fee: | $0.00 | | |
| Deductible: | $750.00 | Customer Due: | $15,490.87 |
| Salvage Value: | $0.00 | Mortgagee Due: | $0.00 |
| Additional Details: | Evaluation Adjustments per CCC | | |
| Net Total: | $15,490.87 | | |

Dates:

| | |
|---|---|
| Unit Assigned: | 3/4/2009 |
| Reported to NICB: | |
| Assigned to Salvage Pool: | 3/4/2009 |
| Settled: | 2/26/2009 |
| TL Packet Sent To Owner: | 2/20/2009 |
| TL Packed Recd From Owner: | |
| Title/Paperwork Sent To Vender: | |

XXX

FARMERS

National Document Center
P.O. Box 268992
Oklahoma City, OK 73126-8992
claimsdocuments@farmersinsurance.com
Fax: 877-217-1389

Payment Log

Account Number: DDD234410
Date of Loss: 2/12/2009
Insured's Name: ROBERT WILLIAMS
Claim Number: 1013554610-1-5, 1013554610-1

| Unit Type | Claim Unit | Date Issued | Payee | Check Number | Payment Amount |
|---|---|---|---|---|---|
| MD | 1013554610-1-1 | 2/25/2009 | AUDI NORTH SHORE | 1388046348 | $121.44 |
| MD | 1013554610-1-1 | 3/4/2009 | ROBERT WILLIAMS | 1389047784 | $16,604.28 |
| MD Total: | | | | | $16,725.72 |
| | | | | | |
| Rental | 1013554610-1-2 | 3/13/2009 | HERTZ TREASURY | 1282330690-00017 | $468.37 |
| Rental | 1013554610-1-2 | 3/13/2009 | ROBERT WILLIAMS | 1331490336 | $31.63 |
| Rental Total: | | | | | $500.00 |
| | | | | | |
| Payment Total: | | | | | $17,225.72 |
| Total Amount: | | | | | $17,225.72 |

XXX

FARMERS

National Document Center
P.O. Box 268992
Oklahoma City, OK 73126-8992
claimsdocuments@farmersinsurance.com
Fax: 877-217-1389

## LOSS OF USE COVERAGE – Owned Vehicle

Coverage Applies when the loss exceeds the deductible amount applicable under Part IV of your E-Z Reader Car Policy.

Coverage Designation

K-1 We will pay you $10 per day while your insured car is in the custody of a garage for repairs resulting from a collision. The maximum payable is $100. If your insured car is a total loss (regardless of salvage value) we will pay you $100.

K-2 We will pay you $15 per day while your insured car is in the custody of a garage for repairs resulting from a Collision or Comprehensive loss. The maximum payable is $300. If your insured car is a total loss (regardless of salvage value) we will pay you $300. This option does not cover total theft of your insured car.

K-3 Car Return Expenses: If Coverage K-1, K-2 or K-4 loss occurred more than 50 miles from your residence, we will pay you for the reasonable and necessary extra expense for commercial transportation, gasoline, lodging, and meals incurred to return your insured car, after it is repaired, to your residence or destination. The maximum payable for car return expenses is $200.

K-4 We will pay you $25 per day while your insured car is in the custody of a garage for repairs resulting from a Collision or Comprehensive loss. If your insured car is a total loss (regardless of salvage value) we will pay you $500.

We will pay you an amount in excess of the amount paid per day under paragraph 1 of Supplementary Payments in Part IV of this policy, resulting from total theft of your insured car. The maximum we will pay for this combined total of paragraph 1 of Supplementary Payments and K4 is $25 per day.

The maximum payable under K-4 is $500.

K-5 We will pay you $50 per day while your insured car is in the custody of a garage for repairs resulting from a Collision or Comprehensive loss. If your insured car is a total loss (regardless of salvage value) we will pay you $1000.

If loss occurred more than 50 miles from your residence we will also pay you car return expenses for the reasonable and necessary extra expense for commercial transportation, gasoline, lodging, and meals incurred to return your insured car, after it is repaired, to your residence or destination. The maximum payable for car return expenses is $500.

We will pay you an amount in excess of the amount paid per day under paragraph 1 of Supplementary Payments in Part IV of this policy resulting from the total theft of your insured car. The maximum we will pay for the combined total of paragraph 1 or Supplementary Payments and K5 is $50 per day.

The maximum payable under K-5 is $1000.

The insurance afforded by this endorsement does not apply to any collision or comprehensive loss occurring before the effective date of this endorsement as shown in the Declarations.

HERTZ LOCAL EDITION
Phone: 1-888-777-3700
Fax: 405-773-6413
E-mail: CUSTOMERBILLING@HERTZ.COM

Hertz

Rental Agreement No: 823369821
Invoice Date: 03/09/2009
Document: 6999604[illegible]

Direct All Inquiries To:
HERTZ LOCAL EDITION
MCS INSURANCE DEPT 2133
PO BOX 181139
DALLAS, TX 75312-1139
TAX ID: 13-[illegible]

LOCAL EDITION
ORIGINAL INVOICE

Renter: REP WILLIAMS
Account No.: [illegible]0380 NCC
CDP No.: 1451473
CDP Name: HLM FARMERS EDI OKC TOTA

LOGAN ASHLEY
EDI FARMERS TOTAL LOSS
*ATTN HELP POINT
PO BOX 268994
OKLAHOMA CITY, OK 73126-8994

RENTAL REFERENCE
Rental Agreement No: 823369821
Reservation ID: 9[illegible]
Special Bill Info: ERNG1
Special Bill Info: 1-9[illegible]

RENTAL DETAILS
Rate Plan: IN: HIDA OUT: HID
Rented On: 02/16/2009 10:44 LOC# 553717
MAUKESHA, WI.
Returned On: 03/09/2009 08:20 LOC# 553717
MAUKESHA, WI
Car Description: MAZDA 6 [illegible]
VIN #: 1YVHP80C275N51034
CAR CLASS Charged: C MIDSIZE In: 45,[illegible]
Rented: C Out: 43,379
Returned: C Driven: 1,936

BILLING INFORMATION
Claim No.: 1013554610-1-2
Policy No: 01[illegible]
Date of Loss: 2009-02-12
Type of Loss: D
Repair Facility: NO SHOP REQUIRED - Q
Authorized Rate: 21.24
Authorized Days: 23
Adjuster: LOGAN ASHLEY
Inspect: 5

BILLING DETAILS

| | | | |
|---|---|---|---|
| DAYS | 22 @ | 19.99 | 439.78 |
| SUBTOTAL | | | 439.78 |
| TAX | | 5.10% | 22.43 |
| TOTAL CHARGES | | | 462.21 USD |
| VEHICLE LICENSE FEE | | | 6.16 |
| AMOUNT DUE | | | 468.37 USD |

MISCELLANEOUS INFORMATION

| | |
|---|---|
| TOTAL RENTAL DAYS | 22 |
| DRIVEN TO CUSTOMER | 0.00 |
| TOTAL RENTAL CHARGES | 439.37 |

PAYMENT DUE UPON RECEIPT

THANK YOU FOR RENTING FROM HERTZ

PLEASE INCLUDE RENTAL AGREEMENT NO. ON YOUR CHECK.

MAKE PAY:
HERTZ LOCAL EDITION
MCS INSURANCE DEPT 2133
PO BOX 181139
DALLAS, TX 75312-1139
UNITED STATES

AMOUNT DUE: 468.37 USD

Phone: 1-888-777-3700
Fax: 405-773-6413
E-mail: CUSTOMERBILLING@HERTZ.COM

[illegible]

XXX

CCC VALUESCOPE
Claim Services

Farmers Insurance Exchange
Market Report

Report Reference Number: 41026334
Claim reference: 1013554610-1-1
Loss Incident Date: 02/12/2009
Insured: Williams
Policy Number: 0104053168

Adjuster: Merkle, Tom
USWS: T3M56
Date Submitted: 02/18/2009
Owner: Robert Williams

Appraiser: MERKLE, TOM

Introduction

Farmers Insurance Exchange has conducted an inspection of your 2001 Audi S4 Quattro 4 door Sedan located in Milwaukee, WI. The inspection information was then used to conduct research in your local market to determine the market value of your vehicle.

The local market value of your vehicle was defined by the Zip code 53216 -- Milwaukee, WI

The recommended settlement amount based on the loss vehicle description provided by Farmers Insurance Exchange is $10,490.00

| Section Title: | Section Contents: |
|---|---|
| Vehicle Valuation Summary | Market Valuation with components |
| VINguard Vehicle Identification | Vehicle configuration information |
| VINguard VIN Vehicle History | Vehicle history research |
| Local Market Definition | Local market basis |
| Valuation Methodology | Method used to evaluate the vehicle |
| Vehicle Condition/Considerations | Vehicle's pre-accident condition |
| Comparable Vehicles Contribution | Contribution of each comparable vehicle |
| Comparable Vehicles Detail | Comparable vehicles located in market |
| Vehicle Model Information | Characteristics of the loss vehicle type |
| NHTSA Vehicle Recall | NHTSA recall notices |
| Appraisal and Valuation Notes | Log notes for this file |

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

## Vehicle Valuation Summary

| | |
|---|---|
| Local Market Value | $ 10,800.00 |
| Condition | - 456.00 |
| Adjustment for additional considerations | + 146.00 |
| Pre-tax amount | $ 10,490.00 |
| Vehicular Sales tax | |
| License/fees (if applicable) | |
| Adjusted vehicle valuation amount | $ 10,490.00 |

## Vehicle Valuation Allowances

Compared to the typical vehicle in the marketplace your vehicle's value was affected by these factors:

| | | |
|---|---|---|
| Odometer 102,572 | - | 42.00 |
| S6 - 6 Speed Transmission | + | 407.00 |
| SS - Heated Seats | + | 150.00 |
| UK - Premium Radio | + | 146.00 |
| SG - Electric Glass Roof | + | 500.00 |
| AT - Automatic Transmission | - | 407.00 |

These allowances illustrate factors that influence the settlement amount when compared to a typical vehicle. The typical vehicle is a vehicle of the same

year, make, and model as the loss vehicle, including average mileage, and all standard and predominant equipment.
In cases where a standard or predominant option is superceded by a replacement or upgrade, a corresponding addition will appear for the option to reflect this.
The vehicle valuation allowances also reflect proper deductions for all standard or predominant equipment not present on the loss vehicle.
These allowances are illustrative only. The actual Local Market Value is calculated entirely from comparable vehicles with adjustments to reflect the loss vehicle configuration.

Vehicle Description

| DESCRIPTION | OPTION |
|---|---|
| Odometer | 102,679 |
| Vehicle equipment: | |
| Rptd | 36 - 6 Speed Transmission |
| Std | OD - Overdrive |
| Std | 4W - 4 Wheel Drive |
| Std | PO - Positraction |
| Std | PS - Power Steering |
| Std | PB - Power Brakes |

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

Vehicle Description (continued)

| | |
|---|---|
| Std | PW - Power Windows |
| Std | PL - Power Locks |
| Std | SP - Power Driver Seat |
| Std | SC - Power Passenger Seat |
| Std | PM - Power Mirrors |
| Std | PT - Power Trunk/Tailgate |
| Std | AC - Air Conditioning |
| Std | CL - Climate Control |
| Std | RD - Rear Defogger |
| Std | IW - Intermittent Wipers |
| Std | TW - Tilt Wheel |
| Std | TL - Telescopic Wheel |
| Std | CC - Cruise Control |
| Std | KE - Keyless Entry |
| Rptd | EI - Electronic Instrumentation |
| Std | MC - Message Center |
| Std | LS - Leather Seats |
| Std | BS - Bucket Seats |
| Rptd | SE - Heated Seats |
| Std | AM - AM Radio |
| Std | FM - FM Radio |
| Std | ST - Stereo |
| Std | CA - Cassette |
| Std | SE - Search/Seek |
| Std | CD - CD Player |
| Rptd | PR - Premium Radio |
| Std | TO - Steering Wheel Sound Control |
| Std | AW - Aluminum/Alloy Wheels |
| Rptd | EG - Electric Glass Roof |
| Std | AG - Drivers Side Air Bag |
| Std | PG - Passenger Air Bag |
| Std | AG - Front Side Impact Air Bags |
| Std | HG - Head/Curtain Air Bags |
| Std | TD - Theft Deterrent/Alarm |
| Std | AB - Anti-Lock Brakes (4) |
| Std | DB - 4-Wheel Disc Brakes |
| Rptd | TP - Clearcoat Paint |
| Std | FL - Fog Lamps |

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Std BM - Body Side Moldings
Std DM - Dual Mirrors
Std HM - Heated Mirrors
Std XE - Xenon Headlamps

~~~~~~~~~~~~~~~~~~~~ VINguard Vehicle Identification ~~~~~~~~~~~~~~~~~~~~

VIN: WAURD58D01A133811

| | Insurer Description | VINguard Analysis |
|---|---|---|

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

~~~~~~~~~~~~~~ VINguard Vehicle Identification (continued) ~~~~~~~~~~~~~~

| | | |
|---|---|---|
| Year | 2001 | 2001 |
| Make | Audi | Audi |
| Model | S4 Quattro<br>RD3D | S4 Quattro<br>RD3D |
| Body style | 4d Sed | 4d Sed |
| Engine | 6-2.7L-I | 6-2.7L-I |
| Trans | 6 Speed Transmission<br>Overdrive<br>4 Wheel Drive | |
| Restraints | AIR BAGS (DRIVER+PASS.) | Air Bags(Dr.+Pass.+Side) |
| Curb Weight | | 3,594 |
| Odometer | 102673 | |

This vehicle was assembled in INGOLSTADT, GERMANY

~~~~~~~~~~~~~~~~~~~~ VINguard VIN Vehicle History ~~~~~~~~~~~~~~~~~~~~

VINguard has decoded this VIN without any errors.

**********
* WARNING - VINguard has detected prior event(s) in this vehicle's history. *
* Please review the information detailed below. *
**********

ISO Vehicle History:
Number of times reported to ISO: 2 ISO's file number: HC151983437
Activity reported: Property & Casualty 02/12/2009
Insurance Company: Farmers Insurance Exchange Phone: (800) 435-7764
Claim number: 1013554610-1
Activity reported: Salvage 03/29/2002
Insurance company: NSDS Phone: (800) 828-0350
Claim number: 021.04696 Mileage: 014014

Collision History Information:
Collision incident reported by FARMERS
on 02/19/2009 Claim # 1013554610-1-1 in Milwaukee, WI
Repair estimate: $7,644 Mileage: 102,673 Damage Location: Front

Collision incident reported by The Hanover Insurance Group
on 02/12/2002 Claim # 01-085141-01-001 in Corona, NY
Repair estimate: $8,724 Mileage: 12,610 Damage Location: Front

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

~~~~~~~~~~~~~~~~ AutoCheck Vehicle History Report ~~~~~~~~~~~~~~~~

AutoCheck Vehicle History Report

Experian Automotive

XXX

Report Run Date: 02/25/2009

Key: | N - No Problem Found | Y = Problem Found | I - Information Found

TITLE CHECK

TITLE PROBLEM FOUND. AutoCheck's database for this 2001 AUDI S4 QUATTRO (WAURD68D01A133811) found historical events that might indicate a significant automotive problem. These problems can indicate past automotive damage or warnings associated with the vehicle title.

| Problems Checked | Results Found |
|---|---|
| Abandoned | N No Abandoned Record(s) Found |
| Damaged | N No Damaged Record(s) Found |
| Fire Damage | N No Fire Damage Record Found |
| Grey Market | N No Grey Market Record Found |
| Hail Damage | N No Hail Damage Record Found |
| Insurance Loss | N No Insurance Loss Record Found |
| Junk | N No Junk Record(s) Found |
| Rebuilt | N No Rebuilt Record(s) Found |
| Salvage | Y Salvage Record(s) Found |

PROBLEM CHECK

OTHER PROBLEM FOUND. AutoCheck's database for this 2001 AUDI S4 QUATTRO (WAURD68D01A133811) found historical events that might indicate a significant automotive problem. These problems can indicate past automotive damage, theft, or other significant problems.

| Problems Checked | Results Found |
|---|---|
| NHTSA Crash Test Vehicle | N No NHTSA Crash Test Vehicle Record(s) Found |
| Frame Damage | N No Frame Damage Record(s) Found |
| Major Damage Incident | Y Major Damage Record(s) Found |
| Manufacturer buyback/lemon | N No Manufacturer Buyback/Lemon Record(s) Found |
| Odometer Problem | N No Odometer Problem Record(s) Found |
| Recycled | N No Recycled Record(s) Found |
| Salvage Auction | N No Salvage Auction Record(s) Found |
| Water Damage | N No Water Damage Record(s) Found |

Valuation request: 41026551 (continued) 2001 AUDI S4 QUATTRO

AutoCheck Vehicle History Report (continued)

ODOMETER CHECK DATA FOUND CHECK OUT. For this 2001 AUDI S4 QUATTRO (WAURD68D01A133811) no indication of odometer rollback or tampering was found. AutoCheck determines odometer rollbacks by searching for records that indicate odometer readings less than a previously reported value. Other odometer events can report events of tampering, or possible odometer breakage.

| Date Reported | Odometer Reading |
|---|---|
| 2001-07-21 | |
| 2001-08-07 | 57 |
| 2001-08-07 | |
| 2001-09-07 | |
| 2002-04-01 | |
| 2002-04-01 | |
| 2002-04-01 | |
| 2002-02-23 | 16,416 |
| 2002-03-23 | |
| 2002-05-28 | |
| 2003-05-24 | |
| 2003-06-27 | 17,135 |

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| | |
|---|---|
| 2004-05-28 | |
| 2005-08-15 | |
| 2006-03-02 | 59,000 |
| 2006-06-02 | |
| 2007-06-06 | |
| 2008-06-17 | 80,975 |
| 2008-06-17 | |
| 2008-06-23 | 94,000 |

VEHICLE INFORMATION

INFORMATION FOUND. AutoCheck found additional information on this vehicle. These records will provide more history for this 2001 AUDI S4 QUATTRO (WAURD68D01A133611).

| Problems Checked | Results Found |
|---|---|
| Accident | N No Accident Record(s) Found |
| Corrected Title | N No Corrected Title Record(s) Found |
| Driver Education | N No Driver Education Record(s) Found |
| Duplicate Title | N No Duplicate Title Record(s) Found |
| Emissions Safety Inspection | Y Emissions Safety Inspection Record(s) Found |
| Fire Damage | N No Fire Damage Record(s) Found |
| Lease | N No Lease Record(s) Found |
| Lien | Y Lien Record(s) Found |
| Livery Use | N No Livery Use Record(s) Found |
| Government Use | N No Government Use Record(s) Found |
| Police Use | N No Police Use Record(s) Found |
| Fleet | N No Fleet Record(s) Found |

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

---------- AutoCheck Vehicle History Report (continued) ----------

| | |
|---|---|
| Rental | N No Rental Record(s) Found |
| Fleet and/or Lease | N No Fleet and/or Lease Record(s) Found |
| Fleet and/or Rental | N No Fleet and/or Rental Record(s) Found |
| Repossessed | N No Repossessed Record(s) Found |
| Taxi Use | N No Taxi Use Record(s) Found |
| Theft | Y Theft Record(s) Found |

FULL HISTORY

Below are the historical events for this vehicle listed in chronological order.

Report Run Date: 02/25/2009

| Event Date | Event Location | Odometer Reading | Data Source | Event Detail |
|---|---|---|---|---|
| 2001-07-21 | ASTORIA, NY | 00000000 | Motor Vehicle Dept | REGISTRATION EVENT/RENEWAL |
| 2001-09-07 | NY | 51 | Motor Vehicle Dept | TITLE |
| 2001-09-07 | NY | 00000000 | Motor Vehicle Dept | THEFT RECOVERED |
| 2001-09-07 | NY | 00000000 | Motor Vehicle Dept | THEFT |
| 2002-04-01 | | 00000000 | Independent Source | THEFT RECOVERY REPORTED |
| 2002-04-01 | | 00000000 | Independent Source | VEHICLE REPORTED STOLEN |
| 2002-04-01 | | 00000000 | Independent Source | MODERATE TO SEVERE DAMAGE REPORTED |
| 2002-08-21 | SYRACUSE , NY | 18,814 | Motor Vehicle Dept | TITLE |
| 2002-08-23 | SYRACUSE , NY | 00000000 | Motor Vehicle Dept | SALVAGE |
| 2002-09-26 | NY | 00000000 | Motor Vehicle Dept | TITLE |
| 2003-06-24 | MINDARIN, FL | 00000000 | Motor Vehicle Dept | REGISTRATION EVENT/RENEWAL |

| | | | | | |
|---|---|---|---|---|---|
| 2003-06-27 | MUNDELEIN, | IL | 17,136 | Motor Vehicle Dept | TITLE |
| 2004-05-28 | MUNDELEIN, | IL | 00000000 | Motor Vehicle Dept | REGISTRATION EVENT/RENEWAL |
| 2005-08-15 | BARRINGTO, | IL | 00000000 | Motor Vehicle Dept | REGISTRATION EVENT/RENEWAL |
| 2006-03-02 | LINCOLNSH, | IL | 59,000 | Independent Emissi | PASSED EMISSION INSPECTION |
| 2006-06-02 | BARRINGTO, | IL | 00000000 | Motor Vehicle Dept | REGISTRATION EVENT/RENEWAL |
| 2007-06-06 | BARRINGTO, | IL | 00000000 | Motor Vehicle Dept | REGISTRATION EVENT/RENEWAL |
| 2008-06-17 | MILWAUKEE, | WI | 80,975 | Motor Vehicle Dept | TITLE |
| 2008-06-17 | MILWAUKEE, | WI | 00000000 | Motor Vehicle Dept | REGISTRATION EVENT/RENEWAL |
| 2008-08-23 | MILWAUKEE, | WI | 94,000 | Motor Vehicle Dept | PASSED EMISSION INSPECTION |

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO
========== AutoCheck Vehicle History Report (continued) ==========

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========== Local Market Definition ==========
The local market value for your 2001 Audi S4 Quattro 4 Door Sedan was defined by ZIP code 53126 -- Milwaukee, WI. Adjacent markets were also searched as necessary sources to locate comparable vehicles. Details of the specific markets searched follow.

The state of Wisconsin is composed of 7 distinct local markets. The following 6 zones were used in the preparation of this CCC Valuescope Market Report.

Milwaukee, WI -- Primary local market vehicle database.
In this market, CCC maintains a database of 5,998 inspected dealer vehicles

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located at 31 dealerships, and 52,419 dealer advertised, and 1,816 privately advertised vehicles taken from 24 local papers or magazines.

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

---------- Local Market Definition (continued) ==========

Madison, WI - Secondary local market vehicle database.
In this market, CCC maintains a database of 3,651 inspected dealer vehicles located at 17 dealerships, and 21,518 dealer advertised, and 1,511 privately advertised vehicles taken from 19 local papers or magazines.

Greenbay/Appleton, WI - Third local market vehicle database.
In this market, CCC maintains a database of 2,990 inspected dealer vehicles located at 15 dealerships, and 24,267 dealer advertised, and 1,777 privately advertised vehicles taken from 19 local papers or magazines.

Other markets searched - Stevens Point/Wausau, Eau Claire and Rhinelander. .

In these markets, CCC maintains a database of 1,952 inspected dealer vehicles located at 11 dealerships, and 21,648 advertised vehicles taken from 41 local newspapers or magazines.

Search extended to locate additional comparable vehicles.
In certain circumstances, the area searched may be further extended to locate additional comparable vehicles for use in the valuation of your vehicle. That was done in connection with this valuation, and CCC was able to locate comparable vehicles in Lansing, Indianapolis and Grand Rapids. Adjustments were made to the value of each comparable vehicle to account for differences, if any, in year, model, body style, engine configuration, packages, options, and mileage.

Nationwide, CCC maintains a database of 618,981 inspected dealer vehicles located at 3,931 dealerships, and 5,205,451 advertised vehicles taken from 1,643 local papers and magazines.
For your vehicle's CCC Valuescope Market Report, CCC identified 4 advertised vehicles as comparable to your vehicle, and used their values to determine the Local Market Value.

Vehicles are determined to be comparable to the loss vehicle based on:

* Nearness to the loss vehicle's primary garage location
* Similarity of model, equipment, and odometer
* Precision of the data (inspected versus advertised)

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

---------- Valuation Methodology ==========

This CCC Valuescope Market Report was prepared for Farmers Insurance Exchange by CCC Information Services Inc. CCC has been preparing market reports for the insurance industry since 1981. CCC physically inspects vehicles for sale at vehicle dealerships in the local markets, and subscribes to local newspapers and automotive publications in those markets. CCC maintains vehicle databases containing these inspected dealership vehicles along with the dealer and private party advertised vehicle information.

When Farmers Insurance Exchange requests a CCC Valuescope Market Report from CCC, they provide CCC the VIN (Vehicle Identification Number) of the loss vehicle. Decoding this VIN identifies the exact vehicle for which the local market value will be done. See the VINguard Vehicle Identification section.

Farmers Insurance Exchange also provides CCC the vehicle owner's zip code. This identifies the local market that will be used to determine the market value. See the Local Market Definition section.

Finally, Farmers Insurance Exchange provides CCC with the configuration of the loss vehicle including equipment, odometer, condition, maintenance, etc. This information is the starting point for determining the local market value.

Using this information, CCC searches its databases to find comparable vehicles in the local market. Each vehicle is compared to the loss vehicle, and adjustments are made for differences in model, equipment, and odometer. Those vehicles that are deemed most comparable to the loss vehicle are used to determine the local market value. See the Local Market Definition section.

After the Adjusted Value for each comparable vehicle is calculated (see the Local Market Comparable Vehicles section), CCC calculates the Local Market Value. This calculation is a weighted average. Using a weighted average allows those vehicles most similar to the loss vehicle to contribute a greater percentage to the Local Market Value than less similar vehicles. Factors that determine similarity are:

* Nearness to the loss vehicle's primary garage location
* Equivalency of model, equipment, and odometer
* Precision of the data (inspected versus advertized)

Using a weighted average results in more accurate local market value as the vehicles most similar and closest to the loss vehicle contribute more to the market value than less similar, more distant vehicles.

Valuation request: 41026134 (continued) 2001 AUDI 34 QUATTRO

---------- Vehicle Condition/Considerations ----------

Farmers Insurance Exchange uses Condition Inspection Guidelines to determine the condition of key components of the loss vehicle. These guidelines are specific to geographic location, year, and vehicle type. The guidelines describe physical characteristics for each of the vehicle components. Based on these guidelines, Farmers Insurance Exchange determines the condition of the vehicle prior to the loss.

Farmers Insurance Exchange identifies the after factory options and upkeep dollars invested into the loss vehicle. CCC makes dollar adjustments that reflect the impact these items have on the resale value of the vehicle, not the replacement value of these items. Remember that maintenance work done to keep the vehicle in an operable condition may not add to the value of the vehicle, but, rather, retains the value of the vehicle.

| Category | Condition | Adjustments |
|---|---|---|
| INTERIOR | | |
| Seats | Normal wear | $0 |
| OR Comments: | LIGHTLY SOILED | |
| Carpets | Normal wear | $0 |
| OR Comments: | LIGHTLY SOILED | |
| Dashboard | Major wear | ($199) |
| OR Comments: | COMPONENTS MISSING(CENTER CONSOLE AND INFRIDE OF DRAW ) | |
| Headliner | Normal wear | $0 |

CR Comments: LIGHTLY SOILED

EXTERIOR
Sheet Metal Major wear ($257)

CR Comments: TWO LARGE AREAS OF RUST ON THE RIGHT QUARTER

Trim Normal wear $0

CR Comments: MINIMAL DAMAGE TO COMPONENTS(HANDLED REAR COVER PRIOR DAMAGE IN PRIOR DAMAGE ESTIMATE)

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

| Category | Condition | Adjustments |
|---|---|---|
| Paint | Normal wear | $0 |
| CR Comments: | SMALL/FEW SCRATCHES | |
| Glass | Normal wear | $0 |
| CR Comments: | PITTING AND SCRATCHING EVIDENT | |
| MECHANICAL Engine | Normal wear | $0 |
| CR Comments: | NO SIGNIFICANT WEAR EVIDENT | |
| Transmission | Normal wear | $0 |
| CR Comments: | NO SIGNIFICANT WEAR EVIDENT | |
| TIRES Front Tires | Normal wear | $0 |
| CR Comments: | 7/32 | |
| Rear Tires | Normal wear | $0 |
| CR Comments: | 7/32 | |
| MAINTENANCE ( $2,285 purchase price) | (4 month/s) | $301 |
| MAINTENANCE ( $95 purchase price) | (14 month/s) | $0 |
| MAINTENANCE ( $1,045 purchase price) | (16 month/s) | $35 |
| MAINTENANCE ( $692 purchase price) | (11 month/s) | $10 |
| Total Adjustments: | | - $110 |

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Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

| Category | Condition | Adjustments |
|---|---|---|

- The Condition Inspection Guidelines provide information based on vehicle age, vehicle type, and geographic location. Your vehicle has been identified as being located in the Central region as an older passenger car.
- The Condition Inspection Guidelines, and all dollar adjustments, are determined by surveys, inspections, and interviews with dealerships across the United States.

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

Comparable Vehicles Contribution

The following comparable vehicle(s) were selected and used to determine this valuation:

| Type | Comparable vehicle | Price | Adj Val | Wgt |
|---|---|---|---|---|
| Dealer Vehicle | 2001 AUDI S4 Quattro | $13,995 | $10,538 | 30 |
| Dealer Vehicle | 2001 AUDI S4 Quattro | $11,789 | $9,570 | 23 |
| Private Advertised | 2002 AUDI S4 Quattro | $11,600 | $11,570 | 30 |
| Private Advertised | 2003 AUDI S4 Quattro | $9,995 | $10,402 | 17 |
| | | CCC valuation amount: | $10,600 | 100 |

The local market comparable vehicles are compared to the loss vehicle, and adjustments are made for differences in equipment, odometer, model, and. The Price, Asking Price, Take Price or List Price displayed below (as applicable) may differ from the advertised price where CCC obtains different price information from the seller. The Adjusted Value represents the price of the comparable configured exactly as the loss vehicle.

| Loss Vehicle | Dealer Vehicle | Dealer Vehicle | Private Advertised |
|---|---|---|---|
| 2001 Audi | 2001 Audi | 2001 Audi | 2002 Audi |
| S4 Quattro | S4 Quattro | S4 Quattro | S4 Quattro |
| 4d Sed | 4d Sed | 4d Sed | 4d Sed |
| 6-2.7L-T | 6 Cyl | 6 Cyl | 6 |
| 6-Speed-OD-4W | 6-Speed-4W | Auto Trans-OD-4W | Auto Trans-OD-4W |
| AM/FM Stereo Seek | AM/FM Stereo Seek | AM/FM Stereo Seek | AM/FM Stereo Seek |
| With Tape And Cd Premium Radio | With Tape And Cd | With Tape And Cd | Tape And Cd Changer Premium Radio |
| Anti-Lock Brakes (4) | Anti-Lock Brakes (4) | Anti-Lock Brakes (4) | Anti-Lock Brakes (4) |
| Air Conditioning | Air Conditioning | Air Conditioning | Air Conditioning |
| Drivers Side Air Bag | Drivers Side Air Bag | Drivers Side Air Bag | Drivers Side Air Bag |
| Aluminum/Alloy Wheels | Aluminum/Alloy Wheels | Aluminum/Alloy Wheels | Aluminum/Alloy Wheels |
| Cruise Control | Cruise Control | Cruise Control | Cruise Control |
| Head/Curtain Air Bags | Head/Curtain Air Bags | Head/Curtain Air Bags | Head/Curtain Air Bags |
| Fog Lamps | Fog Lamps | Fog Lamps | Fog Lamps |
| Heated Mirrors | Heated Mirrors | Heated Mirrors | Heated Mirrors |
| Keyless Entry | Keyless Entry | Keyless Entry | Keyless Entry |
| Leather Seats | Leather Seats | Leather Seats | Leather Seats |
| Message Center | Message Center | Message Center | Message Center |

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| | | | |
|---|---|---|---|
| Power Passenger Seat | Power Passenger Seat | Power Passenger Seat | Power Passenger Seat |
| Power Locks | Power Locks | Power Locks | Power Locks |
| Power Mirrors | Power Mirrors | Power Mirrors | Power Mirrors |

Valuation request: 41026334 (continued) 2001 AUDI S4 QUATTRO

Comparable Vehicles Detail (continued)

| Loss Vehicle | Dealer Vehicle | Dealer Vehicle | Private Advertised |
|---|---|---|---|
| Positraction | Positraction | Positraction | Positraction |
| Power Windows | Power Windows | Power Windows | Power Windows |
| Rear Defogger | Rear Defogger | Rear Defogger | Rear Defogger |
| Passenger Air Bag | Passenger Air Bag | Passenger Air Bag | Passenger Air Bag |
| Power Driver Seat | Power Driver Seat | Power Driver Seat | Power Driver Seat |
| Theft Deterrent/Alarm | Theft Deterrent/Alarm | Theft Deterrent/Alarm | Theft Deterrent/Alarm |
| Telescopic Wheel | Telescopic Wheel | Telescopic Wheel | Telescopic Wheel |
| Steering Wheel Touch Controls | Steering Wheel Touch Controls | Steering Wheel Touch Controls | Tilt Wheel |
| Tilt Wheel | Tilt Wheel | Tilt Wheel | Stability Control |
| Xenon Headlamps | Xenon Headlamps | Xenon Headlamps | Xenon Headlamps |
| Front Side Impact Air Bags | Front Side Impact Air Bags | Front Side Impact Air Bags | Front Side Impact Air Bags |
| Heated Seats* | Electric Glass Roof* | | Electric Glass Roof* |
| Electric Glass Roof* | Heated Seats* | | Traction Control* |
| Miles: 102,574 | 68,098 | 78,718 | 115,000 |
| | Pub Date 1/08/2009 | Pub Date 2/15/2009 | Pub Date 12/30/2008 |
| Location: | Lansing | Indianapolis | Holland |
| Distance From Milwaukee | 175 | 236 | 95 |
| Dealer/Publication: | Williams Autoworld | Tom Wood Subaru Vol | Autotrader.com |
| Phone Number: | 800/803-3888 | 866/559-9520 | 616/394-4277 |
| VIN: | WAUHH68D11A192831 | WAUKD68D61A004056 | |
| | Stock# Sal0664 | Stock# 25623 | |
| | Price $ 13,995 | Price $ 11,749 | Price $ 11,600 |
| Adjustments | | | |
| Model/Year | | | + 1,500 |
| Options | + 146 | + 786 | - 247 |
| Mileage | - 2,283 | - 1,855 | + 1,717 |
| Baseline | - 1,320 | - 1,520 | |
| Adjusted Value | $ 10,538 | $ 9,570 | $ 11,570 |

Valuation request: 41025334 (continued) 2001 AUDI S4 QUATTRO

Comparable Vehicles Detail (continued)

| Loss Vehicle | Private Advertised |
|---|---|
| 2001 Audi | 2002 Audi |
| S4 Quattro | S4 Quattro |
| 4d Sed | 4d Sed |
| 6-T.71-T | 6 Cyl |
| 6-Speed-OD-SW | Auto Trans-FM |
| AM/FM Stereo Seek | AM/FM Stereo Seek |
| With Tape And Cd | With Tape And Cd |
| Premium Audio | |
| Anti-Lock Brakes (4) | Anti-Lock Brakes (4) |
| Air Conditioning | Air Conditioning |
| Drivers Side Air | Drivers Side Air |

| | |
|---|---|
| Bag | Bag |
| Aluminum/Alloy | Aluminum/Alloy |
| Wheels | Wheels |
| Cruise Control | Cruise Control |
| Head/Curtain Air | Head/Curtain Air |
| Bags | Bags |
| Fog Lamps | Fog Lamps |
| Heated Mirrors | Heated Mirrors |
| Keyless Entry | Keyless Entry |
| Leather Seats | Leather Seats |
| Message Center | Message Center |
| Power Passenger | Power Passenger |
| Seat | Seat |
| Power Locks | Power Locks |
| Power Mirrors | Power Mirrors |
| Positraction | Positraction |
| Power Windows | Power Windows |
| Rear Defogger | Rear Defogger |
| Passenger Air Bag | Passenger Air Bag |
| Power Driver Seat | Power Driver Seat |
| Theft | Theft |
| Deterrent/Alarm | Deterrent/Alarm |
| Telescopic Wheel | Telescopic Wheel |
| Steering Wheel | Tilt Wheel |
| Touch Controls | Stability Control |
| Tilt Wheel | Xenon Headlamps |
| Xenon Headlamps | Front Side Impact |
| Front Side Impact | Air Bags |
| Air Bags | Electric Glass |
| Heated Seats* | Roof* |
| Electric Glass | |
| Roof* | |
| Miles: 102,873 | 113,870 |

Valuation Request: 41036331 (continued) 2001 AUDI S4 QUATTRO

Comparable Vehicles Detail (continued)

| Loss Vehicle | Private Advertised |
|---|---|
| | Sub Date 12/23/2008 |
| Location: | Martinsville |
| Distance From:Milwaukee | 254 |
| Publication: | autotrader.com |
| Phone Number: | 317/796-3490 |
| VIN: | WAUKD68B72A000206 |
| | Price $ 9,995 |
| Adjustments | |
| Model/Year | - 1,599 |
| Options | + 146 |
| Mileage | + 1,824 |
| Adjusted Value | $ 10,465 |

* List Price is the sticker price of the vehicle. Take Price is the amount for which the vehicle can be purchased as defined by the contract at each dealer.

* Option adjustments are made in comparison to the typical vehicle. Typical vehicle options that are not present are enclosed in parenthesis.

* The Baseline is defined as the condition of the typical vehicle on the road. Baseline adjustments are made when a comparable vehicle condition varies from that of a typical vehicle.

- All dollar adjustments are determined by surveys, inspections, and interviews with dealerships across the United States.
- Note that some comparable vehicles that were recently available in the local market may no longer be available.
- The Price, Asking Price, Take Price or List Price displayed above (as applicable) may differ from the advertised price where CCC obtains different price information from the seller.

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Vehicle History

The A4 is Audi's entry level, near-luxury sedan, and for 2001, it receives a host of additional safety equipment and a longer warranty. The A4 is a sleek, speedy, and sophisticated automobile, and it has garnered much praise from the automobile press. The Audi A4 is offered in sedan form in either front-wheel drive or all-wheel drive, and in wagon form in all-wheel drive only. The performance oriented version, called the S4, is now produced in either sedan or wagon form, and is only available with all-wheel drive.

Valuation Request: 41026334 (continued) 2001 AUDI S4 QUATTRO

Vehicle History (continued)

Power on the 1.8T models comes from a 4-cylinder, 1.8-liter, turbocharged, 150-horsepower engine, while power on the 2.8 models comes from a 6-cylinder 2.8-liter, 190-horsepower, fuel-injected engine. The S4 gets its power from a 6-cylinder, 2.7-liter, twin-turbocharged, 250-horsepower engine. The A4 is not overly quick, even with the 2.8 V-6, but it performs well with the manual transmission. Traction and grip are excellent, especially with the all-wheel drive. All models offer high levels of luxury and comfort. The A4 competes well against the Acura Integra, BMW 3-Series, Infiniti G20, and the Mercedes Benz C-Class with its reasonable pricing, high levels of refinement, excellent finish, quality of materials, and good performance levels, especially the S4 model with its blinding acceleration.

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Appraisal and Valuation Notes

The loss vehicle has been valued as an older vehicle in the Central region with average miles of 102,200.

Included in our backup are similar models to the loss vehicle.
Proper adjustments were made for this valuation.
Backup vehicles may be one year newer than the loss vehicle. Proper adjustments were made to reflect model, year and mileage differences for this valuation.

The following information was provided after the valuation was completed:

02/25 13:48 A refurbishment was added after valuation.
02/25 13:49 Either a refurbishment was changed or another refurbishment was added after valuation.
Either a refurbishment was changed or another refurbishment was added after valuation.
02/25 13:50 Either a refurbishment was changed or another refurbishment was added after valuation.
Either a refurbishment was changed or another refurbishment was added after valuation.
02/25 13:51 Either a refurbishment was changed or another refurbishment was added after valuation.
Either a refurbishment was changed or another refurbishment was added after valuation.
02/25 13:52 Either a refurbishment was changed or another refurbishment was added after valuation.
Either a refurbishment was changed or another refurbishment was added after valuation.

- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

Valuation request: 41026331 (continued) 2001 AUDI S4 QUATTRO

Your valuation has been prepared in compliance with all local rules and regulations.

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Various aspects of our Market Report are covered by one or more pending patent applications.

The trade names and/or trademarks used herein are owned by their respective trademark owners.

02/19/2009 AT 10:09 AM
17602

1013554610-1-1
OPKVAF91

FARMERS INSURANCE EXCHANGE
MILWAUKEE FIELD CLAIMS OFFICE
FOR SUPPLEMENTS CALL 800-282-7033
P.O. BOX 268994
OKLAHOMA CITY, OK 73126-8994
(800)282-7033

ESTIMATE OF RECORD

WRITTEN BY: TOM MERKLE #17602 02/19/2009 10:09 AM
ADJUSTER: TOM MERKLE #17602 (262)810-5638

INSURED: ROBERT WILLIAMS
OWNER: ROBERT WILLIAMS
ADDRESS: 3421 N 45TH ST
MILWAUKEE, WI 53216
EVENING: (414)448-1130
OTHER: (414)698-2511

CLAIM #1013554610-1-1
POLICY #0184058168
DATE OF LOSS: 02/12/2009 AT 07:40 AM
TYPE OF LOSS: MD
POINT OF IMPACT: 12. FRONT

INSPECT AUDI NORTH SHORE
LOCATION: 6400 N. BROWN DEER RD
BROWN DEER, WI 53223

REPAIR SHOP

REPAIR AUDI NORTH SHORE
FACILITY: 6400 N. BROWN DEER RD
BROWN DEER, WI 53223

BUSINESS: (414)355-4400
5 DAYS TO REPAIR
LICENSE #

2001 AUDI S4 QUATTRO 4-2.7L T 4D SED RWD 1ST:BLACK
VIN: WAUBD68D21A13811 LEC1 REGNTY ST PROD DATE: 03/2001 ODOMETER: 103673

| | | |
|---|---|---|
| AIR CONDITIONING | REAR DEFOGGER | TILT WHEEL |
| CRUISE CONTROL | TELESCOPIC WHEEL | INTERMITTENT WIPERS |
| CLIMATE CONTROL | REAR INSTRUMENTATION | REVERSE TINT |
| REMOT ANTI-THEFT/ALARM | STEERING WHEEL CONTROLS | MESSAGE CENTER |
| BODY SIDE MOLDINGS | DUAL MIRRORS | ELECTRIC GLASS SUNROOF |
| FOG LAMPS | XENON HEADLAMPS | CLEAR COAT PAINT |
| POWER WINDOWS | POWER BRAKES | POWER WINDOWS |
| POWER LOCKS | POWER DRIVER SEAT | POWER PASSENGER SEAT |
| POWER MIRRORS | HEATED MIRRORS | POWER CRUISE/TRILOGIC |
| AM RADIO | FM RADIO | STEREO |
| CASSETTE | REPEAT/SEEK | CD PLAYER |
| PREMIUM RADIO | ANTI-LOCK BRAKES (4) | DRIVER AIR BAG |
| PASSENGER AIR BAG | HEAD/CURTAIN AIR BAGS | FRONT SIDE IMPACT AIR BAG |
| 4 WHEEL DISC BRAKES | SUSPTRACTION | LEATHER SEATS |
| BUCKET SEATS | HEATED SEATS | 6 SPEED TRANSMISSION |
| 4 WHEEL DRIVE | OVERDRIVE | ALUMINUM/ALLOY WHEELS |

| NO. | OP. | DESCRIPTION | QTY | RET. PRICE | LABOR | PAINT |
|---|---|---|---|---|---|---|
| 1 | | FRONT BUMPER | | | | |
| 2 | | O/H FRONT BUMPER | | | 2.0 | |
| 3* | REPL | SPOILER | 1 | 163.85* | INCL. | |
| 4* | REPL | BUMPER COVER S4 | 1 | 893.76* | INCL. | 2.6 |
| 5 | | ADD FOR CLEAR COAT | | | | 1.0 |



XXX

02/19/2009 AT 10:09 AM
17602

1013552610-1-1
0DXYAF31

ESTIMATE OF RECORD
2001 AUDI S4 QUATTRO G-2.7L-T 4D SED BLUE INT:BLACK

| NO. | OP. | DESCRIPTION | QTY | EXT. PRICE | LABOR | | PAINT | |
|---|---|---|---|---|---|---|---|---|
| 6* | REPL | RT OUTER GRILLE 2.7 LITER | 1 | 91.96* | INCL. | | 0.3* | |
| 7* | REPL | LT OUTER GRILLE 2.7 LITER | 1 | 91.96* | INCL. | | 0.3* | |
| 8* | REPL | CENTER GRILLE S4 | 1 | 81.40* | INCL. | | | |
| 9 | | FRONT LAMPS | | | | | | |
| 10 | REPL | LT HEADLAMP ASSY W/HID | 1 | 445.02 | INCL. | | | |
| 11 | | RADIATOR SUPPORT | | | | | | |
| 12 | REPL | RADIATOR SUPPORT ROD | 1 | 79.63 | | | | |
| 13* | REPL | RADIATOR SUPPORT 2.7 LITER | 1 | 349.65* | E | 7.0 | | |
| 14 | | AIM HEADLAMPS | | | | 0.5 | | |
| 15 | | EVACUATE & RECHARGE | | | M | 1.4 | M | |
| 16 | | REFRIGERANT RECOVERY | | | M | 0.4 | M | |
| 17* | REPL | TEMP SENSOR | 1 | 65.77* | M | 0.2 | M | |
| 18 | | AIR CONDITIONER & HEATER | | | | | | |
| 19* | REPL | HOSE COMPRESSOR TO CONDENSER 2.7 | 1 | 351.23* | M | 0.6 | M | |
| 20* | REPL | HOSE EVAPORATOR TO DRIER 2.7 LITER | 1 | 350.26* | M | 0.6 | M | |
| 21 | | WHEELS | | | | | | |
| 22** | REPL | GROUND RT/FRONT WHEEL, ALLOY 16X7 5 SPOKE (ALU) | 1 | 175.00 | M | 0.5 | | |
| 23 | | ENGINE / TRANSAXLE | | | | | | |
| 24* | REPL | OIL PAN LOWER | 1 | 272.45* | M | 3.1 | M | |
| 25* | REPL | HOSE - PART# 8D1 422 891 L | 1 | 166.93 | | 0.5 | M | |
| 26* | | COOLING FLUS - PART# 0DC-422995-L | 1 | 228.52 | | 0.5 | M | |
| 27* | | HOSE - PART# 8D0422910 | 1 | 136.17 | | | | |
| 28 | | FRONT SUSPENSION | | | | | | |
| 29* | REPL | LWR RT KNUCKLE 2.7 LITER 425# | 1 | 107.30 | M | 2.7* | M | |
| 30 | REPL | RT FT LWR CNTL ARM | 1 | 214.20 | M | 1.4 | M | |
| 31 | | DEDUCT FOR OVERLAP | | | | -0.5 | M | |
| 32 | REPL | RT FT UPR CNTL ARM | 1 | 126.12 | M | 1.0 | M | |
| 33 | | DEDUCT FOR OVERLAP | | | | -0.5 | M | |
| 34 | REPL | RT RR UPR CNTL ARM 2.7 LITER | 1 | 126.12 | M | 1.0 | M | |
| 35 | | DEDUCT FOR OVERLAP | | | | -0.5 | M | |
| 36 | REPL | STABILIZER BAR W/QUATTRO | 1 | 170.10 | M | 1.4 | M | |
| 37* | SUBL | 2 WHEEL/TWRGET ANGLE HOX | 1 | 78.99 | T | | | |
| | | UPDATED NOV 08 | | | | | | |
| | | SUBTOTALS --> | | 4846.82 | | 23.1 | | 4.2 |

LINE 29 : SUPPLIERS PART DESCRIPTION: SPINDLE/KNUCKLE, RT FT R SKT S4,R.



XXX

02/19/2009 AT 10:09 AM 1013554610-1-1
17602 ODRYAF3I

ESTIMATE OF RECORD
2001 AUDI S4 QUATTRO 6-2.7L-T 4D SED BLUE INT:BLACK

| | | | |
|---|---|---|---|
| PARTS | | | 4766.53 |
| BODY LABOR | 9.8 HRS | @$ 52.00/HR | 509.60 |
| PAINT LABOR | 4.2 HRS | @$ 52.00/HR | 218.40 |
| MECHANICAL LABOR | 13.3 HRS | @$115.00/HR | 1529.50 |
| PAINT SUPPLIES | 4.2 HRS | @$ 32.00/HR | 134.40 |
| SUBLET/MISC. | | | 79.99 |
| SUBTOTAL | | | $ 7238.72 |
| SALES TAX | $ 7238.72 | @ 5.6000% | 405.37 |
| TOTAL COST OF REPAIRS | | | $ 7644.09 |
| ADJUSTMENTS: | | | |
| DEDUCTIBLE | | | 750.00 |
| TOTAL ADJUSTMENTS | | | $ 750.00 |
| NET COST OF REPAIRS | | | $ 6894.09 |

FARMERS' NON-OEM SHEET METAL PARTS WARRANTY

WHEN YOU HAVE YOUR VEHICLE REPAIRED AFTER AN ACCIDENT AND THE REPAIR ESTIMATE INCLUDES THE USE OF CERTAIN NON-OEM SHEET METAL CRASH PARTS (PARTS NOT MADE BY OR FOR YOUR VEHICLE'S ORIGINAL MANUFACTURER), FARMERS WILL STAND BEHIND THOSE PARTS FOR AS LONG AS YOU OWN THE VEHICLE. IF A SUPPLIER OF A PART LISTED IN YOUR REPAIR ESTIMATE OR THE SHOP THAT PERFORMED THE REPAIRS ON YOUR VEHICLE IS UNABLE TO RESOLVE A LEGITIMATE COMPLAINT ABOUT THE QUALITY OF THE NON-OEM SHEET METAL PARTS USED IN THE REPAIR, WE WILL MAKE EVERY EFFORT TO SEE THAT THE PROBLEM IS CORRECTED.

PARTS COVERED BY THIS WARRANTY ARE LIMITED TO HOODS, FENDERS, DOOR SHELLS, TRUCK BEDS, BOX SIDES, TAILGATES, LIFT GATES, QUARTER PANELS, REAR OUTER PANELS, BODY SIDE PANELS, TRUNK LIDS AND DECK LIDS.

FOR ASSISTANCE, CONTACT YOUR NEAREST FARMERS CLAIMS OFFICE OR AGENT.

DISCLAIMER.

THIS WARRANTY AND ANY REPRESENTATIONS MADE HEREIN ARE NON-TRANSFERABLE AND ITS BENEFITS EXTEND ONLY TO THE PARTY OWNING THE VEHICLE AT THE TIME OF THE REPAIR. IT IS NOT PART OF YOUR INSURANCE POLICY AND DOES NOT CONSTITUTE AN EXTENSION OF COVERAGE THEREUNDER.



XXX

02/19/2009 AT 10:09 AM 1013554610-1-1
17602 0DKVAF3I

ESTIMATE OF RECORD
2001 AUDI S4 QUATTRO 6-2.7L-T 4D SED BLUE INT:BLACK

TO EXPEDITE THE HANDLING OF ANY SUPPLEMENTAL DAMAGES CLAIM, PLEASE HAVE THE APPROXIMATE AMOUNT OF ADDITIONAL DAMAGES AVAILABLE WHEN YOU CALL 1 (800) 582-7033. POTENTIALLY, A REINSPECTION MAY BE CONDUCTED WITHIN HOURS OF YOUR CALL. ALL SUPPLEMENTS MUST BE APPROVED BY A CLAIMS REPRESENTATIVE BEFORE REPAIRS ARE COMPLETED.

IF THE ABOVE ESTIMATE INCLUDES A NAPA PART PRICE, THE REPAIR FACILITY MUST COMPLETE A ONE TIME SET UP WITH THEIR LOCAL NAPA RETAILER IN ORDER TO RECEIVE THE SPECIAL FARMERS PREFERRED PARTS PROGRAM PRICING. TO ACCOMPLISH SET UP, CONTACT YOUR LOCAL NAPA RETAILER AND ASK THEM TO INSERT BILLING CODE NUMBER 9066 INTO YOUR CUSTOMER BILLING PROFILE. THE 9066 CODE WILL ENABLE YOUR REPAIR FACILITY TO RECEIVE SPECIAL PRICING ON ALL NAPA PARTS AND/OR SUPPLIES PURCHASED. IF YOU DO NOT ALREADY HAVE A LOCAL NAPA RETAILER ACCOUNT, PLEASE CALL 1-800 LET-NAPA FOR YOUR NEAREST NAPA LOCATION.

GLASS REPLACEMENT IS AVAILABLE BY CALLING SAFELITE AT 1-800-826-0914.

MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION, WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P.O. BOX 8911, MADISON, WISCONSIN 53708-8911.

RECYCLED PART COSTS BASED ON INFORMATION PROVIDED BY CAR-PART.COM. FOR ASSISTANCE, CALL CCC AT 800-637-8511.

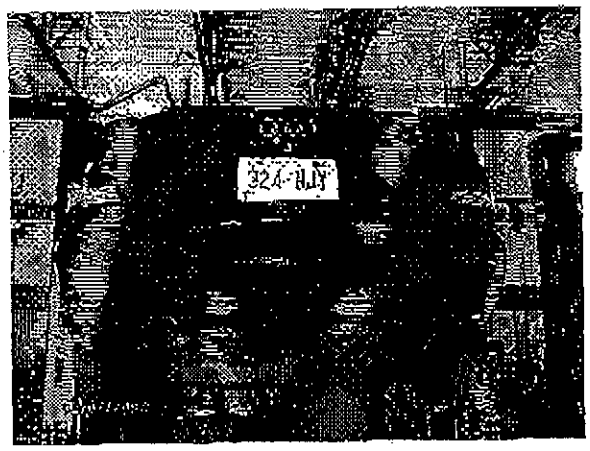
ESTIMATE BASED ON MOTOR CRASH ESTIMATING GUIDE. UNLESS OTHERWISE NOTED ALL ITEMS ARE DERIVED FROM THE GUIDE VALUES, CCC DATA DATE 01/02/2009, AND THE PARTS SELECTED ARE OEM-PARTS MANUFACTURED BY THE VEHICLES ORIGINAL EQUIPMENT MANUFACTURER. OEM PARTS ARE AVAILABLE AT DEALERSHIPS. OPT OEM (OPTIONAL OEM) OR ALT OEM (ALTERNATIVE OEM) PARTS ARE OEM PARTS THAT MAY BE PROVIDED BY OR THROUGH ALTERNATE SOURCES OTHER THAN THE OEM VEHICLE DEALERSHIPS. OPT OEM OR ALT OEM PARTS MAY REFLECT SOME SPECIFIC, SPECIAL, OR UNIQUE PRICING OR DISCOUNT. OPT OEM OR ALT OEM PARTS MAY INCLUDE "REMANUFACTURED" PARTS PROVIDED BY OEM'S THROUGH OEM VEHICLE DEALERSHIPS. ASTERISK (*) OR DOUBLE ASTERISK (**) INDICATES THAT THE PARTS AND/OR LABOR INFORMATION PROVIDED BY MOTOR MAY HAVE BEEN MODIFIED OR MAY HAVE COME FROM AN ALTERNATE DATA SOURCE. TILDE SIGN (~) ITEMS INDICATE MOTOR NOT-INCLUDED LABOR OPERATIONS. NON-ORIGINAL EQUIPMENT MANUFACTURER AFTERMARKET PARTS ARE DESCRIBED AS AM, QUAL REPL PARTS OR COMP REPL PARTS WHICH STANDS FOR COMPETITIVE REPLACEMENT PARTS. USED PARTS ARE DESCRIBED AS LKQ, QUAL RECY PARTS, HCY. OR USED. REMANUFACTURED PARTS ARE DESCRIBED AS REMAN. RECORD PARTS ARE DESCRIBED AS RECORD. NAGS PART NUMBERS AND BENCHMARK PRICES ARE PROVIDED BY NATIONAL AUTO GLASS SPECIFICATIONS. LABOR OPERATION TIMES FLEETG ON THE LINE WITH THE NAGS INFORMATION ARE MOTOR SUGGESTED LABOR OPERATION TIMES. NAGS LABOR OPERATION TIMES ARE NOT INCLUDED. POUND SIGN (#) ITEMS INDICATE MANUAL ENTRIES. SOME 2009 VEHICLES CONTAIN MINOR CHANGES FROM THE PREVIOUS YEAR. FOR THESE VEHICLES, PRIOR TO RECEIVING UPDATED DATA FROM THE VEHICLE MANUFACTURER, LABOR AND PARTS DATA FROM THE PREVIOUS YEAR MAY BE USED. THE PATHWAYS ESTIMATOR HAS A COMPLETE LIST OF APPLICABLE VEHICLES. PARTS NUMBERS AND PRICES SHOULD BE CONFIRMED WITH THE LOCAL DEALERSHIP.

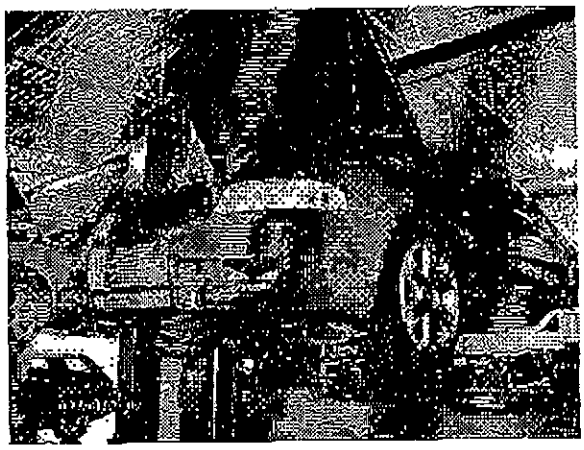


XXX

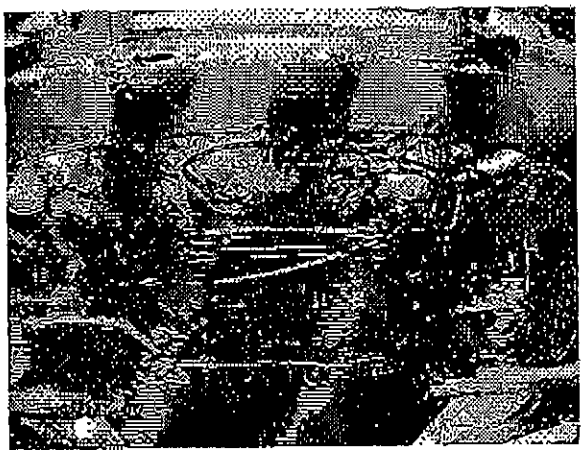
CRN PhotoWizard





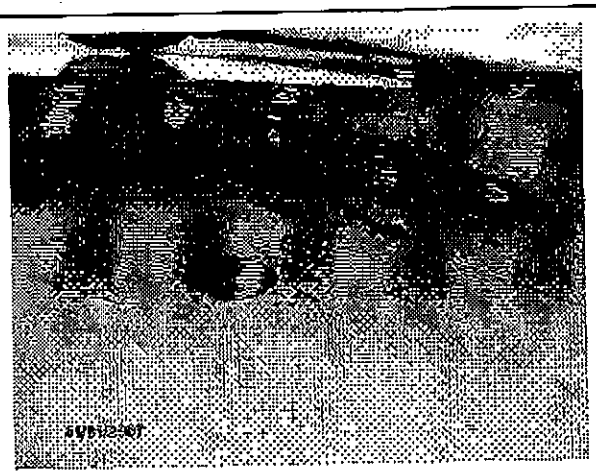
[v not torn down 02/16.



324-NJY
MAY

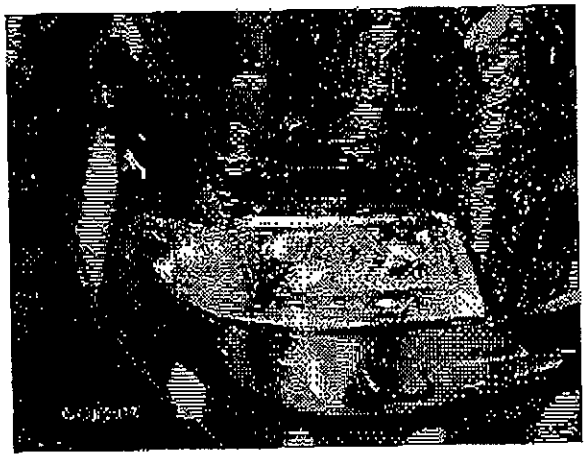
right front end damage

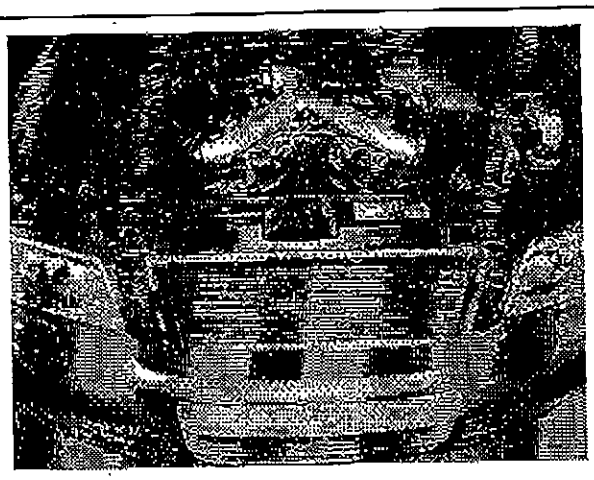
front cover broken



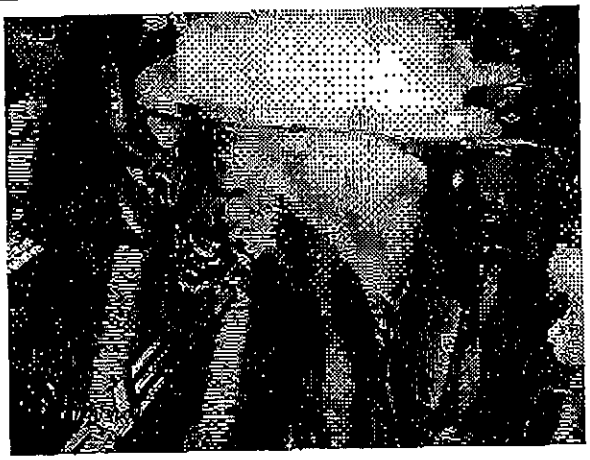
fluid leaking on shop floor

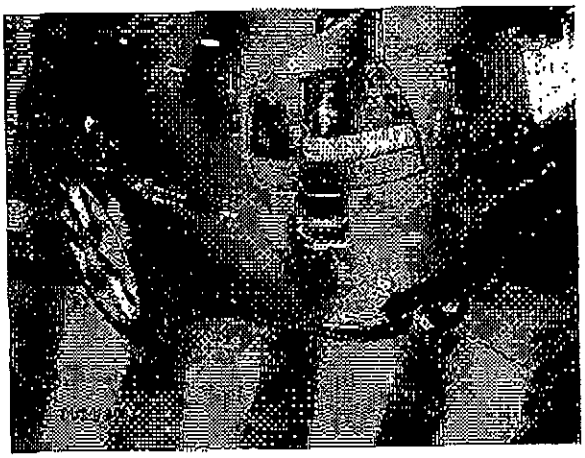
no visible damage to the headlamps





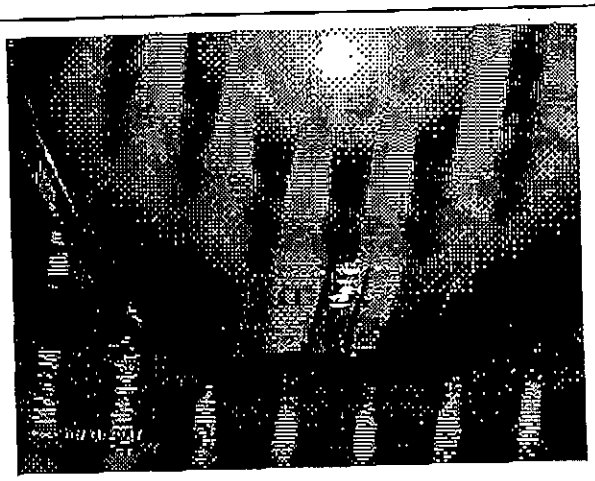
radiator fluid resevoir still full





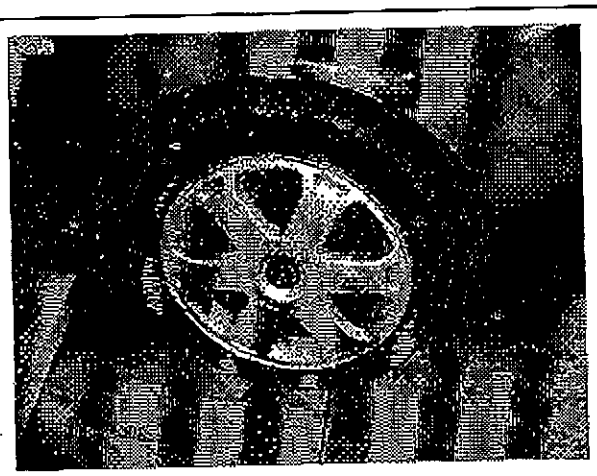
prior damage - left rear corner

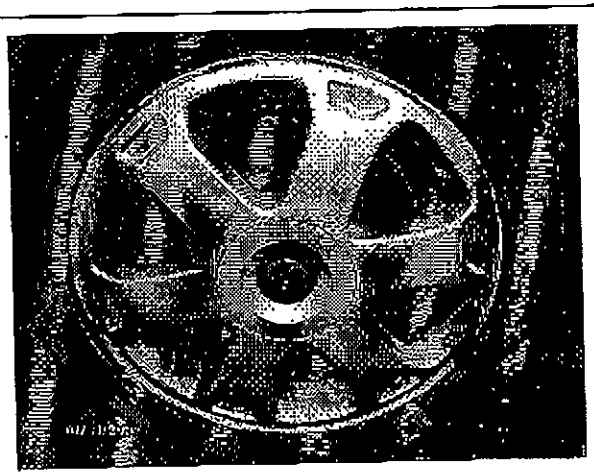
rear cover broken, reinforcement bent



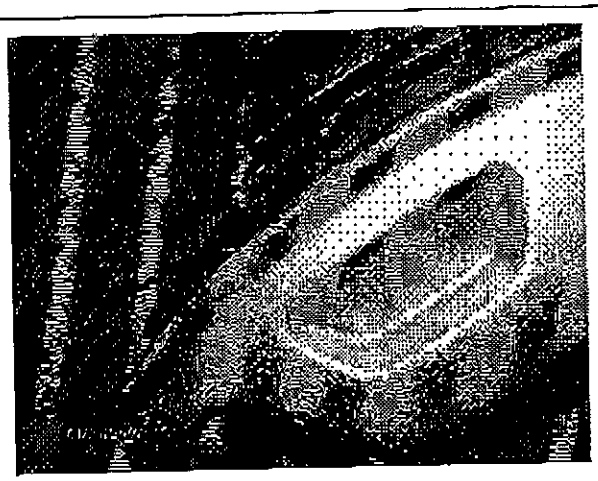
audi S4

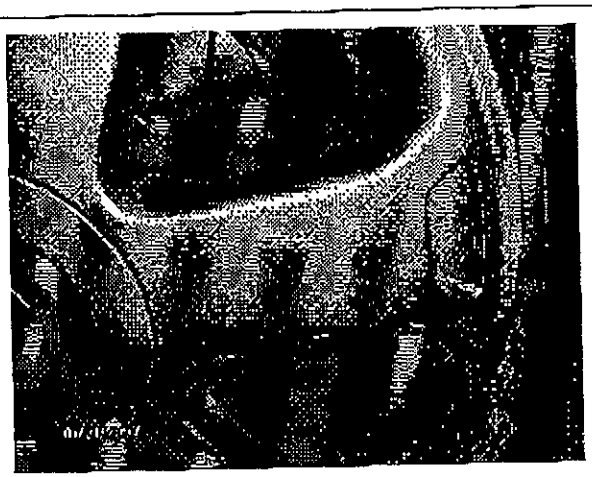
right quarter rust

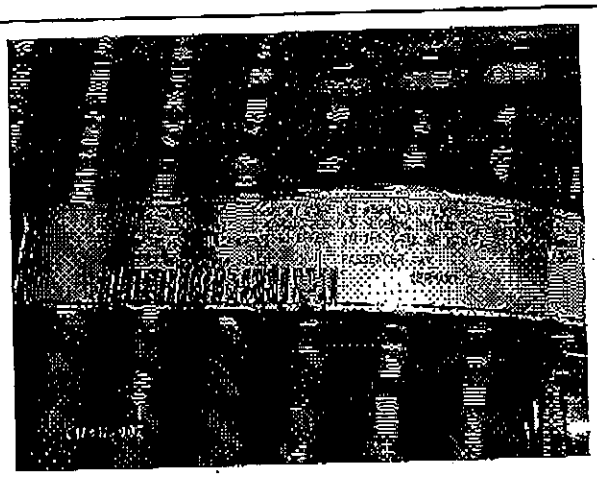


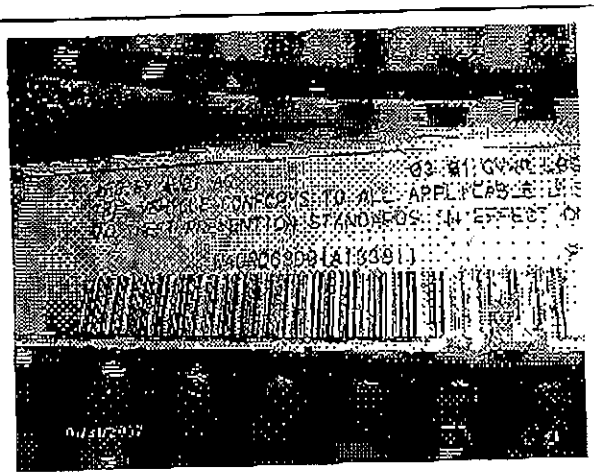


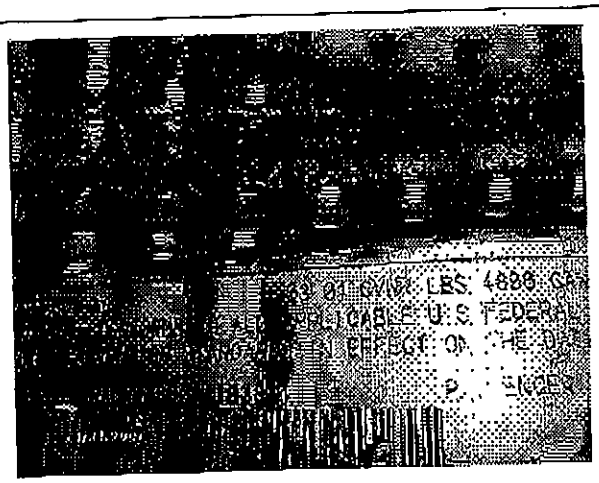
right front wheel gouged

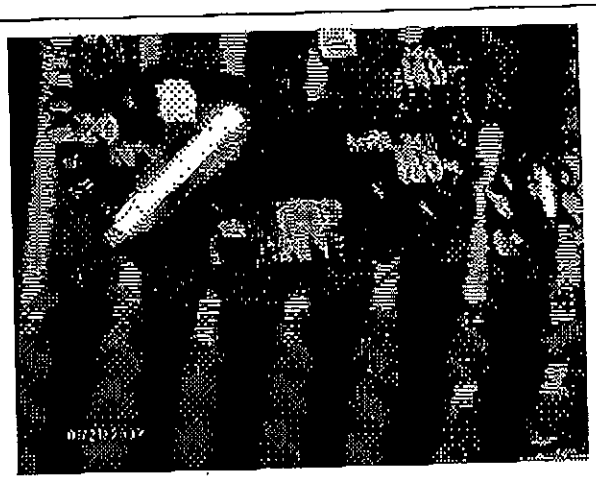






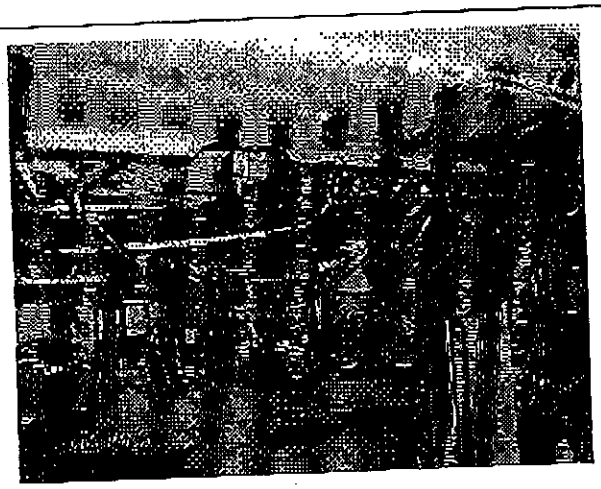


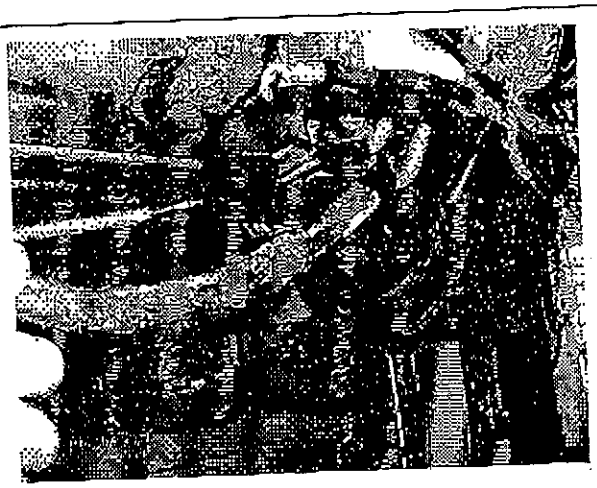




102673 miles

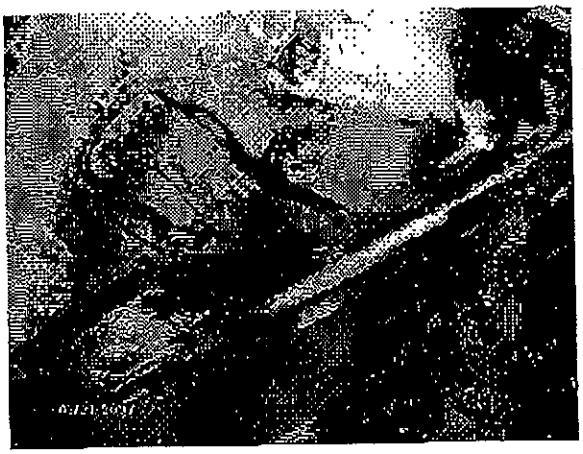
CRN PhotoWizard



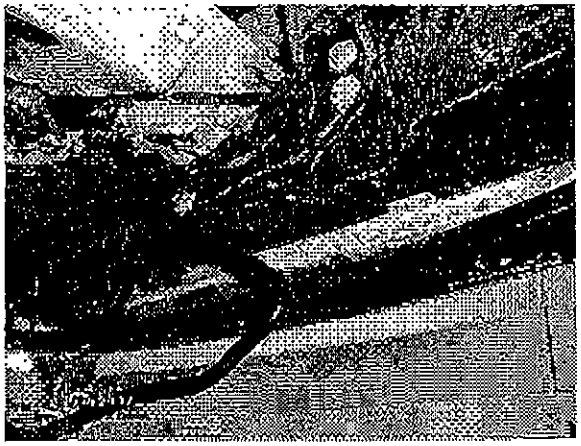


power steering lines broken

engine oil pan/case broken

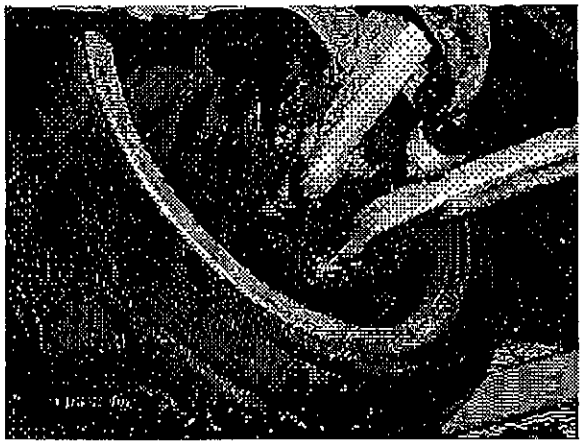


multiple w/c lines crushed

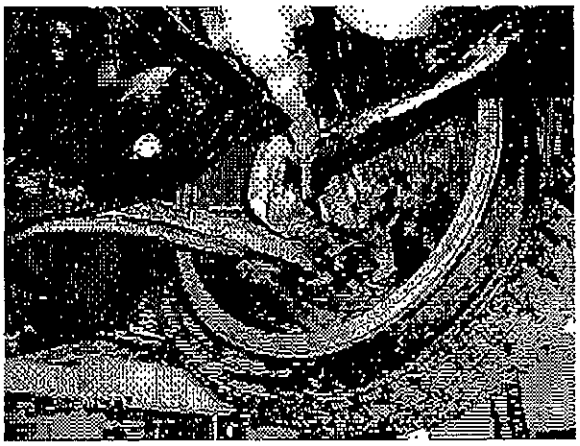


lower portion of radiator support broken

appears suspension took a hit



no obvious damage to the right or left front suspension



cooler appears ok

**NOTICES SENT TO FOR FILE 090388:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Timothy Lock | Auto Subrogation Rep.<br>Farmers Insurance<br>PO Box 268992<br>Oklahoma City, OK 73126-8992<br><br>Timothy.lock@farmersinsurance.com | 9/4/09 | | |
| Robert Williams | 3421 N. 45th St.<br>Milwaukee, WI 53215 | x | | |
| Jeff Dellemann | DPW | x | | |
| Ald. Wade | | x | | |
| | | | | |
| | | | | |
| | |

| | | | | |
|---|---|---|---|---|
| | | | | |
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| | | | | |
| | | | | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090398 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relatng to the appeal of Eric Johnson for property damage. (7th Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS APPEAL | | |
| **Attachments:** | City Attorney Letter, Appeal, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090398
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relatng to the appeal of Eric Johnson for property damage. (7th Aldermanic District)

**Drafter**
CC
dkf
7/21/09



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**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

CITY OF MILWAUKEE
RECEIVED
2009 JUN 24 PM 4:48
OFFICE OF
CITY ATTORNEY

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
**JOHN J. HEINEN**
**DAVID J. STANOSZ**
**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
**PATRICIA A. FRICKER**
**HEIDI WICK SPOERL**
**KURT A. BEHLING**
**GREGG C. HAGOPIAN**
**ELLEN H. TANGEN**
**MELANIE R. SWANK**
**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
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**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

June 15, 2009

Eric M. Johnson
4472 North 39th Street
Milwaukee, WI 53209

RE: Eric M. Johnson
C.I. File No: 08-S-565

Dear Mr. Johnson:

We have received your claim in the amount of $1,246.79, relating to damage allegedly sustained to your vehicle on June 4, 2008 when it collided with a sunken communication manhole while you were traveling southbound on Lisbon Avenue within 10-12 feet north of North Avenue.

Our investigation reveals that the Infrastructure Services Division records indicate that prior to June 4, 2008, the City had no notice of this hazard in the roadway and because of this lack of notice the City would not be liable. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:beg
1029-2008-2101:147003

**Eric M. Johnson**
4472 N. 39th St
Milwaukee, WI 53209
(414) 444-0281 (home)
(414) 445-5353 (work)
(414) 445-3388 (fax)
emjssi@aol.com

CITY OF MILWAUKEE
RECEIVED
2009 JUN 24 PM 4:48
OFFICE OF
CITY ATTORNEY

June 24, 2009

**HAND DELIVERED**
City of Milwaukee
ATTN: Office of the City Attorney
200 E. Wells St., Suite 800
Milwaukee, WI 53202-3551

Re: C.I. File No: 08-S-565

Dear Mr. Langley:

I am in receipt of your letter (attached) dated June 15, 2009 which is a response to my letter (attached) dated July 1, 2008.

I formally request a hearing to appeal your decision in the above referenced matter.

Thank you for your consideration of this very important matter.

Sincerely,
Claimant

Eric M. Johnson
Milwaukee Resident

Cc Alderman Willie Ward, 7th District

CITY OF MILWAUKEE
2009 JUN 25 PM 3:37
RONALD D. LECHNER
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
2009 JUN 26 PM 3:41
OFFICE OF
CITY ATTORNEY

**Eric M. Johnson**
4472 N. 39th St
Milwaukee, WI 53209
(414) 444-0281 (home)
(414) 445-5353 (work)
(414) 445-3388 (fax)
emjssi@aol.com

CITY OF MILWAUKEE
RECEIVED
2009 JUN 24 PM 4:48
OFFICE OF
CITY ATTORNEY

July 1, 2008

**HAND DELIVERED**
City Clerk
ATTN: CLAIMS
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

To Whom It May Concern:

The details of my claim are as follows:

1. On **June 4, 2008** at approximately **6pm**, I was traveling southbound on Lisbon Avenue in the City of Milwaukee
2. I was traveling at the posted speed of **30MPH**
3. Within **10 to 12 feet** north of the intersection of **Lisbon Avenue and North Avenue**, I struck the pavement that surrounds a City of Milwaukee Communication Manhole (see attached pictures) causing severe damage to the front-end of my vehicle (1998 Cadillac Seville SLS) and the right-front wheel
4. It appears that the manhole may have been set too low creating a **2 inch lip**
5. According to my discussions with Tom Pesch the President of Milwaukee General Construction Co, Inc. a long time concrete paving company that does business for the City of Milwaukee, a 2 inch difference between the height of a pavement and the height of a manhole is considered unacceptable according to Department of Public Works' specification
6. I assert that the improper setting of the manhole caused the 2 inch lip that damaged my vehicle
7. It appears the City had notice of this problem because this intersection is scheduled for reconstruction in 2008
8. My claim is for **$ 1,246.79** (see itemize list and supporting vendor receipts)

Thank you for your consideration of this very important matter.

Sincerely,
Claimant

Eric M. Johnson
Milwaukee Resident

Cc Alderman Willie Ward, 7th District

City of Milwaukee CLAIM

Eric M. Johnson
4472 N 39th St
Milwaukee, WI 53209
(414) 444-0281

| Vendor | Item | Amount |
|---|---|---|
| Carx<br>13190 W Capitol Dr<br>Brookfield, WI 53005<br>(262) 783-4226 | Replace and repair Tie Rod | 467.03 |
| Carx<br>13190 W Capitol Dr<br>Brookfield, WI 53005<br>(262)-783-4226 | Replace and repair<br>right-front Wheel Bearing | 470.19 |
| Pops and Sons Tire<br>5301 W. Lisbon Ave<br>Milwaukee, WI 53210<br>(414) 449-5811 | New tire (D255 35R20) | 120.00 |
| Competition Cycle<br>5081 N. 124th St<br>Butler, WI 53007<br>(262) 373-1122 | Repair dent in Wheel Rim | 73.57 |
| Self | Loss time from work | 116.00 |
| | | $1,246.79 |

# CAR-X TIRE & AUTO SERVICE
13190 WEST CAPITOL DRIVE
BROOKFIELD,WI 53005
(262)783-4226



Customer ID: 4913025505
Name: ERIC JOHNSON
Address: 4472 N 39
Address 2:
City,State,Zip/Postal Code: MILWAUKEE, WI, 53209
Home Phone: (4 t4) 444-0281
Work Phone: (414) -
Other Phone: () -
Tax Exempt #:

Year: 98
Make: CADILLAC
Model: SEVILLE SLS
Lic No: UCA717
VIN: 1G6KS54Y6WU909865
Color:
Engine: V8-281ci 4.6L F
Mileage In: 166481

Mileage Out: 166481

Date/Time: 06/12/08 14:15:01
Estimate #: 79661
Invoice #: 4853 t
Key Tag:
PO Number:
Email Address:
Fleet/Wholesale: N

Service comments:
CHECK BRAKE/SHAKING WHEN BRAKING
HAS WHEEL LOCK KEY

| Qty. | Part # | RFR | Loc | Description | Parts | Labor | Total |
|---|---|---|---|---|---|---|---|
| REVISED ESTIMATE AUTHORIZATION(S): | | | | | | | |

AUTH. BY: CONTACT: ERIC JOHNSON ADD. AMT: 495.04
DATE: 06-12-08 TIME: 11:06 AM PREVIOUS EST: 0.00 REV EST: 495.04

Work Authorized:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| BRAKES | | | | | | | |
| 1 | BRIF | RA | | FREE BRAKE INSPECTION OVERALL 0.00 | 0.00 | 0.00 | 0.00 |
| 2 | 56641R | S2 | F | RED ROTOR SAVINGS ($83.00) | FREE | 0.00 | 0.00 |
| | | TOTAL FRONT BRAKES: | | 0.00 | | | |
| | | TOTAL BRAKES: | | 0.00 | | | |
| STEERNG/CHASSI | | | | | | | |
| 1 98-04 | *45A0798 | RC | | [TIE ROD END] OUTER; 2 | 103.95 | 44.50 | 148.45 |
| 1 98-04 | *45A2077 | RC | | [TIE ROD END] INNER; 2 | 131.82 | 89.99 | 221.81 |
| | | TOTAL STEERNG/CHASSI: | | 370.26 | | | |
| OTHER | | | | | | | |
| 1 | AL4 | RA | | 4 WHEEL ALIGNMENT | 0.00 | 69.99 | 69.99 |
| | | TOTAL OTHER: | | 69.99 | | | |

*** Customer Wishes To Discard Old Parts ***

RA NECESSARY COMPONENT OF WORK
RC REQUIRED-PART NO LONGER PERFORMS INTENDED FUNCTION
S2 SUGGESTED-TO ADDRESS A CUSTOMER'S NEED OR REQUEST

CREDIT CARD #: XXXX-XXXX-XXXX-6515

SEE NEXT PAGE

Motor vehicle trade pracitces are regulated by Chapter ACTP 132, Wis Adm. code, administered by the Bureau of Consumer Protection,Wisconsin Dept of Agriculture and Consumer Protection, P.O. Box 8911 Madison, Wisconsin 53708-8911

ALUMINUM WHEELS NEED TO BE RETORQUED
AFTER 50 MILES
PLEASE CALL FOR RESERVATION

THANK YOU FOR YOUR BUSINESS
MANAGER DALE LECUS SR.
[262] 783-4226

AGRICULTER, TRADE AND
CONSUMER PROTECTION,
P O BOX 8911
MADISON,WI. 53708-8911

INVOICE INVOICE CAR-X TIRE & AUTO SERVICE INVOICE
CUSTOMER COPY

# CAR-X TIRE & AUTO SERVICE
13190 WEST CAPITOL DRIVE
BROOKFIELD,WI 53005
(262)783-4226

Customer ID: 4913025505
Name: ERIC JOHNSON
Address: 4472 N 39
Address 2:
City,State,Zip/Postal Code: MILWAUKEE, WI, 53209
Home Phone: (414) 444-028t
Work Phone: (414) -
Other Phone: () -
Tax Exempt #:

Year: 98
Make: CADILLAC
Model: SEVILLE SLS
Lic No: UCA717
VIN: 1G6KS54Y6WU909865
Color:
Engine: V8-281ci 4.6L F
Mileage In: 166481

Mileage Out: 166481

Date/Time: 06/12/08 14:15:01
Estimate #: 79661
Invoice #: 48531
Key Tag:
PO Number:
Email Address:
Fleet/Wholesale: N

Service comments:
CHECK BRAKE/SHAKING WHEN BRAKING
HAS WHEEL LOCK KEY

| Qty. | Part # | RFR | Loc | Description | Parts | Labor | Total |
|---|---|---|---|---|---|---|---|

APPROVAL # : 06509A
TICKET # : 0006/

CAR-X AUTO SERVICE CENTER
12455 WEST CAPITOL DR
BROOKFIELD WI 53005
262-785-4226

Sale

ID: 75394819 Ref #: 0006
06/12/08 14:15:50
Batch #: 357

VISA

XXXXXXXXXXXX6515

Appr Code: 06509A Inv#: 000006

Total: $ 467.03

Customer Copy
THANK YOU!!

| PAY | AMOUNT |
|---|---|
| VISA | 467.03 |

TECH: 022110-0.00 D. Dustin

| | |
|---|---|
| SHOP SUPPLY | 30.77 |
| SUB TOTAL | 471.02 |
| DISCOUNT | (26.65) |
| SALES TAX | 22.66 |
| GRAND TOTAL | 467.03 |

AGRICULTER, TRADE AND
CONSUMER PROTECTION,
P O BOX 8911
MADISON,WI. 53708-8911

INVOICE INVOICE CAR-X TIRE & AUTO SERVICE INVOICE
CUSTOMER COPY

# CAR-X TIRE & AUTO SERVICE
13190 WEST CAPITOL DRIVE
BROOKFIELD,WI 53005
(262)783-4226



Customer ID: 4913025505
Name: ERIC JOHNSON
Address: 4472 N 39
Address 2:
City,State,Zip/Postal Code: MILWAUKEE, WI, 53209
Home Phone: (414) 406-6900
Work Phone: (414) -
Other Phone: () -
Tax Exempt #:

Year: 98
Make: CADILLAC
Model: SEVILLE SLS
Lic No: UCA717
VIN: 1G6KS54Y6WU909865
Color:
Engine: V8-281ci 4.6L F
Mileage In: 167392

Mileage Out: 167392

Date/Time: 06/30/08 15:10:16
Estimate #: 80168
Invoice #: 48772
Key Tag: 0
PO Number:
Email Address:
Fleet/Wholesale: N

Service comments:
SEE LIST

| Qty. | Part # | RFR | Loc | Description | Parts | Labor | Total |
|---|---|---|---|---|---|---|---|
| REVISED ESTIMATE AUTHORIZATION(S): | | | | | | | |
| STEERNG/CHASSI | | | | | | | |
| 1 | *HUB | RA | RF | BEARING | 223.44 | 115.70 | 339.14 |
| 1 | **HUB | RA | RF | Discount On *HUB | (10.00) | 0.00 | (10.00) |
| | | | | TOTAL STEERNG/CHASSI: 329.14 | | | |
| OTHER | | | | | | | |
| 1 | TUD | RA | | ENGINE DIAGNOSIS/PER | 0.00 | 89.00 | 89.00 |
| | | | | TOTAL OTHER: 89.00 | | | |

AUTH. BY:
DATE: 06-30-08 TIME: 3:07 PM
CONTACT: ERIC JOHNSON
PREVIOUS EST: 0.00
ADD. AMT: 470.19
REV EST: 470.19

Work Authorized:

Motor vehicle trade pracitces are regulated by Chapter ACTP 132, Wis Adm. code, administered by the Bureau of Consumer Protection,Wisconsin Dept of Agriculture and Consumer Protection, P.O. Box 8911 Madison, Wisconsin 53708-8911

ALUMINUM WHEELS NEED TO BE RETORQUED AFTER 50 MILES
PLEASE CALL FOR RESERVATION

THANK YOU FOR YOUR BUSINESS
MANAGER DALE LECUS SR.
[262] 783-4226

*** Customer Wishes To Discard Old Parts ***

RA NECESSARY COMPONENT OF WORK

CREDIT CARD #: XXXX-XXXX-XXXX-6515
APPROVAL # : 01096A
TICKET # : 0009/

CAR-X AUTO SERVICE CENTER
12455 WEST CAPITAL DR
BROOKFIELD WI 53005
262-783-4226

**Sale**

ID: 75394819 Ref #: 0009
06/30/08 15:10:36
Batch #: 372

VISA
xxxxxxxxxxxx6515
Appr Code: 01096A Inv#: 000009
Total: $ 470.19

Customer Copy
THANK YOU!!

| PAY | AMOUNT |
|---|---|
| VISA | 470.19 |

TECH: 014387-0.00 K. Faken

| | |
|---|---|
| SHOP SUPPLY | 29.23 |
| SUB TOTAL | 447.37 |
| SALES TAX | 22.82 |
| GRAND TOTAL | 470.19 |

AGRICULTER, TRADE AND CONSUMER PROTECTION,
P O BOX 8911
MADISON,WI. 53708-8911

INVOICE INVOICE CAR-X TIRE & AUTO SERVICE INVOICE
CUSTOMER COPY

Pop's and Sons Tire
5301 W. Lisbon Ave
Milwaukee, 53210

# RECEIPT

DATE 8/21/08 No. 105609

RECEIVED FROM $80.00

one hundred twenty DOLLARS

○ FOR RENT
○ FOR D255 3500 / Tire

| | | |
|---|---|---|
| ACCOUNT | | |
| PAYMENT | | |
| BAL. DUE | | |

(✓) CASH
( ) CHECK
( ) MONEY ORDER

FROM _____ TO _____

BY 449584

1182

note
6-11-08.

# COMPETITION CYCLE, INC.

5081 N. 124TH STREET
BUTLER, WI 53007
(262) 373-1122
**Quality Products & Service Since 1967**

| CUSTOMER'S ORDER NO. | PHONE | DATE |
|---|---|---|
| | 414-445-1411 | 6-6-08 |

NAME: Woody Jones.
ADDRESS: (for Eric M. Johnson)

| SOLD BY | CASH | C.O.D. | CHARGE | ON ACCT. | MDSE. RET'D. | PAID OUT |
|---|---|---|---|---|---|---|
| SC | X | | | | | |

| QTY. | DESCRIPTION | PRICE | AMOUNT |
|---|---|---|---|
| 8 | Fix Dents | | 70.00 |
| | | TAX | 3.57 |
| | | TOTAL | 73.57 |

COMPETITION
CYCLE INC
5081 N 124 TH ST.
BUTLER WI,53007
PHONE 262 373-1122
THANK YOU

06/12/08 10:31AM 01
000001 #7151

| | | |
|---|---|---|
| CS LABOR | T1 | $70.00 |
| MDSE ST | | $70.00 |
| TAX1 | | $3.57 |
| ITEMS | | 10 |
| XXXTOTAL | | $73.57 |
| CASH | | $100.00 |
| CHANGE | | $26.43 |

6-12-08 cash

ns and returned goods must be accompanied by this bill.

NEBS To Reorder:
800-225-6380 or nebs.com

Thank You

UNICATIONS

COMMUNICATIONS
CITY OF
MILWAUKEE

CITY OF
MILWAUKEE
COMMUNICATIONS

CITY OF
MILWAUKEE

COMMUNICATIONS
CITY OF
MILWAUKEE

**NOTICES SENT TO FOR FILE 090398:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Eric Johnson | 4472 N. 39th St.<br>Milwaukee, WI 53209 | 9/4/09 | | |
| Ald. Wade | | x | | |
| Robert Brooks | DPW | x | | |
| Jeff Dellemann | DPW | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090397 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relatng to the appeal of Jennifer and Thomas Grieve for property damage. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS APPEAL | | |
| **Attachments:** | City Attorney Letter, Appeal, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090397
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relatng to the appeal of Jennifer and Thomas Grieve for property damage.

**Drafter**
CC
dkf
7/21/09



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

THOMAS O. GARTNER
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THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

June 3, 2009

Jennifer Grieve
1333 South 63rd Street
West Allis, WI 53214

RE: Jennifer Grieve
C.I. File No: 09-S-104

Dear Ms. Grieve:

We have received your claim in the amount of $638.88, relating to damages allegedly sustained to your vehicle on January 3, 2009 when it collided with a pothole along northbound South 70th Street near I-94.

Our investigation reveals the Infrastructure Services Division (ISD) reviewed their records and the records of the DPW Call Center regarding this incident. They found the ISD had patched along South 70th Street on a consistent basis. The winter weather has hampered the repair work and the ability of the patch materials to remain in the repairs. The ISD followed its normal procedures and it was acting within the City's discretion. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

ROBERT M.OVERHOLT
Investigator Adjuster

RMO:beg
1029-2009-816:146584

June 9, 2009

Milwaukee City Clerk
200 E. Wells St. Room 205
Milwaukee, WI 53202

CITY OF MILWAUKEE
2009 JUN 23 PM 1:10
RONALD D. LEONHARDT
CITY CLERK

RE: Jennifer Grieve
C.I. File No.: 09-5704

Dear Sir or Madam,

In compliance with the instructions enumerated in the denial of claim letter received on June 8, 2009, we would like to appeal this decision and hereby request a hearing.

Please note this is within the 21 day allowance.

We request an evening hearing, if that is not available, a Monday or Friday.

We would also like to amend the claim to include Thomas Grieve, spouse of Jennifer Grieve and co-owner of the damaged vehicle as co-claimant with authority/authorization to appear in and all proceedings.

CITY OF MILWAUKEE
RECEIVED
2009 JUN 24 PM 4:14
OFFICE OF
CITY ATTORNEY

Additionally, please update your records to reflect a change of address.
W262 N2442 Deer Haven Drive
Pewaukee, WI 53072

Regards,

Jennifer M. Grieve

Jennifer M. Grieve

January 12, 2009

Dear Sir or Madam;

This is regarding an incident that happened on January 3rd, 2009. I was driving my vehicle northbound on 70th Street, when my front right tire hit a huge pothole, just before the stoplights at the ramp to I-94. There was oncoming traffic coming southbound and other cars in the lane next to me, so I had nowhere to go to avoid the pothole. The pothole was so large that it immediately punctured my tire and damaged the wheel rim itself. The repair was very costly and required a new tire and wheel rim.

The city was undoubtedly on notice that this particular pothole existed, and I imagine that there were others who had trouble with it as well. Since it was a weekend, I called the non-emergency line to the West Allis Police Department to report the incident. An officer directed me to contact City Hall on the next business day, and the Clerk's Office suggested that I write this letter to request reimbursement. The next week, the pothole was filled in. I am glad that no one else will have costly repairs to their car because of lax street maintenance.

I was then told in an official letter from the City Attorney of West Allis that the area was in the City of Milwaukee's jurisdiction.

I am attaching pictures of the aforementioned tire and wheel rim as well as the bill from the repair shop detailing the amount of repair incurred by the damage from the pothole. Citizens should be able to travel the streets safely without having to worry if hundreds of dollars of damage will be inflicted upon them by unsafe road conditions.

I request that the City of Milwaukee reimburse me for the damages incurred by the pothole. The total damages are $638.88.

Sincerely,

Jennifer Grieve
1333 S. 63rd Street
West Allis, WI 53214

(3) Attachments

(414) 334-0190
jennifer.grieve@gmail.com

CITY OF MILWAUKEE
2009 MAR 17 PM 2:34
RONALD D. LEONHARDT
CITY CLERK

# METROPOLITAN MOTORS INC.

10221 W. Arthur Ave. • P.O. Box 27384
West Allis, Wisconsin 53227
(414) 327-1400
Fax (414) 546-5492
www.metropolitancadillacsaab.com

| | | | | |
|---|---|---|---|---|
| CUSTOMER NO. 37843 | ADVISOR JEFFREY MAIN 31101 | TAG NO. .131 | INVOICE DATE 01/09/09 | INVOICE NO. SACS218811 |
| BONNIE JO M GRIEVE<br>W262 N2442 DEER HAVEN DR<br>PEWAUKEE, WI 53072 | LABOR RATE 95.00 / LICENSE NO. 111 MHA | MILEAGE 18,446 | COLOR GRAY/GRANIT | STOCK NO. 3743 |
| | YEAR / MAKE / MODEL 07/SAAB/9-5 SERIES/9-5 2.3T SEDAN | | DELIVERY DATE 12/28/07 | DELIVERY MILES 387 |
| | VEHICLE I.D. NO. Y S 3 E D 4 9 G 2 7 3 5 2 3 2 1 6 | | SELLING DEALER NO. | PRODUCTION DATE |
| | F.T.E. NO. | P.O. NO. | R.O. DATE 01/08/09 | |
| RESIDENCE PHONE 414-510-0603 | BUSINESS PHONE | COMMENTS | | |

LABOR & PARTS----------

J# 1 20SAZ WHEEL AND TIRE WORK HOURS: TECH(S):27391 25.00
PASS FRONT WHEEL BENT.TIRE DAMAGED.
INSTALLED NEW LOW PROFILE TIRE AND RIM

| PARTS------ | QTY--- | FP-NUMBER---------- | DESCRIPTION---------- | UNIT PRICE- | |
|---|---|---|---|---|---|
| JOB # 1 | 1 | 12-757-104 | WHEEL | 320.00 | 320.00 |
| JOB # 1 | 1 | 19-143-445 | P2354517 | 252.00 | 252.00 |
| | | | JOB # 1 TOTAL PARTS | | 572.00 |
| | | | JOB # 1 TOTAL LABOR & PARTS | | 597.00 |

| MISC------ | CODE-------- | DESCRIPTION---------- | CONTROL NO--------- | |
|---|---|---|---|---|
| JOB # A | EPA | ENVIRONMENTAL WASTE CHARGES | | 8.00 |
| | | | TOTAL - MISC | 8.00 |

COMMENTS----------
AM DROP OFF

TOTALS----------

| | |
|---|---|
| TOTAL LABOR.... | 25.00 |
| TOTAL PARTS.... | 572.00 |
| TOTAL SUBLET... | 0.00 |
| TOTAL G.O.G.... | 0.00 |
| TOTAL MISC CHG. | 8.00 |
| TOTAL MISC DISC | 0.00 |
| TOTAL TAX..... | 33.88 |
| **TOTAL INVOICE $** | **638.88** |

CASH [ ] CHECK#..... CHARGE [ ] INS [ ]
MASTER/VISA [ ] AMEX [ ] OTHER METHOD.....
GM CARD [ ]

CUSTOMER SIGNATURE

ON BEHALF OF SERVICING DEALER, I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO OWNER. THERE WAS NO INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE, THAT ANY PART REPAIRED OR REPLACED UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY WAY WITH ANY ACCIDENT, NEGLIGENCE OR MISUSE. RECORDS SUPPORTING THIS CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION AT THE SERVICING DEALER FOR INSPECTION BY MANUFACTURER'S REPRESENTATIVE.

(SIGNED DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

THE DEALER IS NOT A PARTY TO ANY MANUFACTURER'S WARRANTY ON PARTS OR SERVICE CONTAINED HEREIN. THE DEALER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE WITH RESPECT TO ANY PARTS, LABOR OR DIAGNOSTIC SERVICES FURNISHED UNDER THIS ORDER.

CUSTOMER SIGNATURE

PAID
JAN 09 2009

**SERVICE HOURS:**

**MONDAY-THURSDAY**
7:30 A.M. - 6:00 P.M.

**FRIDAY**
7:30 A.M. - 5:00 P.M.

Motor vehicle repair trade practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin DepL of Agriculture, Trade and Consumer Protection, P.O.Box 8911, Madison, Wisconsin 53708-8911.



Reynolds and Reynolds ERAINTSI4E CD602161 Q (07/03)

**NOTICES SENT TO FOR FILE 090397:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Jennifer and Thomas Grieve | 1333 S. 63rd St.<br>West Allis, WI 53214 | x | | |
| Jeff Dellemann | DPW | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090505 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to an appeal from Amy Lynn Guerrero for property damage. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS APPEAL | | |
| **Attachments:** | City Attorney Letter, Appeal, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



powered by Legistar™

Number
090505
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to an appeal from Amy Lynn Guerrero for property damage.
Drafter
City Atty.
SMC
8/19/09



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRLICH
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

July 28, 2009

Amy Lynn Guerrero
5941 West Coldspring Road, Apt. # 1
Greenfield, WI 53220

RE: Amy Lynn Cuerrero
C.I. File No: 09-S-84; 09-S-84-1

Dear Ms. Guerrero:

We have received your claim in the amount of $121.44, relating to damage allegedly sustained to your vehicle on January 21, 2009 when it collided with a pothole while you were traveling northbound on 1st Street, in the left lane, between Mitchell Street and Walker Street (Our File: 09-S-84). We have also received your claim in the amount of $121.44, relating to damage allegedly sustained to your vehicle on February 13, 2009 when it collided with a pothole while you were traveling northbound on 1st Street, in the left lane, between Florida Street and Oregon Street (Our File: 09-S-84-1)

Our investigation reveals that the Infrastructure Services Division and the DPW Call Center records indicate that prior to January 21 and February 13, 2009 the City had no notice of these hazards in the roadway and because of this lack of notice the City would not be liable. Therefore, we are denying your claims.

If you wish to appeal these decisions, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:beg
1029-2009-685 & 686:148432

AUG 1 2 2009

To Whom It May Concern:

My name is Amy Lynn Guerrero and I live at 5941 West Coldspring Road Apartment 1 Greenfield Wisconsin, 53220. I recently submitted 2 claims to the City of Milwaukee, for damages to my vehicle caused by potholes. I was denied my claims and would like to appeal this and request a hearing. I would like to be reimbursed $242.88 for the replacement of my tires, and also for two days of work missed due to having to take off so that I may replace my tires. I believe I gave sufficient evidence that these potholes where fairly large and described where each was located and called to report also that these potholes caused damage to my car. If you have any further questions I may be reached at 414-241-3556 and 262-704-9014 work. Enclosed the papers that were sent to me.

I also had a claim placed with the county on July 10th 2009 for the road and the damage it caused to my car, and I was told to go through Payne and Dolan which I did, and they told me that they did not start construction till July 13, but there was construction from 91 -124th where the incident occurred, I would also like to appeal this and be re-reimbursed for those damages. Claim 185-99909390. Enclosed are those papers that were sent to me.

Please contact me and to let me know what I need for further appeal and hearing,

Amy Lynn Guerrero
5941 W coldspring rd apt 1
Greenfield WI 53220
414-241-3556 cell
262-704-9014 work

CITY OF MILWAUKEE
RECEIVED
2009 AUG 17 PM 2:36
OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2009 AUG 14 PM 12:31
RONALD D. LEONHARDT
CITY CLERK

# INCIDENT REPORT

**DEPARTMENT:** **DTPW – HIGHWAY MAINTENANCE**

**DATE OF INCIDENT:** July 10, 2009, at 7:00 a.m.

**LOCATION OF INCIDENT:** Traveling at approximately 116th & Silver Spring
(Auto accident, Personal Injury, Slip/Fall, etc.)

**NAME AND ADDRESS OF INJURED PARTY:**
(Or owner of damaged property)

Ms. Amy Guerrero

5941 W. Coldspring Rd., Apt. #1

Greenfield, WI 53220

**DESCRIPTION OF INCIDENT:** On July 10, 2009, at approximately 7:00 a.m., Ms. Guerrero was traveling on Silver Spring Rd. She was at approximately the 116th block of Silver Spring, in the far right lane when she hit a pothole. Ms. Guerrero's right front tire has a bulge and will need to be replaced.

West Silver Spring from 91st to 124th is part of a construction project handled by Payne & Dolan. Please place your claim with Mr. Jeff Batchelor, Payne & Dolan Project Manager at 262/524-1804.

**REPORTED TO:** Milwaukee County Highway Maintenance

**PERSON TO CONTACT: Mr. Ryan Anderson, AEGIS CORP. 866-819-9318**

**FILED BY:** Karen Schillaci, Phone 414/257-6566

# RICHLEN & SONS, INC.

*"Depend On Us For All Your Automotive Service Needs"*

6427 W LINCOLN AVE - WEST ALLIS WI 53219

(414) 541-0250

PAUL, SR. 543-0560 OR BRIAN 543-1820

**INVOICE** 1021258

CN: 000024789

**Acct No: 12757**



**IN / OUT**

| | |
|---|---|
| In: | 07-13-2009 |
| Time: | 03:20 PM |
| Odom: | 45850 |
| Out. | 07-13-2009 |
| Time: | 03:25 PM |
| Odom: | 45850 |

**GUERRERO**
**AMY**
**5941 W COLDSPRING AVE APT 1**
**Greenfield WI**

H: (414) 241-3556

**2007 Scion tC**
**Black**
**L4 2.4 144**

**VIN:**
Plate: 917LGB ( WI )

| LABOR DESCRIPTION | TECH | TOTAL |
|---|---|---|
| INSTALL FR BRAKES, MACHINE ROTORS | BR | 60.00 |

Paid $100.00 Check # 700
Bal. $161.25

| QTY | PART DESCRIPTION | PART NUMBER | UNIT | TOTAL |
|---|---|---|---|---|
| 1.00 | P2154517 H MOUNTED & BALANCED | 15484270000 GENERAL ALTIMAX HP | 110.00 | 110.00 |
| 1.00 | MONROE FR CERAMIC PADS | CX817 | 69.40 | 69.40 |

OVER 60 YEARS OF SERVICE

ALL PARTS ARE NEW UNLESS OTHERWISE SPECIFIED

U = Used R = Rebuilt W = Warranty

I hereby authorize the work to be done along with necessary materials. You and your employees may operate vehicle for purposes of testing, inspection, or delivery at my risk. An express mechanic's lien is acknowledged on vehicle to secure the amount of repairs thereto. You will not be held responsible for loss f damage to vehicle or articles left in vehicle in case of fire, theft, accident or any other cause beyond your control.

Terms: Strictly Cash Unless Arrangements Made. SIGNED: _____

YOU ARE ENTITLED TO A PRICE ESTIMATE FOR THE REPAIRS YOU HAVE AUTHORIZED. THE REPAIR PRICE MAY BE LESS THAN THE ESTIMATE, BUT WILL NOT EXCEED THE ESTIMATE WITHOUT YOUR PERMISSION. YOUR SIGNATURE WILL INDICATE YOUR ESTIMATE SELECTION.

1. I request an estimate in writing before you begin repairs _____
2. Please proceed with repairs, but call me before continuing if the price will exceed $ _____
3. I do not want an estimate _____

THIS PRICE FOR THE AUTHORIZED REPAIRS WILL NOT BE EXCEEDED IF THE MOTOR VEHICLE IS DELIVERED TO THE SHOP WITHIN 5 DAYS

Motor vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, 53708-8911

Any warranties on the products sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products.

Do you want the replaced parts you are entitled to? NO

Call when the vehicle is ready? YES

This vehicle received without face to face customer contact.

_____
SHOP REPRESENTATIVE SIGNATURE

I hereby authorize the above repair work to be done with necessary materials and hereby grant you and your employees permission to operate the vehicle for the purposes of testing and inspection. An express mechanic's lien is hereby acknowledged on the vehicle to secure the amount of repairs thereto. I further acknowledge that you will not be held responsible for any loss or damage to the vehicle or articles left in it due to causes beyond your control.
Signed: _____

| | |
|---|---|
| Labor | 60.00 |
| Parts | 179.40 |
| Sublet | .00 |
| Supplies | 8.00 |
| Disposal | .00 |
| Subtotal | 247.40 |
| Tax | 13.85 |
| **TOTAL** | **261.25** |

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
HIGHWAY MAINTENANCE DIVISION

# Milwaukee County

Rollin M. Bertran • DIRECTOR OF HIGHWAY OPERATIONS
Charles J. Smeltzer • HIGHWAY MAINTENANCE MANAGER
Gregory M. Heisel • ASSISTANT HIGHWAY MAINTENANCE MANAGER

July 10, 2009

Ms. Amy Guerrero
5941 W. Coldspring Rd., Apt. #1
Greenfield, WI 53220

Dear. Ms. Guerrero:

You recently contacted our department to place a pothole claim giving the information on the attached Incident Report. The pothole you hit was approximately on 116th and Silver Spring. The area between 91st - 124th & Silver Spring is part of a construction project by Payne & Dolan. Please place a claim with Payne & Dolan's Project Manager, Mr. Jeff Batchelor at 262-524-1804.

Below is the procedure for filing a claim with Milwaukee County:

Milwaukee County is self-insured for liability resulting from operation of its motor vehicles. Aegis Corporation is Milwaukee County's administrator for liability claims. Persons having claims for property damage or bodily injury should present the claim to the:

County Clerk
Milwaukee County
901 North 9th Street Room105
Milwaukee, WI 53233

The claim must contain:

- Your name and address
- An itemized statement of the loss or damage incurred, and relief requested.
- A brief explanation of when, where, and how the damage occurred.

If more information or clarification of the above procedure is necessary, please contact Mr. Ryan Anderson at Aegis Corporation at 866-819-9318.

262 - 524-1792
WRITTEN Statem
Payn + Dolan
Attention Claims

PO BOX 1632
Waukaust a WI 53187

Forms/Claim Letter

PAYNE & DOLAN
INCORPORATED

July 23, 2009

Amy Guerrero
5941 W. Coldspring Rd., Apt #1
Greenfield, WI 53220

Re: Date of loss: 7-10-09
Location: Silver Spring Rd. & 116th St.
Damage to your Vehicle

Dear Ms. Guerrero:

We received your DTPW – Highway Maintenance Incident Report and invoice regarding the damage which occurred to your vehicle due to, according to you, a pot hole located on Silver Spring Rd & 116th St. We have spoken to our project manager, Jeff, and he confirmed that Payne & Dolan, Inc. did not commence any work on Silver Spring at the intersection of 116th St. until the week of July 13th.

Due to the above facts, we maintain that the pot hole was not a condition created by any operations performed by Payne & Dolan as we were not even performing work in this area yet. A pot hole is caused from deteriorating road conditions that eventuates over a period of time, specifically caused by weather and traffic volume. The breakdown of the roadway from weather conditions and age is the responsibility of the road owner.

Therefore, we are respectfully denying your claim and recommend that you submit your claim to your own insurance company for them to handle accordingly.

Sincerely,

Audra Irish

Audra Irish
Claims Manager

County Mutual

Wisconsin County Mutual Insurance Corporation

August 4, 2009

Ms. Amy Guerrero
5941 W. Coldspring Rd. Apt. #1
Greenfield, WI 53220

| | | |
|---|---|---|
| **RE:** | **Insured:** | **Milwaukee County** |
| | **Claimant:** | **Amy Guerrero** |
| | **Date of loss:** | **July 10, 2009** |
| | **Claim number:** | **185-99909390** |

Dear Ms. Guerrero:

Aegis Corporation is the General Administrator for Wisconsin County Mutual Insurance Corporation, whom insures Milwaukee County under a policy of general liability coverage applicable to the above captioned date of loss.

Our principal, Wisconsin County Mutual Insurance Corporation, has requested that we advise you that upon completion of our investigation, they find we will be unable to assist you with any settlement of damages or costs which you may have sustained in the above captioned accident.

Our principal regrets that it must decline any claim resulting from this incident, but finds that there is no liability on the part of their insured Milwaukee County. As this incident occurred within a construction zone being handled by General Contractor Payne & Dolan should you wish to pursue this matter you may contact them at 262-524-1804.

Very truly yours,
**WISCONSIN COUNTY MUTUAL INSURANCE CORPORATION**

Ryan Anderson
Field Claims Representative
Aegis Corporation

Cc: Milwaukee County
Wisconsin County Mutual Insurance Corporation

P.O. Box 408 ■ Sun Prairie, WI 53590-408 ■ 866-819-9318 ■ Fax (608) 825-7821

AUG 1 2 2009

To Whom It May Concern:

My name is Amy Lynn Guerrero and I live at 5941 West Coldspring Road Apartment 1 Greenfield Wisconsin, 53220. I recently submitted 2 claims to the City of Milwaukee, for damages to my vehicle caused by potholes. I was denied my claims and would like to appeal this and request a hearing. I would like to be reimbursed $242.88 for the replacement of my tires, and also for two days of work missed due to having to take off so that I may replace my tires. I believe I gave sufficient evidence that these potholes where fairly large and described where each was located and called to report also that these potholes caused damage to my car. If you have any further questions I may be reached at 414-241-3556 and 262-704-9014 work. Enclosed the papers that were sent to me.

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5941 W coldspring rd apt 1
Greenfield WI 53220
414-241-3556 cell
262-704-9014 work

CITY OF MILWAUKEE
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OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2009 AUG 14 PM 12:31
RONALD D. LEONHARDT
CITY CLERK

# INCIDENT REPORT

**DEPARTMENT:** **DTPW – HIGHWAY MAINTENANCE**

**DATE OF INCIDENT:** July 10, 2009, at 7:00 a.m.

**LOCATION OF INCIDENT:** Traveling at approximately 116th & Silver Spring
(Auto accident, Personal Injury, Slip/Fall, etc.)

**NAME AND ADDRESS OF INJURED PARTY:**
(Or owner of damaged property)

Ms. Amy Guerrero

5941 W. Coldspring Rd., Apt. #1

Greenfield, WI 53220

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**REPORTED TO:** Milwaukee County Highway Maintenance

**PERSON TO CONTACT: Mr. Ryan Anderson, AEGIS CORP. 866-819-9318**

**FILED BY:** Karen Schillaci, Phone 414/257-6566

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
HIGHWAY MAINTENANCE DIVISION

# Milwaukee County

Rollin M. Bertran • DIRECTOR OF HIGHWAY OPERATIONS
Charles J. Smeltzer • HIGHWAY MAINTENANCE MANAGER
Gregory M. Heisel • ASSISTANT HIGHWAY MAINTENANCE MANAGER

July 10, 2009

Ms. Amy Guerrero
5941 W. Coldspring Rd., Apt. #1
Greenfield, WI 53220

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Milwaukee County
901 North 9th Street Room105
Milwaukee, WI 53233

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262 - 524-1792
WRITTEN Statem
Payn + Dolan
Attention Claims

PO BOX 1632
Waukaust a WI 53187

Forms/Claim Letter

PAYNE & DOLAN
INCORPORATED

July 23, 2009

Amy Guerrero
5941 W. Coldspring Rd., Apt #1
Greenfield, WI 53220

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Location: Silver Spring Rd. & 116th St.
Damage to your Vehicle

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Sincerely,

Audra Irish

Audra Irish
Claims Manager

County Mutual

Wisconsin County Mutual Insurance Corporation

August 4, 2009

Ms. Amy Guerrero
5941 W. Coldspring Rd. Apt. #1
Greenfield, WI 53220

| | | |
|---|---|---|
| **RE:** | **Insured:** | **Milwaukee County** |
| | **Claimant:** | **Amy Guerrero** |
| | **Date of loss:** | **July 10, 2009** |
| | **Claim number:** | **185-99909390** |

Dear Ms. Guerrero:

Aegis Corporation is the General Administrator for Wisconsin County Mutual Insurance Corporation, whom insures Milwaukee County under a policy of general liability coverage applicable to the above captioned date of loss.

Our principal, Wisconsin County Mutual Insurance Corporation, has requested that we advise you that upon completion of our investigation, they find we will be unable to assist you with any settlement of damages or costs which you may have sustained in the above captioned accident.

Our principal regrets that it must decline any claim resulting from this incident, but finds that there is no liability on the part of their insured Milwaukee County. As this incident occurred within a construction zone being handled by General Contractor Payne & Dolan should you wish to pursue this matter you may contact them at 262-524-1804.

Very truly yours,
**WISCONSIN COUNTY MUTUAL INSURANCE CORPORATION**

Ryan Anderson
Field Claims Representative
Aegis Corporation

Cc: Milwaukee County
Wisconsin County Mutual Insurance Corporation

P.O. Box 408 ■ Sun Prairie, WI 53590-408 ■ 866-819-9318 ■ Fax (608) 825-7821

March 04, 2009

City Clerk's Office
Attn: Small Claims Dept. Room 205
200 E. Wells
Milwaukee, WI 53202

To whom it may concern,

On January 21st, 2009 at 7:00am, I was driving on my way to work heading north bound on 1st street in the left lane, when my front passenger side tire hit a pothole between Mitchell Street and Walker. This caused my tire to go flat which also resulted in me missing a day of work.

On February 13th, 2009 at 7:00pm I was driving North bound on 1st street between Florida and Oregon in the left lane, right underneath the tracks, when my front passenger tire that I just replaced hit a pothole. Once again this caused my tire to go flat. I was not able to get another tire till Monday, which is shown on the receipts I included with this letter.

The total for both of the tires to be replaced was $242.88 which I would like to be reimbursed by the city. Thank you for your time.

Sincerely,

Amy Lynn Guerrero
5941 W. Coldspring Road Apt 1
Greenfield, Wisconsin 53220
Cell: 414-241-4632
Work: 262-704-9014
Amy.guerrero@kohls.com

CITY OF MILWAUKEE
2009 MAR -6 PM 2:10
RONALD D. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
2009 MAR -6 PM 3:40
CITY ATTORNEY

# RICHLEN & SONS, INC.

*"Depend On Us For All Your Automotive Service Needs"*

6427 W LINCOLN AVE - WEST ALLIS WI 53219

(414) 541-0250

PAUL, SR. 543-0560 OR BRIAN 543-1820

**INVOICE** 1016410 ARCHIVED

**IN / OUT**

| | |
|---|---|
| In: | 01-21-2009 |
| Time: | 09:30 AM |
| Odom: | 38432 |
| Out: | 01-21-2009 |
| Time: | 10:45 AM |
| Odom: | 38432 |

Acct No: 12757



| LABOR DESCRIPTION | TECH | TOTAL |
|---|---|---|

**GUERRERO**
**AMY**
**5941 W COLDSPRING AVE APT 1**
**Greenfield WI**

**2007 Scion tC**
**Silver**
**L4 2.4 144**

**VIN:**
Plate: 917LGI3 (WI)

| QTY | PART DESCRIPTION | PART NUMBER | UNIT | TOTAL |
|---|---|---|---|---|
| 1.00 | 215/45R17 H ALTIMAX HP BLK | GEN 1548-4270000 | 115.00 | 115.00 |

OVER 60 YEARS OF SERVICE

ALL PARTS ARE NEW UNLESS OTHERWISE SPECIFIED

U = Used R = Rebuilt W = Warranty

I hereby authorize the work to be done along with necessary materials. You and your employees may operate vehicle for purposes of testing, inspection, or delivery at my risk. An express mechanic's lien is acknowledged on vehicle to secure the amount of repairs thereto. You will not be held responsible for loss / damage to vehicle or articles left in vehicle in case of fire, theft, accident or any other cause beyond your control.

Terms: Strictly Cash Unless Arrangements Made. SIGNED: _____

YOU ARE ENTITLED TO A PRICE ESTIMATE FOR THE REPAIRS YOU HAVE AUTHORIZED. THE REPAIR PRICE MAY BE LESS THAN THE ESTIMATE, BUT WILL NOT EXCEED THE ESTIMATE WITHOUT YOUR PERMISSION. YOUR SIGNATURE WILL INDICATE YOUR ESTIMATE SELECTION.

1. I request an estimate in writing before you begin repairs. _____
2. Please proceed with repairs, but call me before continuing if the price will exceed $ _____
3. I do not want an estimate. _____

THIS PRICE FOR THE AUTHORIZED REPAIRS WILL NOT BE EXCEEDED IF THE MOTOR VEHICLE IS DELIVERED TO THE SHOP WITHIN 5 DAYS.

Motor vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, 53708-8911

Any warranties on the products sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products.

Do you want the replaced parts you are entitled to? NO

Call when the vehicle is ready? YES

This vehicle received without face to face customer contact.

_____
SHOP REPRESENTATIVE SIGNATURE

I hereby authorize the above repair work to be done with necessary materials and hereby grant you and your employees permission to operate the vehicle for the purposes of testing and inspection. An express mechanic's lien is hereby acknowledged on the vehicle to secure the amount of repairs thereto. I further acknowledge that you will not be held responsible for any loss or damage to the vehicle or articles left in it due to causes beyond your control.
Signed: _____

| | |
|---|---|
| Labor | .00 |
| Parts | 115.00 |
| Sublet | .00 |
| Supplies | .00 |
| Disposal | .00 |
| Subtotal | 115.00 |
| Tax | 6.44 |
| **TOTAL** | **121.44** |

# RICHLEN & SONS, INC.

*"Depend On Us For All Your Automotive Service Needs"*

6427 W LINCOLN AVE - WEST ALLIS WI 53219

(414) 541-0250

**INVOICE** 1017088 ARCHIVED

Acct No: 12757 PAUL, SR. 543-0560 OR BRIAN 543-1820 Page: 1 of 1

| LABOR DESCRIPTION | TECH | TOTAL |
|---|---|---|

**GUERRERO**
**AMY**
**5941 W COLDSPRING AVE APT 1**
**Greenfield WI**

**2007 Scion tC**
**Silver**
**L4 2.4 144**

**VIN:**
**Plate: 917LGB ( WI )**

**IN / OUT**

| | |
|---|---|
| In: | 02-16-2009 |
| Time: | 07:45 AM |
| Odom: | 39664 |
| Out: | 02-16-2009 |
| Time: | 09:00 AM |
| Odom: | 39664 |

| QTY | PART DESCRIPTION | PART NUMBER | UNIT | TOTAL |
|---|---|---|---|---|
| 1.00 | 2154517 MOUNTED & BALANCED | 15484270000 GENERAL ALTIMAX RT | 115.00 | 115.00 |

OVER 60 YEARS OF SERVICE

ALL PARTS ARE NEW UNLESS OTHERWISE SPECIFIED

U = Used R = Rebuilt W = Warranty

I hereby authorize the work to be done along with necessary materials. You and your employees may operate vehicle for purposes of testing, inspection, or delivery at my risk. An express mechanic's lien is acknowledged on vehicle to secure the amount of repairs thereto. You will not be held responsible for loss / damage to vehicle or articles left in vehicle in case of fire, theft, accident or any other cause beyond your control.

Terms: Strictly Cash Unless Arrangements Made. SIGNED: _____

YOU ARE ENTITLED TO A PRICE ESTIMATE FOR THE REPAIRS YOU HAVE AUTHORIZED. THE REPAIR PRICE MAY BE LESS THAN THE ESTIMATE, BUT WILL NOT EXCEED THE ESTIMATE WITHOUT YOUR PERMISSION. YOUR SIGNATURE WILL INDICATE YOUR ESTIMATE SELECTION.

1. I request an estimate in writing before you begin repairs. _____
2. Please proceed with repairs, but call me before continuing if the price will exceed $ _____
3. I do not want an estimate. _____

THIS PRICE FOR THE AUTHORIZED REPAIRS WILL NOT BE EXCEEDED IF THE MOTOR VEHICLE IS DELIVERED TO THE SHOP WITHIN 5 DAYS.

Motor vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, 53708-8911

Any warranties on the products sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products.

Do you want the replaced parts you are entitled to? NO

Call when the vehicle is ready? YES

This vehicle received without face to face customer contact.

_____
SHOP REPRESENTATIVE SIGNATURE

I hereby authorize the above repair work to be done with necessary materials and hereby grant you and your employees permission to operate the vehicle for the purposes of testing and inspection. An express mechanic's lien is hereby acknowledged on the vehicle to secure the amount of repairs thereto. I further acknowledge that you will not be held responsible for any loss or damage to the vehicle or articles left in it due to causes beyond your control.
Signed: _____

| | |
|---|---|
| Labor | .00 |
| Parts | 115.00 |
| Sublet | .00 |
| Supplies | .00 |
| Disposal | .00 |
| Subtotal | 115.00 |
| Tax | 6.44 |
| **TOTAL** | **121.44** |

**NOTICES SENT TO FOR FILE 090505:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Amy Lynn Guerrero | 5941 W. Coldspring Rd. #1<br>Greenfield, WI 53220 | 9/4/09 | | |
| Jeff Dellemann | DPW | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090476 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to the claim of Atty. Daniel Stevens on behalf of Jeslia Barajas for property damage. (12th Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS | | |
| **Attachments:** | City Attorney Letter.pdf, Claim, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090476
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to the claim of Atty. Daniel Stevens on behalf of Jeslia Barajas for property damage. (12th Aldermanic District)
**Requestor**
City Attorney
**Drafter**
JAS:beg
July 24, 2009
1029-2009-1900:148301



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
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**MELANIE R. SWANK**
**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
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**ELOISA DE LEÓN**
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**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

July 24, 2009

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

Re: Resolution relating to the claim of Jeslia Barajas
Through her attorney, Law office of Daniel W Stevens
C.I. File No. 09-L-65

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, Jeslia Barajas, 1425 South Comstock Avenue, Milwaukee WI 53204 alleges through her attorney, Law Office of Daniel W. Stevens, Centre of Brookfield, 14380 West Capitol Drive, Brookfield, WI 53005 that on June 18, 2009 she sustained damages when a City sewer backed up into her basement. They claim damages in the amount of $50,000.00. The assessor's Office information notes that he was not the owner of record at the time of the loss.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that they did not receive a complaint of backwater at the time. Their records also indicate that because of the large amount and strong intensity of the rain during the June 18, 2009

flood, the City experienced flows that exceeded the capacity of the sewer systems. Additionally, the ISD checked the City main sewer as a result to Ms. Barajas' claim and found it to be in proper working order. The City was not negligent in the 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
1029-2009-1900:148298

# NOTICE OF CIRCUMSTANCES GIVING RISE TO CLAIM AND CLAIM PURSUANT TO WIS. STAT. § 893.80

**TO:**

City of Milwaukee
c/o City Clerk
City Hall, Room 205
200 West Wells Street
Milwaukee, WI 53202

7-8-09
12:20pm

CITY OF MILWAUKEE
2009 JUL -8 PM 12: 21
RONALD D. LEONHARDT
CITY CLERK

**CLAIMANT:**

Jeslia Barajas
1425 South Comstock
Milwaukee, WI 53204

CITY OF MILWAUKEE
RECEIVED
2009 JUL -8 PM 3: 55
OFFICE OF
CITY ATTORNEY

**NOTICE** is hereby given pursuant to Wis. Stats. § 893.80 that JESLIA BARAJAS presents her claim for damages due to the flooding of her property that occurred on or about June 18, 2009 due to the negligence of the City of Milwaukee in its failure to maintain and clean the sewer drains.

The Claimant respectfully states as follows:

1. The Claimant, JESLIA BARAJAS, is an adult residing at 1425 South Comstock, Milwaukee, Wisconsin 53204.

2. That the attorney representing the Claimant is Daniel W. Stevens, Esq. whose address is 14380 West Capitol Drive, Brookfield, Wisconsin 53005.

3. The Claimant has suffered money losses as a result of flood damage to personal property for the City of Milwaukee in the amount of Fifty Thousand and 00/100 ($50,000.00) Dollars.

**WHEREFORE**, claimant, whose name and address are stated above, claims relief against the City of Milwaukee for the sum of Fifty Thousand and 00/100 ($50,000.00) Dollars.

Dated this 1st day of July, 2009.

**LAW OFFICE OF DANIEL W. STEVENS**
Attorneys for Claimant

By:_____
Daniel W. Stevens
State Bar No. 1004632
Rudolph J. Kuss
State Bar No. 1051865

P.O. ADDRESS:

Centre of Brookfield
14380 West Capitol Drive
Brookfield, WI 53005-2323
(262) 251-5700
(262) 251-4894 *Facsimile*

**NOTICES SENT TO FOR FILE 090476:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Jeslia Barajas | 1425 S. Comstock Ave.<br>Milwaukee, WI 53204 | 9/4/09 | | |
| Daniel Stevens | Law Office of Daniel Stevens<br>Centre of Brookfield<br>14380 W. Capitol Dr.<br>Brookfield, WI 53005 | x | | |
| Robert Brooks | DPW | x | | |
| Ald. Witkowiak | | x | | |
| | | | | |
| | | | | |
| | |

| | | | | |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090475 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to the claim of Atty. Daniel Stevens on behalf of Deslie Lawrence for property damage. (2nd Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS | | |
| **Attachments:** | City Attorney Letter.pdf, Claim, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090475
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to the claim of Atty. Daniel Stevens on behalf of Deslie Lawrence for property damage. (2nd Aldermanic District)
**Requestor**
City Attorney
**Drafter**
JAS:beg
July 24, 2009
1029-2009-1901:148311



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
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**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
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**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
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**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

July 24, 2009

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

Re: Resolution relating to the claim of Deslie Lawrence
Through his attorney, Law Office of Daniel W. Stevens
C.I. File No. 09-L-66

Dear Council Members:

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

Claimant, Deslie Lawrence, 3908 North 63rd Street, Milwaukee, WI 53216 alleges through his attorney, Law Office of Daniel W. Stevens, Centre of Brookfield, 14380 West Capitol Drive, Brookfield, WI 53005 that on June 18, 2009 he sustained damages when a sewer maintained by the City at or near Dineen Park backed up into his property. They claim damages in the amount of $22,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of the rain during the June 18, 2009 flood, the City experienced flows that exceeded the capacity of the sewer systems. The ISD checked the City main sewer as a result of Mr. Lawrence's claim and found it to be

in proper working order. In addition, the culvert box sewer in this area is maintained by Milwaukee County. The City was not negligent 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
1029-2009-1901:148310

# NOTICE OF CIRCUMSTANCES GIVING RISE TO CLAIM AND CLAIM PURSUANT TO WIS. STAT. § 893.80

**TO:**

City of Milwaukee
c/o City Clerk
City Hall, Room 205
200 West Wells Street
Milwaukee, WI 53202

7-8-09
12:20 pm

CITY OF MILWAUKEE
2009 JUL -8 PM 12: 21
RONALD D. LEONHARDT
CITY CLERK

**CLAIMANT:**

Deslie Lawrence
3908 North 63rd Street
Milwaukee, WI 53216

CITY OF MILWAUKEE
RECEIVED
2009 JUL 8 PM 3:55
OFFICE OF
CITY ATTORNEY

**NOTICE** is hereby given pursuant to Wis. Stats. § 893.80 that DESLIE LAWRENCE presents his claim for damages due to the flooding of his property that occurred on or about June 18, 2009 due to the negligence of the City of Milwaukee in its failure to maintain and clean the sewer drains at or near Deneen Park located at 63rd and Melvina.

The Claimant respectfully states as follows:

1. The Claimant, DESLIE LAWRENCE is an adult residing at 3908 North 63rd Street, Milwaukee, Wisconsin 53216.

2. That the attorney representing the Claimant is Daniel W. Stevens, Esq. whose address is 14380 West Capitol Drive, Brookfield, Wisconsin 53005.

3. The Claimant has suffered money losses as a result of flood damage to personal property for the City of Milwaukee in the amount of Twenty-Two Thousand and 00/100 ($22,000.00) Dollars.

**WHEREFORE**, claimant, whose name and address are stated above, claims relief against the City of Milwaukee for the sum of Twenty-Two Thousand and 00/100 ($22,000.00) Dollars.

Dated this 1st day of July, 2009.

**LAW OFFICE OF DANIEL W. STEVENS**
Attorneys for Claimant

By:_____
Daniel W. Stevens
State Bar No. 1004632
Rudolph J. Kuss
State Bar No. 1051865

P.O. ADDRESS:

Centre of Brookfield
14380 West Capitol Drive
Brookfield, WI 53005-2323
(262) 251-5700
(262) 251-4894 *Facsimile*

**NOTICES SENT TO FOR FILE 090475:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Deslie Lawrence | 3908 N. 63rd St.<br>Milwaukee, WI 53216 | 9/4/09 | | |
| Daniel Stevens | Law Office of Daniel Stevens<br>Centre of Brookfield<br>14380 W. Capitol Dr.<br>Brookfield, WI 53005 | x | | |
| Robert Brooks | DPW | x | | |
| | | | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090474 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to the claim of Atty. Daniel Stevens on behalf of Gloria Coleman for property damage. (2nd Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS | | |
| **Attachments:** | City Attorney Letter.pdf, Claim, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090474
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to the claim of Atty. Daniel Stevens on behalf of Gloria Coleman for property damage. (2nd Aldermanic District)
**Requestor**
City Attorney
**Drafter**
JAS:beg
July 24, 2009
1029-2009-1902:148313



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**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
**JOHN J. HEINEN**
**DAVID J. STANOSZ**
**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
**PATRICIA A. FRICKER**
**HEIDI WICK SPOERL**
**KURT A. BEHLING**
**GREGG C. HAGOPIAN**
**ELLEN H. TANGEN**
**MELANIE R. SWANK**
**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

July 24, 2009

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

Re: Resolution relating to the claim of Gloria Coleman
Through her attorney, Law Office of Daniel W. Stevens
C.I. File No. 09-L-67

Dear Council Members:

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

Claimant, Gloria Coleman, 3925 North 62nd Street, Milwaukee, WI 53216 alleges through her attorney, Law Office of Daniel W. Stevens, Centre of Brookfield, 14380 West Capitol Drive, Brookfield, WI 53005 that on June 18, 2009 she sustained damages when a sewer maintained by the City at or near Dineen Park backed up into her property. They claim damages in the amount of $35,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of the rain during the June 18, 2009 flood, the City experienced flows that exceeded the capacity of the sewer systems. The ISD checked the City main sewer as a result of Ms Coleman claim and found it to be

in proper working order. In addition, the culvert box sewer in this area is maintained by Milwaukee County. The City was not negligent 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

JAS A SMOKIWICZ
Assistant City Attorney

JAS:beg
Enclosure
1029-2009-1802:148312

# NOTICE OF CIRCUMSTANCES GIVING RISE TO CLAIM AND CLAIM PURSUANT TO WIS. STAT. § 893.80

7-8-09
1220pm

**TO:**

City of Milwaukee
c/o City Clerk
City Hall, Room 205
200 West Wells Street
Milwaukee, WI 53202

CITY OF MILWAUKEE
2009 JUL -8 PM 12: 21
RONALD D. LEONHARDT
CITY CLERK

**CLAIMANT:**

Gloria Coleman
3925 North 62nd Street
Milwaukee, WI 53216

CITY OF MILWAUKEE
RECEIVED
2009 JUL -8 PM 3: 55
OFFICE OF
CITY ATTORNEY

**NOTICE** is hereby given pursuant to Wis. Stats. § 893.80 that GLORIA COLEMAN presents her claim for damages due to the flooding of her property that occurred on or about June 18, 2009 due to the negligence of the City of Milwaukee in its failure to maintain and clean the sewer drains at or near Deneen Park located at 63rd and Melvina.

The Claimant respectfully states as follows:

1. The Claimant, Gloria Coleman, is an adult residing at 3925 North 62nd Street, Milwaukee, Wisconsin 53216.

2. That the attorney representing the Claimant is Daniel W. Stevens, Esq. whose address is 14380 West Capitol Drive, Brookfield, Wisconsin 53005.

3. The Claimant has suffered money losses as a result of flood damage to personal property for the City of Milwaukee in the amount of Thirty-Five Thousand and 00/100 ($35,000.00) Dollars.

**WHEREFORE**, claimant, whose name and address are stated above, claims relief against the City of Milwaukee for the sum of Thirty-Five Thousand and 00/100 ($35,000.00) Dollars.

Dated this 1st day of July, 2009.

**LAW OFFICE OF DANIEL W. STEVENS**
Attorneys for Claimant

By:_____
Daniel W. Stevens
State Bar No. 1004632
Rudolph J. Kuss
State Bar No. 1051865

P.O. ADDRESS:

Centre of Brookfield
14380 West Capitol Drive
Brookfield, WI 53005-2323
(262) 251-5700
(262) 251-4894 *Facsimile*

**NOTICES SENT TO FOR FILE 090474:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Gloria Coleman | 3925 N. 62rd St.<br>Milwaukee, WI 53216 | 9/4/09 | | |
| Daniel Stevens | Law Office of Daniel Stevens<br>Centre of Brookfield<br>14380 W. Capitol Dr.<br>Brookfield, WI 53005 | x | | |
| Robert Brooks | DPW | x | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090473 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to the claim of Atty. Daniel Stevens on behalf of Danielle Shakoor for property damage. (2nd Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS | | |
| **Attachments:** | City Attorney Letter.pdf, Claim, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090473
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to the claim of Atty. Daniel Stevens on behalf of Danielle Shakoor for property damage. (2nd Aldermanic District)
**Requestor**
City Attorney
**Drafter**
JAS:beg
July 27, 2009
1029-2009-1903:148320



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**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
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**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
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**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

July 27, 2009

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

Re: Resolution relating to the claim of Danielle K. Shakoor
Through her attorney, Law Office of Daniel W. Stevens
C.I. File No. 09-L-68

Dear Council Members:

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

Claimant, Danielle K. Shakoor, 3918 North 63rd Street, Milwaukee, WI 53216 alleges through her attorney, Law Office of Daniel W. Stevens, Centre of Brookfield, 14380 West Capitol Drive, Brookfield, WI 53005 that on June 18, 2009 she sustained damages when a sewer maintained by the City at or near Dineen Park backed up into her property. They claim damages in the amount of $55,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of the rain during the June 18, 2009 flood, the City experienced flows that exceeded the capacity of the sewer systems. The ISD checked the City main sewer as a result of Ms Shakoor's claim and found it to be

in proper working order. In addition, the culvert box sewer in this area is maintained by Milwaukee County. The City was not negligent 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
1029-2009-1803:148318

# NOTICE OF CIRCUMSTANCES GIVING RISE TO CLAIM AND CLAIM PURSUANT TO WIS. STAT. § 893.80

**TO:**

City of Milwaukee
c/o City Clerk
City Hall, Room 205
200 West Wells Street
Milwaukee, WI 53202

7-8-09
1280 pm

CITY OF MILWAUKEE
2009 JUL -8 PM 12: 25
RONALD D. LEONHARDT
CITY CLERK

**CLAIMANT:**

Danielle K. Shakoor
3918 North 63rd Street
Milwaukee, WI 53216

**NOTICE** is hereby given pursuant to Wis. Stats. § 893.80 that DANIELLE K. SHAKOOR presents her claim for damages due to the flooding of her property that occurred on or about June 18, 2009 due to the negligence of the City of Milwaukee in its failure to maintain and clean the sewer drains at or near Deneen Park located at 63rd and Melvina.

CITY OF MILWAUKEE
RECEIVED
2009 JUL -8 PM 3:55
OFFICE OF
CITY ATTORNEY

The Claimant respectfully states as follows:

1. The Claimant, DANIELLE K. SHAKOOR, is an adult residing at 3918 North 63rd Street, Milwaukee, Wisconsin 53216.

2. That the attorney representing the Claimant is Daniel W. Stevens, Esq. whose address is 14380 West Capitol Drive, Brookfield, Wisconsin 53005.

3. The Claimant has suffered money losses as a result of flood damage to personal property for the City of Milwaukee in the amount of Fifty-Five Thousand and 00/100 ($55,000.00) Dollars.

**WHEREFORE**, claimant, whose name and address are stated above, claims relief against the City of Milwaukee for the sum of Fifty-Five Thousand and 00/100 ($55,000.00) Dollars.

Dated this 1st day of July, 2009.

**LAW OFFICE OF DANIEL W. STEVENS**
Attorneys for Claimant

By:_____
Daniel W. Stevens
State Bar No. 1004632
Rudolph J. Kuss
State Bar No. 1051865

P.O. ADDRESS:

Centre of Brookfield
14380 West Capitol Drive
Brookfield, WI 53005-2323
(262) 251-5700
(262) 251-4894 *Facsimile*

**NOTICES SENT TO FOR FILE 090473:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Danielle Shakoor | 3918 N. 63rd St.<br>Milwaukee, WI 53216 | 9/4/09 | | |
| Daniel Stevens | Law Office of Daniel Stevens<br>Centre of Brookfield<br>14380 W. Capitol Dr.<br>Brookfield, WI 53005 | x | | |
| Robert Brooks | DPW | x | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090472 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to the claim of Atty. Daniel Stevens on behalf of James & Nora Luster for property damage. (2nd Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS | | |
| **Attachments:** | City Attorney Letter.pdf, Claim, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090472
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to the claim of Atty. Daniel Stevens on behalf of James & Nora Luster for property damage. (2nd Aldermanic District)
**Requestor**
City Attorney
**Drafter**
JAS:beg
July 27, 2009
1029-2009-1904148324



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
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**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

July 27, 2009

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

Re: Resolution relating to the claim of James & Nora Luster
Through her attorney, Law Office of Daniel W. Stevens
C.I. File No. 09-L-69

Dear Council Members:

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

Claimant, James & Nora Luster, 3919 North 62nd Street, Milwaukee, WI 53216 alleges through their attorney, Law Office of Daniel W. Stevens, Centre of Brookfield, 14380 West Capitol Drive, Brookfield, WI 53005 that on June 18, 2009 they sustained damages when a sewer maintained by the City at or near Dineen Park backed up into their property. They claim damages in the amount of $50,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that they did not receive a complaint of backwater at that time. Their records also indicate that because of the large amount and strong intensity of the rain during the June 18, 2009 flood, the City experienced flows that exceeded the capacity of the sewer systems. The ISD checked the City main sewer as a result of Mr. & Mrs. Luster's claim

and found it to be in proper working order. In addition, the culvert box sewer in this area is maintained by Milwaukee County. The City was not negligent 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
1029-2009-1804:148322

# NOTICE OF CIRCUMSTANCES GIVING RISE TO CLAIM AND CLAIM PURSUANT TO WIS. STAT. § 893.80

7-8-09
1220pm

CITY OF MILWAUKEE
RECEIVED
2009 JUL -8 PM 3:55
OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2009 JUL -8 PM 12:55
RONALD D. LEONHARDT
CITY CLERK

**TO:**

City of Milwaukee
c/o City Clerk
City Hall, Room 205
200 West Wells Street
Milwaukee, WI 53202

**CLAIMANTS:**

James and Nora Luster
3919 North 62nd Street
Milwaukee, WI 53216

**NOTICE** is hereby given pursuant to Wis. Stats. § 893.80 that JAMES and NORA LUSTER present their claim for damages due to the flooding of their property that occurred on or about June 18, 2009 due to the negligence of the City of Milwaukee in its failure to maintain and clean the sewer drains at or near Deneen Park located at 63rd and Melvina.

The Claimants respectfully states as follows:

1. The Claimants, JAMES and NORA LUSTER, are adults residing at 3919 North 62nd Street, Milwaukee, Wisconsin 53216.

2. That the attorney representing the Claimants is Daniel W. Stevens, Esq. whose address is 14380 West Capitol Drive, Brookfield, Wisconsin 53005.

3. The Claimants have suffered money losses as a result of flood damage to personal property for the City of Milwaukee in the amount of Fifty Thousand and 00/100 ($50,000.00) Dollars.

**WHEREFORE**, claimants, whose names and address are stated above, claim relief against the City of Milwaukee for the sum of Fifty Thousand and 00/100 ($50,000.00) Dollars.

Dated this 1st day of July, 2009.

**LAW OFFICE OF DANIEL W. STEVENS**
Attorneys for Claimants

By:_____
Daniel W. Stevens
State Bar No. 1004632
Rudolph J. Kuss
State Bar No. 1051865

P.O. ADDRESS:

Centre of Brookfield
14380 West Capitol Drive
Brookfield, WI 53005-2323
(262) 251-5700
(262) 251-4894 *Facsimile*

**NOTICES SENT TO FOR FILE 090472:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| James & Nora Luster | 3919 N. 62nd St.<br>Milwaukee, WI 53216 | 9/4/09 | | |
| Daniel Stevens | Law Office of Daniel Stevens<br>Centre of Brookfield<br>14380 W. Capitol Dr.<br>Brookfield, WI 53005 | x | | |
| Robert Brooks | DPW | x | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090506 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to an appeal from Bernice Lewis for property damage. (6th Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS APPEAL | | |
| **Attachments:** | City Attorney Letter, Appeal, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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Number
090506
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to an appeal from Bernice Lewis for property damage. (6th Aldermanic District)
Drafter
City Atty.
rmo
8/19/09



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**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

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THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

July 27, 2009

Bernice Lewis
3139 North 14th Street
Milwaukee, WI 53206

RE: Bernice Lewis
C.I. File No: 09-S-238

Dear Ms. Lewis:

We have received your claim in the amount of $3,125.00, relating to damage allegedly sustained to your vehicle on June 19, 2009 when it became submerged in water along West Center Street, between North 30th Street and North 31st Street.

Our investigation reveals that the Infrastructure Services Division (ISD) records reflect that because of the large amount and intensity of the rain during this time, the City storm sewer system was surcharged. The ISD checked all of the basins in the area and found they are in proper working order. Since the City was not negligent in this matter, it cannot accept liability and we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
1029-2009-1844:148340

CITY OF MILWAUKEE

2009 AUG 17 AM 10: 52

RONALD D. LEONHARDT
CITY CLERK

August 12, 2009

CITY OF MILWAUKEE
RECEIVED
2009 AUG 17 PM 2:36
OFFICE OF
CITY ATTORNEY

To whom this may concern;
I have received your letter denying my claim (C.I. file No. 09-S-238).
You said "The I.S.B. checked all water basins in the area, and reported them as properly working".
I find that hard to believe, seeing as the rain had stopped almost 2 hours prior to my traveling down west Center Streets 30th & 31st, if they were "Properly Working" most of that water would've drained - so it wouldn't have been enough water to flood my car, and several others.
You also stated "I.S.B. records reflect due to the large amount, and intensity of the rain the City storm sewer system was surcharged;" If that was the case those streets that was flooded should've been closed off, because they were reported earlier.
So yes I would like a hearing

Respectfully Yours
Bernice Lewis

CITY OF MILWAUKEE
RECEIVED
2009 JUN 30 PM 3:51
OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2009 JUN 29 PM 4:43
RONALD D. LEONHARDT
CITY CLERK

I Bernice Lewis of 1114 14th Street Milwaukee, Wis. 53206 (414-344-2009) sound mind, and body was accompanying my son home in my 1995 Pontiac Grand Prix SE.
It was approximately 1:00 am Friday morning June 19th 2009, we were going west on Center Street After we passed 30th & Center headed towards 31st & Center, my car became submerged in water. It happened just under the railroad bridge, my engine, my radio, my brain box, my speakers, everything in my glove compartment, and trunk all became flooded. I feel this would have never happened had the sewers, and drains been cleaned out, so I am seeking reimbursement for my car, the engine I just put in the car, 2 new mufflers, new radio, new strut & boot, new spark plugs, and hose.
Everything comes out to approximately $3,125.00, enclosed with this letter are all the receipts for the purchase of the car, the purchases of the equipment to be put on or in the car, and the amount the repairs cost. It would be greatly appreciated if this matter could be resolved post haste.

Thank You

Signed; Bernice Lewis  Date; June 26, 0

# WISCONSIN

## Certificate of Vehicle Registration

0003916

| Product Number | Registration Number |
|---|---|
| 44653091406 | 09140D4740060 |

| Plate Number | Registration | Chassis | Gross Weight | Period | Color | Fleet No. |
|---|---|---|---|---|---|---|
| 967PYH | AUT AUT | AUTO | | A | BLACK | |

| Vehicle Identification Number | Year | Make | Expiration Date | Amount Received |
|---|---|---|---|---|
| 1G2WJ12M2SF268873 | 1995 | PONT | 05/13/2010 | $ 164.50 |

INCLUDES MUNICIPAL OR COUNTY FEE

This Registration Certificate is not a Title. Not Valid for Transfer of Ownership.

Contact the Division of Motor Vehicles at:
414-266-1000
608-266-1466
800-924-3570
www.dot.wisconsin.gov

0003678
LEWIS BERNICE M
3139 N 14TH ST
MILWAUKEE, WI 53206-2768

# WISCONSIN CERTIFICATE OF TITLE

| Vehicle Identification Number | Year | Make |
|---|---|---|
| 1G2WJ12M2SF268873 | 1995 | PONTIAC |

| Title Number | Issue Date | Chassis Type | Odometer Reading | Odometer Status | Odometer Date |
|---|---|---|---|---|---|
| 09140D474006 0 | 05/20/2009 | AUTO | 99990 | ACTUAL | 08/09/2004 |

| Product Number | Body Style | Color | Fleet No. |
|---|---|---|---|
| 15828091409 | COUPE | BLACK | |

**Titled Owner(s)**

LEWIS BERNICE M
3139 N 14TH ST
MILWAUKEE, WI 53206-2768

The person, firm or corporation named on this Title is the lawful owner of the vehicle described, subject to any Security Interest (liens) shown. The order in which the Lien Holders appear on this Title does not necessarily represent their priority. The Wisconsin Department of Transportation will not be responsible for false or fraudulent odometer statements made in the assignment of the Certificate of Title or for errors in reporting mileage, brand disclosures or the history of the vehicle. The department has no actual knowledge about the history of the vehicle and makes no warranty that the title brands or mileage disclosures on prior titles have been carried forward onto this document.

1G2WJ12M2SF268873

**Lien Holder(s)**

NONE.

**Additional Vehicle Detail**

EXEMPT FROM ODOMETER - 10 YEARS OLD

**SELLER:** When the vehicle is sold, complete the ASSIGNMENT OF CERTIFICATE OF TITLE on the top back of this title and deliver the title to the purchaser with the vehicle. You may wish to retain a copy of this title with the purchaser's information and signature as proof of sale for your records.

**PURCHASER:** Apply for a new title with the Wisconsin Division of Motor Vehicles immediately. To legally operate this vehicle, you are required to register it with the Division of Motor Vehicles.

MAIL ADDRESS:
Wisconsin Department of Transportation
PO Box 7949, Madison, WI 53707-7949

QUESTIONS:
Contact the Division of Motor Vehicles at:
414-266-1000, 608-266-1466, 800-924-3570
www.dot.wisconsin.gov

7- 1- 7693402

T055 5/2004

This document void without watermark - Hold to light to view

KEEP IN SAFE PLACE DO NOT KEEP IN VEHICLE

Steele's Welding
Buffalo Soldiers & Cowboy Assoc.
2000 N. 31st Street Milwaukee, WI 53208

414 - 442 - 1400
414 - 839 - 0535

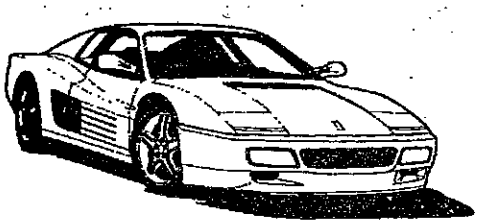
Date 6-13-09

Phone No. 414-344-2009

Name Bernie Lewis

Address 3139 N. 14th St

| UNIT | QUANTITY | DESCRIPTION | PRICE | AMOUNT |
|---|---|---|---|---|
| 1995 | | | | |
| Grand Prix | | | | |
| Black | | Exchange | | |
| | | Engine | $ | 350.00 |
| | | Put Spark Plugs | $ | 30.00 |
| | | and an oil | Tax | 21.00 |
| | | Boost | 460 = | |
| | | Total | $ | 401.00 |
| | | | | 461 |



# WAREHOUSE GIFT GALORE & ELECTRONICS

1400 WEST NORTH AVENUE
MILWAUKEE, WISCONSIN 53205
PHONE: (414) 562-0880 • (414) 562-0881

**LAYAWAY**

**WARRANTY VALID ONLY WITH THIS RECEIPT**

Date: 5/15/09 Invoice No.

Name: Lamont Walker Sr

Address:

City State Zip

Phone Number:

| QUANTITY | DESCRIPTION | EACH | TOTAL |
|---|---|---|---|
| 1 | JVC 200 Last D/W. | | 179 — |

Labor Performed

Make Model Year

| | |
|---|---|
| TOTAL | 179 — |
| TAX | 10 — |
| SUB-TOTAL | 189 — |
| LABOR | |
| FINAL TOTAL | |
| CREDIT DEPOSIT | |
| BALANCE | |

WE DO NOT WARRANTY PRODUCTS NOT PURCHASED AT WAREHOUSE GIFT GALORE & ELECTRONICS
ALL SALES ARE FINAL • NO REFUND FOR ANY REASON.
NO REFUND ON LAYAWAYS • NO RETURNS OR REFUNDS ON INSTALLED ITEMS
All merchandise must be returned to store within 7 days is subject to 20% re-stocking with this invoice.
Only merchandise that has not been installed ie eligible to receive store credit.
All merchandise covered by Manufactures Warranty only;
unless specified

I have read and agree to the above conditions, Merchandise received in good condition.

Customer Signature: Lamont Walker Sr

Date: 5/15/09

252553

1785

9.99

SUBTOTAL 9.99

TAX 5.600% 0.56

0.55

1.00

10.46

05/31/2009 11:50

ITEMS

to win

autozonecares.com

necessary. Ends 08/31/09

official rules

zonecares.com

Ref No:

090531-2

| CUSTOMER'S ORDER NO. | DATE 5/23/09 |
|---|---|
| NAME Brooton Tire | |
| ADDRESS 2008 W. Hopkins | |
| CITY, STATE, ZIP Mo 875-2389 | |

| SOLD BY | CASH | C.O.D. | CHARGE | ON ACCT. | MDSE RETD. | PAID OUT |
|---|---|---|---|---|---|---|
| | | | | | | |

| | QUAN. | DESCRIPTION | AMOUNT |
|---|---|---|---|
| 1 | 1 | 225/60/16 | 35 06 |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |
| | | | 35 00 |

RECEIVED BY

3705 KEEP THIS SLIP FOR REFERENCE

**USED MOTOR VEHICLE PURCHASE CONTRACT** THIS IS AN OFFER TO PURCHASE THAT WILL BECOME A BINDING MOTOR VEHICLE PURCHASE CONTRACT IF ACCEPTED BY THE DEALER. THE DEALER MUST ACCEPT OR REJECT THE OFFER WITHIN 2 WORKING HOURS OR THE OFFER IS AUTOMATICALLY VOIDED AND YOU MAY RESCIND THE OFFER UNLESS AND UNTIL ACCEPTED BY THE DEALER. UNTIL ACCEPTANCE OR REJECTION OF THE OFFER THE DEALER SHALL BE PROHIBITED FROM SELLING THIS VEHICLE TO ANY OTHER PARTY.

| | | | |
|---|---|---|---|
| DEALER NAME: RO & DH Investments d/b/a Big Bill's | VEH. STOCK NO. OR ORDER NO. | MILEAGE AT DELIVERY | ORDER DATE: 5-14-09 |
| ADDRESS: 5801 W. Center St. | SALESPERSON'S NAME (PLEASE PRINT): K. CATTANI | | |
| CITY, STATE, ZIP: Milwaukee, WI 53210 | SALESPERSON'S LICENSE NUMBER: 00 FINE | | |
| TELEPHONE NO.: 442-9200 | | | |

PROSPECTIVE PURCHASER (YOU) NAME(S): BERNICE M LEWIS

| PROSPECTIVE PURCHASER STREET ADDRESS | CITY | STATE | ZIP |
|---|---|---|---|
| 3139 N 14th St | Milw | WI | 53206 |

| RESIDENCE PHONE # | CELL PHONE # | BUSINESS PHONE # | RESIDENCE COUNTY | RESIDENCE TOWNSHIP | E-MAIL ADDRESS |
|---|---|---|---|---|---|
| | | | Milw | Milw | |

PLEASE ENTER MY ORDER FOR THE FOLLOWING DESCRIBED VEHICLE: ☑ USED (☐ DEMO ☐ EXEC) TITLE AS ☑ CAR ☐ TRUCK ☐ OTHER — LICENSE NO. E55-15K

| | MODEL YR | MAKE – TRADE NAME | MODEL | BODY TYPE | COLOR | IDENTIFICATION NO. |
|---|---|---|---|---|---|---|
| PURCHASED VEHICLE | 95 | Pontiac | Grand Prix | 2 Dr | Black | 1G2WJ12M2SF268873 |
| OWNED OR LEASED TRADE-IN | | | | | | |

**WARRANTY INFORMATION** (Check Applicable Boxes) Refer to separate document for coverages and exclusions.

**Manufacturer Warranty Information** (Dealer is not a party to any manufacturer warranty)

1. ☐ New Vehicle Manufacturer Warranty
2. ☐ Remaining vehicle mfr. warranty—Call mfr. or refer to warranty booklet for details.

   Expiration: _____ (date) _____ (miles), whichever comes first.

   Deductible to be paid by You $_____

   Transfer fee to be paid by You $_____ Pay to: ☐ Dealer ☐ Manufacturer
3. ☐ Not known 4. ☐ Expired 5. ☐ Cancelled due to salvage or other vehicle history

**Dealer Warranty Information**

6. ☑ **AS IS–NO WARRANTY. DEALER DISCLAIMS ALL WARRANTIES INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.**
7. ☐ Limited Warranty

   Term: _____ (months) _____ (miles), whichever comes first.

   Percent of retail repair costs to be paid by You: _____% Deductible to be paid by You: $ _____

**Service Contract** (Refer to separate document for coverages and exclusions.

8. ☐ Service Contract (Administered by _____)

   Term: _____ (months) _____ (miles), whichever comes first.

   Percentage of retail repair costs to be paid by You: _____% Deductible to be paid by You: $ _____

**WARNING! This vehicle cannot be legally operated on Wisconsin highways and may not be safe.**

Other _____

ANTICIPATED DELIVERY DATE: _____, 20____

Regardless of reason, if the vehicle ordered by the purchaser is not available for delivery within 15 calendar days after the anticipated delivery date, the purchaser may cancel this order and shall, within one business day, receive a full refund of any down payment, and return of trade-in vehicle, or title for trade-in vehicle, or both. If the trade-in is not available, the purchaser shall receive the trade-in allowance. Unless delivery date is otherwise qualified on the purchase contract by the purchaser, if the ordered vehicle becomes available for delivery prior to the stated anticipated delivery date, the dealer licensee may require acceptance not less than 21 calendar days after having notified the purchaser of availability of delivery, in which case no penalty shall be assessed for nonacceptance of delivery prior to the stated anticipated delivery date.

☐ **This is a Finance Transaction.** (Check A. or B.):
Closing scheduled at dealer's office on specified delivery date or as mutually agreed. You are obligated to purchase, subject to availability of financing through dealer, on terms:

A. ☐ In attached disclosure. These items do not extend beyond the closing date if dealer is willing & able to deliver vehicle on these terms.

B. ☐ Acceptable to You.

☐ This transaction is subject to financing being arranged through creditor of Your choice. You must obtain acceptable financing and dealer must receive written notice by (date) _____ or this contract is void.

☐ This is a cash transaction. You are obligated to pay the balance due on delivery.

THE APPRAISAL OF THE TRADE-IN IS BASED ON AN ODOMETER READING OF UP TO _____ MILES/KILOMETERS, AND THE TRADE-IN MAY BE REAPPRAISED IF IT EXCEEDS THIS LIMIT.

| | |
|---|---|
| **USED: PRICE** from the Wisconsin Buyers Guide $ | |
| DEALER INSTALLED OPTIONS — Has a warranty if ☑ at left. | |
| **DEALER MAKES NO WARRANTY THAT THIS VEHICLE WILL PASS THE STATE EMISSION TEST NECESSARY FOR REGISTRATION IN WISCONSIN NON-ATTAINMENT AREA** | |
| Total Dealer Installed Options (Add Total Price and enter in line a) | |
| PRICE OF THE VEHICLE | |
| a. Dealer Retail Price | |
| b. Services Fee | |
| c. Discount | 1295 00 |
| 1. Cash Price (a + b – c) 1. | |
| TAXABLE ITEMS PURCHASED WITH VEHICLE | |
| d. Other | |
| e. Service Contract | |
| 2. Total of Taxable items (d + e) 2. | |
| TRADE ALLOWANCE | |
| f. Owned Trade-in Allowance | |
| LEASED TRADE-IN ALLOWANCE (Net lease equity calculation) | |
| (i) Gross Allowance | |
| (ii) Estimated Lease Payoff | |
| Payoff to: | |
| g. Net Lease Equity (i – ii) | |
| 3. Trade Allowance (f + g) (If number is negative add in line h & 6) 3. | |
| SALES TAX CALCULATION | |
| h. Amount Subject to Sales Tax (1 + 2 – 3) 1295.00 | 77 52 |
| 4. 5.6% State, County and Brewer's Tax on h. 4. | |
| NON-TAXABLE ITEMS PURCHASED WITH VEHICLE | |
| j. Fees to appear on MV11 164.50 | |
| k. Warranty/Service Contract Transfer Fee | |
| l. Other | 164 50 |
| 5. Total of Non-Taxable Items (j + k + l) 5. | |
| OWNED VEHICLE PAYOFF | |
| Due to | |
| 6. Estimated Payoff Amount on Owned Trade-in 6. | |
| CASH & CASH EQUIVALENTS | |
| m. Cash Down Payment on Order | |
| n. Additional Cash Due (Date/Amount) | 1537 02 |
| 7. Total Cash (m + n) 7. | |
| 8. Due on Delivery or Balance to Finance (1 + 2 – 3 + 4 + 5 + 6 – 7) 8. $ | |

A service fee is not required by law, but may be charged to motor vehicle purchasers or lessees for services related to compliance with state and federal laws, verifications and public safety, and must be reasonable.

This transaction is voidable at the option of the dealer at any time prior to the delivery of the purchased vehicle if any of the following representations are untrue. The undersigned purchaser(s) warrants that the below representations are true. The option to void this transaction in no way limits or restricts the election of other remedies available to the dealer prior to or after the closing of this transaction and these representations survive the closing of this transaction as to other remedies.

MATERIAL ALL PARTS NEW UNLESS SPECIFIED U-USED R-REBUILT RCYL-RECYCLED

| QUANT. | PART NO. OR DESCRIPTION | WARRANTY IF CHECKED | SALE |
|---|---|---|---|
| | | | |
| | TOTAL PARTS | | |
| | SUBLET REPAIRS - TOWING | | |
| | TOTAL SUBLET REPAIRS | | |
| | Gals. Gas @ | | |
| | Qts. Oil @ | | |
| | Lbs. Grease @ | | |
| | TOTAL GAS, OIL & GREASE | | |
| | **TOTAL MATERIAL** | | |

# 2030 W. HAMPTON AVE.
# MILWAUKEE, WI 53209
# (414) 447-8274

| | |
|---|---|
| DATE OF ORDER 5-14-09 | DELIVERY DATE |
| TIME PROMISED | PHONE NO. |

NAME Lamont Walker Sr

ADDRESS 1450 S. 79th ST

CITY & STATE West Allis, Wis

YEAR & MAKE 1995 Pontiac | MODEL Grand Prix | COLOR

LICENSE NO. | ODOMETER 199181 | SERIAL NO.

ADDITIONAL WORK AUTHORIZED BY: _____ NAME | GRAND TOTAL

DATE | TIME A.M. P.M. | NO. CALLED | NEW ESTIMATE

| ESTIMATED PRICE $ | LABOR CHARGE |
|---|---|
| LUBRICATE ☐ | |
| CHANGE OIL ☐ | |
| CHANGE OIL FILTER ☐ | |
| SERVICE BATTERY ☐ | |
| SERVICE AIR CLEANER ☐ | |
| ROTATE TIRES ☐ | |
| CHANGE TRANS. FLUID ☐ | |
| ALIGN FRONT END ☐ | |
| EMISSION CONTROL SERVICE ☐ | |

| CODE | F.C. | OPER. NO. | LABOR INSTRUCTIONS | WARRANTY IF CHECKED | |
|---|---|---|---|---|---|
| | | | THIS MUFFLER IS WARRANTEED AS LONG AS YOU OWN YOUR CAR REPLACED IF NECESSARY FOR SERVICE CHARGE ONLY | | |
| | | | (2) muffler | | |
| | | | Change Stolen | | 153.90 |

PAID MAY 14 2009 BY:

"Any warranties on the products sold hereby are those made by the manufacturer. The seller [above named dealership] hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products."

I HEREBY AUTHORIZE the above repair work to be done along with necessary materials. You and your employees may operate above vehicle for purposes of testing, inspection or delivery at my risk. An express mechanic's lien is acknowledged on above vehicle to secure the amount of repairs thereto. You will not be held responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft, accident or any other cause beyond your control or for any delays caused by unavoidability of parts or delays in parts shipments by the supplier or transporter. I UNDERSTAND THAT ALL CHARGES ARE DUE WITHIN 30 DAYS FROM BILLING DATE IF PAYMENT IN FULL IS NOT MADE BY THEN. I HEREBY AGREE TO PAY SIMPLE INTEREST AT THE RATE OF 1½% PER MONTH (18% PER ANNUM) ON THE DECLINING UNPAID BALANCE UNTIL PAID IN FULL. I ACKNOWLEDGE RECEIPT OF A COPY OF THIS AGREEMENT.

Lamont Walker Sr

CUSTOMER SIGNATURE

YOU ARE ENTITLED TO A PRICE ESTIMATE FOR THE REPAIRS YOU HAVE AUTHORIZED. THE REPAIR PRICE MAY BE LESS THAN THE ESTIMATE, BUT WILL NOT EXCEED THE ESTIMATE WITHOUT YOUR PERMISSION. YOUR SIGNATURE WILL INDICATE YOUR ESTIMATE SELECTION.

1. I request an estimate in writing before you begin repairs. K. L. W.
2. Please proceed with repairs, but call me before continuing if the price will exceed $ _____
3. I do not want an estimate. _____

Do you want the replaced parts you are entitled to? ☐ Yes ☐ No

Payment will be made by: ☐ Cash ☐ Credit Card ☐ Charge

Call when vehicle is ready ☐ Yes ☐ No

Motor vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, Wisconsin 53708-8911.

☐ This vehicle received without face to face customer contact.

SHOP REPRESENTATIVE SIGNATURE

ESTIMATE CHARGE

| INTERNAL SUMMARY ACCT. | CHARGE | FACTORY CLAIMS CHARGE | DESCRIPTION | AMOUNT |
|---|---|---|---|---|
| | | | TOTAL LABOR | |
| | | | TOTAL PARTS | |
| | | | GAS, OIL & GREASE | |
| | | | PAINT & BODY MATERIALS | |
| | | | SUBLET & TOWING | |
| | | | SUPPLIES | |
| | | | SUB TOTAL | 153.90 |
| | | | SALES TAX | 8.95 |
| | | | TOTAL | 162.85 |

5/14/2009 12:52:04 PM **Sales Receipt # 171431**
Store: 1

## Jeffers Ace Hardware & Services

2110 w. Hampton Ave.
Milwaukee, Wisconsin 53209
(414) 442-0781

Cashier:

| DESCRIPTION | QTY | PRICE | EXT PRC |
|---|---|---|---|
| 84354 | 1 | $2.29 | $2.29 T |
| FLASHER 2-PRONG | | | |
| 1 Item(s) | | Subtotal: | $2.29 |
| TAX | 5.600 % | Tax: | + $0.13 |
| | | RECEIPT TOTAL: | **$2.42** |

Payment Taken: $10.00
Change Given: $7.58

Cash $ 10.00

Thanks for shopping with us!

171431

## AutoZone 1940

2425 W. NORTH AV
MILWAUKEE, WI
(414) 933-8420

6 @ 12.49

| | | |
|---|---|---|
| #027148 R44LTSM6 | | 14.94 P |
| R44LTSM6 | | |
| ACDelco Spark Plug, Gu | | |
| SUBTOTAL | | 14.94 |
| TOTAL TAX @ 5.600% | | 0.84 |
| TOTAL | | 15.78 |
| CASH | | 50.78 |
| CHANGE | | 35.00 |

REG #03 CSR #01 RECEIPT #654411
STR. TRANS #057112
STORE #1940
DATE 06/01. 14:00

# OF ITEMS PRD 6

*1940057112060109*

Take a survey for a chance to win $10000

at www.autozonecares.com
No purchase necessary. Ends 08/31/09
Subject to full official rules
at www.autozonecares.com

Ref No:
1940-057112-090601-3

ALL PARTS EXCHANGE PRICE

# ACE AUTO SALVAGE

A DIVISION OF SUTTNER INDUSTRIES, INC.

**RECYCLED AUTO PARTS**

2393 So. 43 rd Street • Milwaukee, WI 53219-2310

Phone: (414) 645-1790 • 1-800-283-6192 • Fax: (414) 645-5772

Email: parts@aceautosalvage.net

**CHECK OUT OUR WEB SITE www.aceautosalvage.net**

*Deposits void after 30 days. All claims must be accompanied by this bill.

PLEASE SEE REVERSE SIDE FOR ADDITIONAL TERMS & CONDITIONS

**PLEASE READ**

We are not responsible for damages or loss including labor caused from the installation, removal or use of this merchandise.

It is up to you to determine what part you need. If we sell you the wrong part, or you do not need the part, or you change your mind, you must inform us within 72 hours for an exchange or credit. If the part is defective within 30 days we will be happy to exchange the part for you.

**There will be absolutely no cash refunds. Exchange or credit slips only.**

There will be a 25% handling and restocking charge on any returned merchandise. Balance refunded by credit slip only. We do not warranty oil leaks on engines or transmissions. We do not warranty emission compliance on engines. No warranty on commercial vehicles.

The Management

| REFERENCE # | DATE | P.O. # | CUSTOMER # |
|---|---|---|---|
| 01109777 | 6/06/09 9:59am | | 1 |

SOLD TO: COUNTERSALE

MILWAUKEE, WIS 53219

SHIP TO: STEELS AUTO 3094 4 BOPAIR STORTY 202-0622

Trace: COUNTER SALE

| SALESMAN | TYPE OF SALE | TAX CODE | SHIP VIA |
|---|---|---|---|
| GRN-1 | CASH | COUNTER SALE | |

Page 1

| QTY | PART NUMBER AND DESCRIPTION | UNIT PRICE | EXTENSION |
|---|---|---|---|
| 1 | 300-058318 1U-ENGINE ASSEMBLY Stk#702 WTSW<br>Requested 95 GRAND PRI | 600.00 | 600.00 |

CORE DUE

Thank you.

| | | | | | |
|---|---|---|---|---|---|
| Charge | .00 | Card 2 | 633.60 | Subtotal | 600.00 |
| Cash | .00 | Other | .00 | | |
| Check | .00 | Change | .00 | Taxable | 600.00 |
| | | | | Parts | 600.00 |

| | |
|---|---|
| TAX WI WI | 33.60 |
| TOTAL | 633.60 |

RECEIVED BY _____

**NOTICES SENT TO FOR FILE 090506:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Bernice Lewis | 3139 N. 14th St.<br>Milwaukee, WI 53206 | 9/4/09 | | |
| Ald. Coggs | | x | | |
| Robert Brooks | DPW | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090570 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to an appeal from Kambi Washington for property damage. (6th Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS APPEAL | | |
| **Attachments:** | City Attorney Letter, Appeal, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090570
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to an appeal from Kambi Washington for property damage. (6th Aldermanic District)
**Drafter**
City Atty.
smc
8/28/09



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
**JOHN J. HEINEN**
**DAVID J. STANOSZ**
**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
**PATRICIA A. FRICKER**
**HEIDI WICK SPOERL**
**KURT A. BEHLING**
**GREGG C. HAGOPIAN**
**ELLEN H. TANGEN**
**MELANIE R. SWANK**
**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

August 6, 2009

Kambi Washington
2221 West Keefe Avenue
Milwaukee, WI 53206

RE: Kambi Washington
C.I. File No: 09-S-251

Dear Ms. Washington:

We have received your claim in the amount of $2,812.30, relating to damage allegedly sustained to your vehicle on June 19, 2009 at approximately 1:00 a.m. when it became submerged in water while you were traveling eastbound on Capitol Drive at 35th Street.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of the rain during this time, the City experienced flows that exceeded the capacity of the sewer system. On June 19, 2009 at 1:45 a.m. the ISD received a call of clogged catch basins on West Capitol Drive from North 32nd to North 35th Streets. They dispatched a Sewer Jet and it opened six basins that had debris on their grates. After this claim was filed, the ISD checked all the basins in the area and found them to be in proper working order. The City was not negligent in this matter. As such, the City would not be liable. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:beg
1029-2009-1899:148766

CITY OF MILWAUKEE
RECEIVED
2009 AUG 27 PM 2:34
OFFICE OF
CITY ATTORNEY

August 25, 2009

To Whom It May Concern:

I received a letter from the City of Milwaukee denying a claim for a 1997 Chevy Lumina that was trapped in the rain storm and submerged with water, that ended up totaling the car. On June 19, 2009 at 1 a.m. as I stated in the last letter my car was totaled due to the City not notifying the (ISD )Infrastructure Services Division that there was built-up debris that clogged up their grates.
The letter I received denying my claim states that the City contacted the (ISD) at 1;45 a.m. because of clogged catch basins on West Capitol Drive from 35th to North 32nd. It clearly states that a sewer jet opened six basins that had debris on their grates at the time my car was submerged in water. It then goes on to say that after the claim was filed the ISD checked all the basins in the area and found them to be properly working **after the claim was filed,** it didn't say that the basins was properly working on June 19, 2009 at 1a.m. because if the basin was properly working then the ISD shouldn't had to come out at 1;45a.m. 45min. after my car was submerged in water and totaled. In this appeal I'm asking who's at fault? Is it Kambi Washington's fault for trusting the city of Milwaukee to prevent such a thing from happening, or is it the (ISD) fault for coming out 45 minutes later and opening the basin? Who's fault is it? The City is at fault and if the call was made to the ISD early that day knowing the amount of rain Milwaukee was due to get a lot of people would still have personal transportation. Due to this incident I couldn't trade my car in for Cash for Clunkers because my car was totaled due to the basins not being unclogged. I can't file a claim with Fema because the City was at fault and can't put in a claim with Fema because it was their fault, so who's fault is it???

Kambi Washington
2221 West Keefe Avenue
Milwaukee, Wisconsin 53206
414-617-0680
414-873-7258
Kambiwashington@yahoo.com

CITY OF MILWAUKEE
2009 AUG 27 PM 12:56
RONALD D. LEONHARDT
CITY CLERK

July 07, 2009

To Whom It May Concern:

On Thursday June 19, 2009 at approximately 1am I was traveling east on 35th and Capital Drive, when my 1997 Chevy Lumina was trapped in the flood. Due to the City not unplugging the sewers drains my car was totaled and unable to be moved. On June 19, 2009 around 5:30am I went back to the flood site to retrieve my vehicle and it wouldn't start to a jump nor being dried out. The car was towed and I was sent a letter, upon receiving the letter I went to retrieve the car at the tow lot. The car inside was heavily loaded with mildew and it still wouldn't start.
The car was purchased with cash for $2812.30 and was still in good condition being that it was a 97. I'm asking that the City reimburse either all monies or half due to the flood causing my car to be towed and totaled. I am now taking public transportation due to this matter.

Kambi Washington
2221 West Keefe Avenue
Milwaukee, Wisconsin 53206
414-640-8272 cell
414-873-7258 message phone+
Kambiwashington@yahoo.com

July 07, 2009

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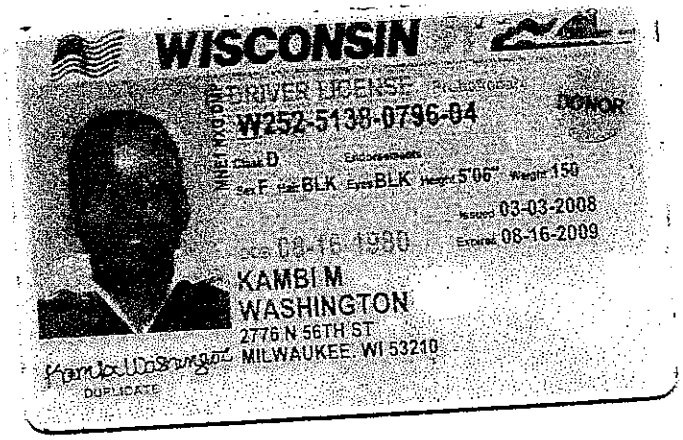
Milwaukee, Wisconsin 53206
414-640-8272 cell
414-873-7258 message phone
Kambiwashington@yahoo.com

Kambi Washington July 7, 2009

CITY OF MILWAUKEE
2009 JUL -8 PM 1:58
RONALD D. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
2009 JUL -8 PM 3:54
OFFICE OF
CITY ATTORNEY



WISCONSIN

DRIVER LICENSE

DONOR

W252-5138-0796-04

Class D

Sex F Hair BLK Eyes BLK Height 5'06" Weight 150

Issued 03-03-2008

Expires 08-16-2009

DOB 08-16-1980

KAMBI M
WASHINGTON
2776 N 56TH ST
MILWAUKEE, WI 53210

DUPLICATE

# WISCONSIN CERTIFICATE OF TITLE

| Vehicle Identification Number | Year | Make |
|---|---|---|
| 2G1WL52M9V9208883 | 1997 | CHEVROLET |

| Title Number | Issue Date | Chassis Type | Odometer Reading | Odometer Status | Odometer Date |
|---|---|---|---|---|---|
| 07270T138003-9 | 09/27/2007 | AUTO | 78732 | ACTUAL | 02/25/2000 |

| Product Number | Body Style | Color | Fleet No. |
|---|---|---|---|
| 30762072672 | 4DR SEDAN | GRAY | |

**Titled Owner(s)**

WASHINGTON KAMBI M
21425A SPRING ST
UNION GROVE, WI 53182

The person, firm or corporation named on this Title is the lawful owner of the vehicle described, subject to any Security Interest (liens) shown. The order in which the Lien Holders appear on this Title does not necessarily represent their priority. The Wisconsin Department of Transportation will not be responsible for false or fraudulent odometer statements made in the assignment of the Certificate of Title or for errors in reporting mileage, brand disclosures or the history of the vehicle. The department has no actual knowledge about the history of the vehicle and makes no warranty that the title brands or mileage disclosures on prior titles have been carried forward onto this document.

2G1WL52M9V9208883

**Lien Holder(s)**

NONE,

**Additional Vehicle Detail**

PREVIOUSLY TITLED IN: GA

EXEMPT FROM ODOMETER - 10 YEARS OLD

**SELLER:** When the vehicle is sold, complete the ASSIGNMENT OF CERTIFICATE OF TITLE on the top back of this title and deliver the title to the purchaser with the vehicle. You may wish to retain a copy of this title with the purchaser's information and signature as proof of sale for your records.

**PURCHASER:** Apply for a new title with the Wisconsin Division of Motor Vehicles immediately. To legally operate this vehicle, you are required to register it with the Division of Motor Vehicles.

MAIL ADDRESS:
Wisconsin Department of Transportation
PO Box 7949, Madison, WI 53707-7949

QUESTIONS:
Contact the Division of Motor Vehicles at:
414-266-1148, 608-261-2583, 800-924-3570
www.dot.wisconsin.gov

23787

6-3-5172094

1955 5/2004

This document void without watermark = Hold to light to view

KEEP IN SAFE PLACE — DO NOT KEEP IN VEHICLE

RECEIPT

DATE 9-22-07 No. 428624

$ 282.30

RECEIVED FROM KAMBI WASHINGTON

DOLLARS

○ FOR RENT
○ FOR 97 LUMINA #2340

| | | |
|---|---|---|
| ACCOUNT | 282 | 30 |
| PAYMENT | | |
| BAL. DUE | | |

☒ CASH
○ MONEY ORDER
○ CHECK
○ CREDIT CARD

FROM _____ TO _____

BY _____

1182

City of Milwaukee

DEPARTMENT OF PUBLIC WORKS – TOW LOT
3811 West Lincoln Avenue – Milwaukee, WI 53215
Ph: (414) 286-2700 – Fax: (414) 286-5093
TDD: (414) 286-2025

CERTIFIED MAIL

NOTICE DATE: 6/23/2009

WASHINGTON KAMBI M
2221 W KEEFE AVE
MILWAUKEE, WI 53206

**Disposition Date: 07/29/2009**
BID NUMBER: 2502
TOW NUMBER: 1409198
DATE OF TOW: 06/19/2009
LICENSE NUMBER: WI 125MAU
VEHICLE YEAR AND MAKE: 97 CHEV
VIN NUMBER: 2G1WL52M9V9208883
TOW ADDRESS: 3300CAPITOLWDR
REGISTERED OWNER: WASHINGTON KAMBI M
VIN OWNER: SAME

**SECOND NOTICE - CERTIFIED NOTICE OF VEHICLE DISPOSAL**

The vehicle listed above has been towed and impounded at the City of Milwaukee Tow Lot located at 3811 W. Lincoln Avenue, Milwaukee Wisconsin and has been unclaimed for 7 days.

**Pursuant to Section 105-65 of the Milwaukee Code of Ordinances, your vehicle has been appraised and found to have a scrap value of more than $200. You have until the close of business on the above listed RECLAMATION DATE to reclaim your vehicle or it will be sold or destroyed by the City of Milwaukee. (If the reclamation date is a Sunday or a holiday, you have until the close of the next business day to reclaim your vehicle.) PLEASE ACT PROMPTLY!**

**YOUR FAILURE TO RECLAIM THE VEHICLE SHALL BE DEEMED A WAIVER OF ALL RIGHT, TITLE AND INTEREST IN THE VEHICLE AND CONSENT TO THE SALE OF THE VEHICLE BY THE CITY.**

You may obtain your vehicle at 3811 W. Lincoln Avenue any time during regular business hours.

The Tow Lot hours of operation are 8:00 a.m. to 6:00 p.m., Monday through Friday, and Saturday from 8:00 a.m. to Noon. The Tow Lot is closed on the following holidays: January 1st, Martin Luther King Jr. Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve, Christmas Day and December 31.

TO RECLAIM YOUR VEHICLE, YOU MUST BRING THE FOLLOWING TO THE TOW LOT:

A) Vehicle title (must be in owner's name).

B) A valid driver's license (if you are driving the vehicle from the lot). If you do not have a driver's license, you must have a photo ID and be accompanied by someone with a valid driver's license.

C) To retrieve a vehicle on behalf of an owner, you must have the vehicle title, a driver's license or photo ID and be accompanied by someone with a valid license and have a signed, notarized letter or release form from the vehicle owner authorizing you to pick up the vehicle. The notarized letter and release form must identify the vehicle by color, make, model, VIN, license plate number and tow number. Insurance companies and tow companies must have a notarized letter or signed release form.

D) Cash, cashier's check, money order, VISA or MasterCard are accepted for payment. The vehicle reclamation fee is $95 plus $20 per-day for storage. **You are not required to pay for open citations in order to reclaim your vehicle.**

You may reclaim loose or personal property from within the vehicle by presenting proof of ownership and a valid picture ID at the tow lot. Personal property in the vehicle will be returned free of charge during posted business hours, but will be destroyed if your vehicle is unclaimed.

TO DISPUTE THE LEGALITY OF YOUR TOW, YOU MAY OBTAIN A REVIEW BY THE CITY ATTORNEY AT 951 N. JAMES LOVELL STREET, ROOM 205.

**If you are no longer the owner or lien holder of this vehicle, or have any questions about this notice, please contact the City of Milwaukee Tow Lot at (414) 286-2700 during the business hours listed above.**

DPWTOW-400-0

**NOTICES SENT TO FOR FILE 090570:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Kambi Washington | 2221 W. Keefe Ave.<br>Milwaukee, WI 53206 | 5/4/09 | | |
| Robert Brooks | DPW | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090583 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to an appeal from Linda Collins for property damage. (14th Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS APPEAL | | |
| **Attachments:** | City Attorney Letter, Appeal, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090583
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to an appeal from Linda Collins for property damage. (14th Aldermanic District)
**Drafter**
City Atty.
smc
9/1/09



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

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JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

July 28, 2009

Linda M. Collins
301 East Schiller Street
Milwaukee, WI 53207

RE: Linda M. Collins
C.I. File No: 09-S-229

Dear Ms. Collins:

We have received your claim in the amount of $4,500.00, relating to damage allegedly sustained from September 2008 through April 2009 when backwater from the City's sewer backed up into your property at 301 East Schiller Street.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that they responded to calls regarding backwaters at 301 East Schiller Street on March 9, and April 8, 2009. They checked the City main sewer and found it to be in proper working order. This sewer runs under the sidewalk and is in the City right of way. Your house lateral is hooked up to this sewer. There is no City sewer running over your house lateral causing it to collapse. This was also confirmed by your plumber. The operation and maintenance of this lateral is the responsibility of the property owner under City of Milwaukee Charter Ordinance 12.15. There is no evidence that the City was negligent in this matter. As such, the City cannot accept liability. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:beg
1029-2009-1764

MILWAUKEE CITY CLERK
200 E. Wells St Room 205
Milwaukee, Wisconsin 53202

CITY OF MILWAUKEE
2009 AUG 21 AM 11:03
RONALD D. LEONHARDT
CITY CLERK

I Linda M Collins disagree with your decision to deny my claim, in reference to damage from sewer backup.

Your records indicate that ISD responded to calls that I made to them on March 9 and April 8, 2009. Yes they did come out to see what the problem was and they did check out the city main sewer but they never once checked out the city lateral that is on the west side of my house. The city main sewer is north of my house in the middle of the street and the city lateral is on the west side of my house in the curb lane. Yes the lateral does run under the sidewalk on the west side of my house but it runs east across the front of my house and in order for it to run under the front sidewalk it would have to go north and then east. Which I think is highly unlikely because then it would not work properly.

If someone had actually spoke to the plumbers that did the work and not the office maybe then they would have the complete story. The people in the office at Gene Wagner Plumbing have no idea as to what the plumbers that did the work ran into.

If you care to send someone out to my house to dig up the front again you are welcome to it. Then they can actually see what the problem is.

I feel that I am not being unreasonable and asking for half of what it cost me to have my lateral replaced. I realize that I am responsible for my house lateral but had the plumbers not run into the problems they did it would not have cost so much to do the work. Considering the first estimate I received was only $3500.

Linda M Collins
301 E Schiller St
Milwaukee, Wisconsin 53207
414-483-0623 Home
414-688-6750 Cel

CITY OF MILWAUKEE
RECEIVED
2009 AUG 24 PM 2:33
OFFICE OF
CITY ATTORNEY

City of Milwaukee City Clerk.

Back in September of 2008 I started having problems with my house trap. I rented a roto-rooter and ran it through the trap the full length of the cable which was 100 ft. The trap was fine for 2 months and then it backed up again. Rented a roto rooter again and repeated the same process. This went on till March when I finally had enough and I called out the sewer dept. They checked out the main lateral in the middle of the street in front of my house and said everything was fine that I would have to call out a plumber. I did and he came out and after 15 minutes he burned up the motor in his rooter. He said that he felt I would need my house trap repaired and that if it was within the basement it would cost me $3500. Whatever he did the water drained but not for long. Within days of the plumber being there the water backed up again and this time it did not recede.

CITY OF MILWAUKEE
RECEIVED
2009 JUN 22 PM 4: 37
CITY ATTORNEY

I called another plumber (Gene Wagner) for a second estimate and he gave me the same estimate as the first one. I decided that I was fed up with stinky, smelly water standing in my basement.

I called Gene Wagner and scheduled for them to come out and start working. They tore up my basement floor and replaced the trap but they said that it was outside of the basement walls. They started to tear up the front of my house and they soon discovered that there was a city sewer lateral that ran right in front of my house against my foundation and on top of my house lateral which happened to be collapsed.

I called a supervisor from the city sewer dept. and he did not believe what I was telling him. He said that he would come out but that he was going to pull the maps first. He came out with the maps and he said yes there was a city lateral that ran against my foundation in front of my house and that it was installed in 1920. Well my house is over 100 years old so my house was there when the city installed their lateral.

By the time that the plumber finished the work my $3500.00 bill grew to over $9000.00.

I don't feel that the city should pay all of this but I do feel that they should reimburse me at least half of the bill which is $4500.00 seeing as it was their lateral that caused all the problems because the plumber actually had to dig under the lateral to get at my house lateral.

CITY OF MILWAUKEE
09 JUN 22 AM 9: 36
RONALD D. LEONHARDT
CITY CLERK

Enclosed are copies of the original estimate and the actual invoice that I paid.

My Address is
301 E Schiller St
Milwaukee, Wi 53207

If phone records are checked then you will see that I have called the sewer dept. a number of times.

I can be reached during the day at 414-688-6750 or on my office phone which is 414-221-5826, although my husband is home most days and he can be reached at 414-483-0623. My E-Mail address is llcol12@hotmail.com

Linda M Collins

Gene A. Wagner Plumbing Co., Inc.
2017 So. 60th St.
Milwaukee, WI 53219
Phone – 414-541-9217
Fax – 414-541-9486
Master Plumbers License #222399

# Contract

Date: March 10, 2009

Linda M Collins
301 E Schiller St.
Milwaukee WI 53207
414-483-0623

---

We hereby submit specifications and estimates for:

Contractor to furnish all labor, materials and equipment for work as described as follows including all required permits.

## HOUSE TRAP REMOVAL AND INSTALL CLEANOUT

- Excavate in basement to expose house trap approximately 4 ½' deep.
- Remove house trap and install 6" cleanout with PVC Sch. 40 pipe.
- Get inspection.
- Bed sewer with 3/8 stone.
- Backfill with excavated materials.
- Patch concrete floor.

NOTE: If brick pillar is under mined because of the sewer excavation, ADD $750.00 to the contract amount to re-support beam in basement.

---

**We Propose** to furnish material and labor – complete and in accordance with above specifications for the sum of: **$2,750.00, Two thousand seven hundred fifty dollars.**

**Terms: Net Due Upon Completion of Work.**

**This proposal may be withdrawn by us if not accepted within 15 days**

**Authorized Signature** Scott Allan 3/10/09
**SCOTT ALLAN**

**Acceptance of Contract –**
The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as described above.

Date_____ Signature_____

**NOTICE OF LIEN RIGHTS AND TERMS AND CONDITIONS ATTACHED ARE MADE A PART HEREOF.**

## NOTICE OF LIEN RIGHTS

As required by the Wisconsin Construction Lien law, contractor hereby notifies owner that persons or companies furnishing labor or materials for construction, improvement or repair on owner's land may have lien rights on owner's land and buildings if not paid. Those entitled to lien rights, in addition to the undersigned contractor, are those who contract directly with the owner or those who give the owner notice within sixty (60) days after they first furnish labor or materials for the construction, improvement or repair. Accordingly, owner probably will receive notices from those who furnish labor or materials for the construction, improvement or repair, and should give a copy of each notice received to his mortgage lender, if any. Contractor agrees to cooperate with the owner and his lender, if any, to see that all potential lien claimants are duly paid.

## TERMS AND CONDITIONS

1. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance.
2. Acceptance of Work: Owner agrees to inspect all work promptly and notify contractor in writing, of deficiencies or defects in labor or materials, if any, within ten days, failure to give such notice shall constitute a full waiver of any patent defects. Written notice of latent defects shall be given in writing within 10 days after discovery, or the same shall be deemed waived. No action shall be commenced by owner against contractor until 30 days after delivery of such notice nor more than six (6) months thereafter.
3. Unless otherwise stated on the face hereof, all invoices for labor or materials shall be due and payable net 30 days after date.
4. Sums not paid when due shall bear interest at the rate of 1 ½% per month, 18% annually.
5. Owner shall pay all costs incurred in collection of past due sums, including actual attorney fees and court costs.

## SPECIAL CONDITIONS

Unfavorable soil conditions such as wet or unstable ground or rock which require the use of shields, blasting, rock removal, additional bedding/backfilling or cradling, pumps, tight sheeting or special equipment will be dealt with on a "Time & Material" basis. We also reserve the right to terminate and withdraw from this contract in the event of interference, unusual difficulties or unforeseen obstacles.

Gene A. Wagner Plumbing Co., Inc.
2017 So. 60th St.
Milwaukee WI 53219
414-541-9217
FAX 414-541-9486
Master Plumber License #222399

# INVOICE

Date: April 20, 2009

Job Number: 67437

Name: Linda Collins
301 E Schiller St.
Milwaukee WI 53207

Job Address: Same

Description of Work: Excavated in basement and removed house trap, sewer plugged and broken on outside of home. Excavated on outside of home, gas main was in the way, needed to remove city sidewalk to excavate, found city main next to home incased in concrete and could not get at sewer. Tunneled from inside home out to main. Connection at main not broken but pipe leaking up to main, crushed and causing problem. Replaced sewer from inside to main with new PVC Sch. 40 pipe. Water service outside had pinholes in lead pipe. Replaced from curb stop to home. All work that was done is owner's responsibility. Had job inspected backfilled poured new concrete walk.

| | |
|---|---|
| Backhoe | 275.00 |
| Dump Truck | 275.00 |
| 1 – 6" PVC 40 wye | 43.64 |
| 1 – 6" PVC 45 | 26.76 |
| 1 – 6" PVC cleanout with plug | 21.12 |
| 10' – 6" PVC pipe | 44.10 |
| 1 – 6' PVC coupling | 11.71 |
| 1 – 6" Clay x PVC fernco | 29.95 |
| 10' – 1" Type K copper pipe | 61.50 |
| Meter Setting | 320.00 |

| | | |
|---|---|---|
| 4' – ¾ Copper pipe | | 14.80 |
| 1 – ¾ Copper male adpt. | | 2.84 |
| 1 – ¾ Copper female adpt. | | 3.69 |
| 2 – ¾ Copper 90o ells | | 3.62 |
| Ready Crete | | 59.25 |
| Concrete | | 381.01 |
| Dumps | | 130.00 |
| Stone | | 206.98 |
| Permits – Water | | 50.00 |
| Sanitary sewer outside | | 50.00 |
| Sanitary sewer inside | | 50.00 |
| Excavation | | 163.00 |
| Restore sidewalk | | 176.00 |
| | | --- |
| | | 2,399.97 |
| | TAX | 68.93 |
| Plumbers Service 59 ½ Hours @110.00 | | 6,545.00 |
| | | --- |
| | TOTAL | $9,013.90 |

Balance Now Due: $9,013.90

**NOTICES SENT TO FOR FILE 090583:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Linda Collins | 301 E. Schiller St.<br>Milwaukee, WI 53207 | 9/4/09 | | |
| Robert Brooks | DPW | x | | |
| Ald. Zielinski | | | | |
| | | | | |
| | | | | |
|

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090391 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to the claim of Emma Nash for property damage. (15th Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS | | |
| **Attachments:** | City Attorney Letter, Claim, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090391
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to the claim of Emma Nash for property damage. (15th Aldermanic District)
**Requestor**
City Attorney
**Drafter**
JAS:beg
July 15, 2009
1029-2009-1653:147944



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
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**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
**DANIELLE M. BERGNER**
Assistant City Attorneys

July 15, 2009

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

Re: Resolution relating to the claim of Emma Nash
C.I. File No. 09-L-52

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, Emma Nash, 2218 North 17th Street, Milwaukee, WI 53205 alleges that she sustained damages when a City sewer backed-up into her basement. She claims damages in the amount of $6,203.40.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that they responded to a call of a backwater at 2218 North 17th Street on March 5, 11, 13, 27 and 31, 2009. On each occasion, the ISD found that the City main sewer was flowing properly. On March 19, 2009 they televised the sewer with a closed circuit camera and found that the building lateral was collapsed. The ISD sent a letter to the claimant on March 25, 2009 informing her of this and advising her to hire a plumber to repair the lateral. The letter also noted that the operation and maintenance of the lateral is the responsibility of the property owner under City of Milwaukee Charter Ordinance 12.15.

There is no evidence that the City was negligent 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
1029-2009-1653:147943

I Emma Nash reside at 2218 N 17th st Milwaukee wiscomsin 414-263-3599

Iam filing a claim for repairs to a sewer lateral that I paid to have repaired with a loan through Milwaukee .Pryor to this I had been having sewer backups in my basement . and called the city sewer department to inspect my sewer they came out and did a camerea inspection. They told me that the sewer lateral was not properly aligned to the sewer main.At first I I was told the city would take care of the problem then they said the problem was mine .I then contacted Milwaukee about a loan to fix the problem. I was put in contact with a mr.Robert Lovelace at the Milwaukee County Home Repair, He assisted me in Getting a loan to Hire Roys Plumbing to repair My sewer lateral . When work started Mr.Lovelace was there and Roy Nelson Called Out Plumbing Inspector Mr. Mcmillion both Mr. Mcmillion and Roy Concurred The sewer Lateral Had not Been Properly reconnected my a contractor who had recently done sewer work in street. Iam inclosing a copy of the contract and billing .The Biil includes $1200.00 Towards repair of my house trap which was not part of the street repair. So I Am submitting a Claim for $5800.00 that was contracted with Roys For Sewer Lateral repair
Date of April 14th and 15th 2009

CITY OF MILWAUKEE
2009 JUN 15 AM 8:31
RONALD D. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
2009 JUN 17 PM 5:42
RONALD D. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
2009 JUN 18 AM 1:53
OFFICE OF
CITY ATTORNEY

Emma Nash 263-3599

161728

**INVOICE**

**ROTO-ROOTER®** SEWER-DRAIN SERVICE

11030 W. Lincoln Ave.
Milwaukee, WI 53227

Milwaukee: (414) 541-4477
Waukesha: (262) 548-3660
Ozaukee: (262) 375-5576
Washington: (262) 255-3031

| INVOICE DATE | PHONE | P.O. # | START TIME |
|---|---|---|---|
| 3-10-09 | | | 9:50 |

CUSTOMER NAME: Emma Nash

FINISH TIME: 12:45

JOB ADDRESS (STREET, ZIP): 2218 N. 17TH ST.

BILLING ADDRESS (IF DIFFERENT) (STREET, CITY, ZIP):

| SERVICE PERFORMED | PRICE |
|---|---|
| Worked on sewer through c/o in | 185.00 |
| stack. Hit hard at 80-85 ft. mud found on | |
| whip and on plunger when plunging House trap. | |
| Recomend line be looked then call plumber | |
| to make nessesary Repairs. Condom And (grease) | |
| other pieces of string + tampons pulled out | |
| of sewer. Owner was made aware of possible | |
| PARTS/PRODUCTS | |
| problem In sewer when it was last serviced | |
| By R.R. | |
| Added 2 Hours (60.00 Discount) | 100.00 |

TRUCK # 9

SERVICE REPRESENTATIVE: JPZ

WARRANTY (IF APPLICABLE): NA

SUBTOTAL $ 285.00

TAX $ —

TOTAL $ 285.00

RETAIN RECEIPT FOR WARRANTY PURPOSES.
$20.00 CHARGE FOR RETURNED CHECKS. PAYMENT IS DUE WITHIN 30 DAYS. SERVICE CHARGE OF 1½% PER MONTH (18% APR) ON ALL INVOICES OVER 30 DAYS OLD.

☐ VISA/MAST/DISCOVER
☐ CHECK #
☒ CASH
☐ CHARGE

Date: 3.10.09 Signature: [signature]

Contract
~~Proposal~~

Page No. of Pages

# Roy's Plumbing & Heating Service, LLC

REPAIRS • REMODELING • WATER & DRAIN CONNECTIONS
24 HOUR EMERGENCY SERVICE
ALL MAJOR CREDIT CARDS ACCEPTED
1830 W. Hampton
P.O. Box 091003 • Milwaukee, WI 53209-1003
(414) 264-2812 • FAX (414)264-7444

| | | |
|---|---|---|
| SUBMITTED TO: Emma Nash | PHONE: 2633599 | DATE: 4/4/09 |
| STREET: 2218 N. 17th st | JOB NAME: | |
| CITY, STATE AND ZIP CODE: Milw. Wis. 53205 | JOB LOCATION: 2218 N. 17th st | |
| | JOB PHONE: 2633599 | DATE OF PLAN: 4/4/09 |

We hereby submit specifications for:

Roy's plumbing To Relocate Santary Sewer in street and Locate Break in Santary Sewer Beetween House and main Sewer in street
To Break up concrete in street To Dig up Ground and Repair Santary street main connection and Make Nessary connection To put House Santary Sewer in proper working order
To Supply all Labor and Material Total $7,000.00
To pay When sign contract $3,000.00
Balance on completion $4000.00

**We Propose** hereby to furnish material and labor – complete in accordance with above specifications, for the sum of:
Total contract Seven Thousand dollars ($ 7,000.00)

Payment to be made as follows:
When sign contract Three Thousand on completion pay four Thousand

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent on strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature [signature]

Note: This proposal may be withdrawn by us if not accepted within 30 days.

**Acceptance of Proposal.** The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature X

Date of acceptance: 4-4-09

Signature [signature]

# RENTAL INVOICE

**No. 190930**

Store 4912 N SHORE
4155 N PORT WASHINGTON
MILWAUKEE, WI 53212
(414) 267-6410

Hours:

| | | |
|---|---|---|
| Mon | 6:00 - | 9:00 |
| Tue | 6:00 - | 9:00 |
| Wed | 6:00 - | 9:00 |
| Thr | 6:00 - | 9:00 |
| Fri | 6:00 - | 9:00 |
| Sat | 6:00 - | 9:00 |
| Sun | 8:00 - | 7:00 |

STAPLE REGISTER RECEIPT HERE

**BILL TO**

RANDY R NASH
2218 N 17TH ST
MILWAUKEE, WI 53205
PHN (414) 263-3599

| Agent | Driver's License Number | Vehicle License | Written By |
|---|---|---|---|
| | WI *****32206 | WI | KEITH L |
| **Job Number/Location** | **Job Phone** | **PO Number/Birthdate** | **Checked In By** |
| 2218 N 17TH ST | | | JAUREZ W |
| **Date and Time Out** | **Date and Time Due In** | **Date and Time In** | **Rented Period** |
| 03/07/2009 12:25 pm | 03/07/2009 4:25 pm | 03/07/2009 3:45 pm | 4 HR |

## RENTAL EQUIPMENT

| Part Number | Out | In | Description | Min Charge | Ex-Hours | Per Day | Per Week | Per Month | DP | Tax | Amount |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 0440510808 | 1 | 1 | Sewer snake 100' X 5/8" (Electric) | 52.00 | 13.50 | 74.00 | 296.00 | 888.00 | Y | Y | 52.00 |
| 2494 | 1 | 1 | 1 7/8" Starting Tool, 100' Electric | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | Y | Y | 0.00 |
| 2495 | 1 | 1 | 2 3/8' Heavy Duty Tool, 100' Electr | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | Y | Y | 0.00 |
| 2496 | 1 | 1 | Greese Tool , 100' Electric | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | Y | Y | 0.00 |
| 2498 | 1 | 1 | Spanner Wrench, 100' Eltrc, Section | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | Y | Y | 0.00 |
| 999714 | 1 | | Cleaning Fee - Return Clean | | | | | | | Y | 0.00 |

**Rental Subtotal** 52.00
(excluding Optional Damage Protection)

## INVOICE SUMMARY

| | |
|---|---|
| Invoice Subtotal | 52.00 |
| *Estimated Damage Protection (10% of Rental Subtotal) | 5.20 |
| Sales Tax | 3.20 |
| | |
| Total | 60.40 |
| Payment Amount | 60.40 |

*** NOT VALID WITHOUT REGISTER VALIDATION**

*** Remaining Balance Due** 0.00



**No. 190930** **Customer Copy**

(9801) 02 00317570

REQUEST FOR BID FOR RESIDENTIAL HOME REPAIR
Milwaukee County Home Repair Program
1220 West Vliet Street, 3rd Floor
Milwaukee, WI 53205-2117
Fax: 289-8593

DUE DATE: 04-15-09

Request From: Robert Lovelace
My Phone: 289-6950
Your Phone: 264-2812
Lead: NA x SW ___ IC ___ ABT ___

Roys Plumbing
Po.Box091003
WI 53209

MI

Please submit a bid for the attached Scope of Work by the above Bid Due Date. Submit your bid only to the County in the enclosed envelope, or fax it to the number above. Start work only after Acceptance of Bid and Notice to Proceed below is signed by the County. If you have questions, please call me at the telephone number above.

LOCATION OF WORK

Work Site: 2215N 17 th st

Owner: Emma Nash

Home Phone: 263-3598
Work Phone:

(Do not write below - County use only)

ACCEPTANCE OF BID AND NOTICE TO PROCEED

Your bid in the amount of $ 5800.00 for the Scope of Work has been accepted. Proceed in compliance with the terms herein.

ISSUE ACCEPTANCE

DATE 4/9/09

BID ACCEPTANCE # EmR09010/01

PROJECT CONTACT PERSON:

___ Kent Meslins 289-6246
✓ Robert Lovelace 289-6950

Tim Keating
Corrosion Tech

we energies
2425 S. 35th Street - SSC-4
Milwaukee, WI 53215
Cell 414-315-2193

CONTACT BEFORE STARTING JOB

Emergency 800-261-5325
www.we-energies.com

Sent ___

PAYMENT APPROVAL

WORK INSPECTED

DATE 4/20/2005

WORK ACCEPTED BY OWNER/ PAYMENT APPROVED

Emma Nash

DATE 4-20-09

REQUEST CHECK

DATE

Owner: Emma Nash

SCOPE OF WORK:
SEWER LATERAL REPAIR

Roto Rooter found blockage at 80 to 85 feet

LOCATION OF WORK TO BE DONE

1. Street

GENERAL REQUIREMENTS

2. Contact municipal officials responsible for sewer connections. Determine municipal requirements for sewer laterals and bid to conform.

3. Inspect house waste system and determine if changes are necessary to meet code. Base bid shall include all work needed to meet code.

MINIMUM REQUIREMENTS: INSTALLATION

4. Locate lateral defect. Excavate as needed and repair lateral to match existing conditions. Ensure entire lateral runs free and functions as intended. Ensure foundation is sealed where lateral enters house.

MINIMUM REQUIREMENTS: RESTORATION

5. Install 12 inches of #1 stone over lateral. Backfill to surface. Allow for settling to match pre-existing grade.

6. Restore basement floor if removed. Regrade and compact soil as necessary. Backfill with #2 stone to achieve a 4 inch base. Install minimum of 4 inches of low chert, 6 bag air entrained mix concrete to replace that removed. Hand trowel to achieve flat, smooth surface. Pitch to floor drain. If existing floor is sealed, apply a concrete sealer in compliance with manufacturer's specifications at appropriate time to match existing floor.

7. Restore streets and municipal sidewalks to municipality's specifications.

8. Restore service walks to pre-existing conditions.

MINIMUM REQUIREMENTS: GUARANTY/WARRANTY

9. Minimum guaranty/warranty on workmanship is 5 years.

- To comply with all building code regulations and manufacturer's installation specifications.
- To obtain permits and provide copies to the County.
- To use all new materials, unless otherwise approved by the County.
- To not use any material containing lead, asbestos, arsenic, or any other environmentally prohibited substance.
- To forfeit the cost of any change to the Scope of Work performed without a Change Order from the County.
- To supply any necessary tools or equipment; use trained and competent personnel; protect the house and material; restore to prior condition any damage you cause; and clean up and lawfully dispose of debris.
- To contact Digger's Hotline before breaking any ground.
- To allow the Owner to select colors, finishes or other matters not effecting cost and to otherwise match existing finishes.
- To start work within 30 days under penalty of cancellation without liability to the County or the Owner.
- To meet the minimum guarantees/warranties stated on the Scope of Work, and to deliver copies of guarantees/warranties to the Owner.
- To maintain minimum insurance as submitted to the County.

Completion of work is contingent upon strikes, accidents, or delays beyond your control. Payment is 30 days from the date of invoice, contingent upon completion of work, receipt of lien waiver, copies of permits, inspection, and approval of work by the Owner. Draws for partial work completed will be paid only if agreed to before work starts. Contractor will not assign an accepted bid to any other party without prior written approval from the County. Disputes over work may be referred for arbitration under the Program's policies.

CONTRACTOR WILL FURNISH ALL LABOR AND MATERIALS TO COMPLETE THE SCOPE OF WORK FOR THE TOTAL AMOUNT, GUARANTEED FOR 30 DAYS, OF

BASE BID $ 5800.00

Extra Material Costs requested in Scope of Work and not in base bid:

Material _____ $ _____ per _____, not to exceed $ _____

Material _____ $ _____ per _____, not to exceed $ _____

Material _____ $ _____ per _____, not to exceed $ _____

Additions to the Scope of Work as directed by the County. Items struck out are not accepted.

_____ $ _____

_____ $ _____

Rudy Nelson
Contractor/Authorized Signature

APRIL 8, 2009
Date

OWNER'S ACCEPTANCE

Owner accepts this bid in the amount of $ 5800 and authorizes work to proceed.

Owner acknowledges that the contractor, material suppliers, or others who give lawful notice, may have lien rights on Owner's property if not paid. Owner shall advise the County of any notice of lien received.

Emma Nash
Owner

4-9-09
Date

(County Use Only)

Insurance certificate on file

RN
Initials

4-9-09
Date

112scope
03/25/08

820142/PLUMBING
Apr/14/2009/03:52 PM
1-0105833/pathan/$55.00
2218 N 17TH ST

Application Tips

City of Milwaukee Development Center

MILWAUKEE
DEVELOPMENT CENTER
P.O. BOX 324
Milwaukee, WI 53201-0324
809 N. Broadway – 1st Fl
414-286-8211/fax 414-286-0251

USE GROUP
- [ ] One Family
- [x] Two Family
- [ ] Commercial
- [ ] Other

# PLUMBING PERMIT

DATE 4/9/09

**This permit will expire if no plumbing work is performed in a six month period. No refund on canceled permits.**

| | |
|---|---|
| Address: 2218 N. 17th | |
| Plumber's Name: Roy Nelson | |
| Use of bldg – be specific: Residential | Cost of Job: 9,000.00 |
| Signature – Licensed Master Plbr: [signature] | Telephone: 2642812 |
| Owner: Emma Nash | Telephone: 2633599 |
| Bond No. | I declare that an asbestos project (as defined in Chapter 66 of the Milwaukee Code of Ordinances) will not be included in the work performed under this permit. |

Plumbing work being performed (Check One)

- 210 [ ] New Construction
- 220 [ ] New Installation
- 240 [x] Repair/Replace
- 250 [ ] Sealing
- 260 [ ] Well Operation

SANITARY

Work includes laying a _____ inch san/comb sewer pipe from _____

STORM

Work includes laying a _____ inch storm sewer pipe from _____

WATER

Work includes laying a _____ inch water service pipe from _____

Work includes laying a _____ inch inside sanitary building drain for _____ feet.

Work includes laying a _____ inch inside storm building drain for _____ feet.

Is plan exam required? [ ] Yes [ ] No

If yes, plans were approved by: _____

| | |
|---|---|
| ___ Air Conditioners | ___ Laundry Trays |
| ___ ***Apprvd Back Flow Prev*** | ___ Manholes |
| ___ Area or Deck Drains | ___ Plumbing Survey |
| ___ Back Flow Preventers | ___ Pot Sinks |
| ___ Bar Sinks | ___ Press Reduce Valves |
| ___ Bath Tubs | ___ Prep Sinks |
| ___ Beer Taps | ___ Pumps |
| ___ Beverages Dispensers | ___ Receptors |
| ___ Carbonators | ___ Roof Drains |
| ___ Case Drains | ___ Service/Mop Sink |
| ___ ***Catch Basins*** | ___ Shampoo Basins |
| ___ Chiller/Cooling Tower | ___ Shower Stalls |
| ___ Clothes Washer | ___ Sinks |
| ___ Coffee Makers | ___ Soap Dispenser |
| ___ Conductors | ___ ***Storm Inlets*** |
| ___ Dish Washers | ___ Sump Pumps |
| ___ Drinking Fountains | ___ Trench Drains |
| ___ Ejector Pumps | ___ Urinals |
| ___ Floor Drains | ___ Wash Basins |
| ___ Food Waste Disposers | ___ Water Closets |
| ___ Gang Shower Heads | ___ Water Heaters |
| ___ Hose Faucets | ___ Water Storage Tanks |
| ___ Ice Compartments | ___ Water Treat Devices |
| ___ Ice Makers | |
| ___ ***Interceptors*** | |

Remarks: Repair Sanitary Street ~~in yard~~ in Street Repair Sewer

Sewer in Street

| Branch | | Size |
|---|---|---|
| Tap No. | Curb / Lot Line / On Lot | |
| Meter Size | Units | |

| EXCAVATION PERMIT | CONNECTION PERMIT |
|---|---|
| 200908-0325 | |

Deferred Sewer Charge Due? [ ] Yes [ ] No
(If yes do not issue permit until paid)
Charges Paid By: _____

Description of work performed including sizes and points of connection:

Issue a Connection Number [ ] Yes [ ] No
Issue a Connection Charge [ ] Yes [ ] No

Quarter Section Number _____

Info By: _____ Date _____

**TOTAL PERMIT FEE $ 58.00**
See Milwaukee Building Code for Fee Schedule

PREPARED BY:

Original Charges

Additional Charges | Additional Charges

LICENSED BONDED

INVOICE
121162

Roy's Plumbing & Heating Service, Inc.
REPAIRS • REMODELING • DRAIN CLEANING
24 HOUR EMERGENCY SERVICE

1830 W. Hampton Ave.
P.O. Box 091003
Milwaukee, WI 53209-1003
(414) 264-2812 • FAX (414) 264-7444

PHONE: 289 6950 DATE: 4/17 20 09
NAME: Milw County Home Repairs
ADDRESS: 1220 W. Kilef st.
JOB ADDRESS: 2218 N. 17 st.

| QUAN. | DESCRIPTION | AMOUNT |
|---|---|---|
| | for Removing of old House Trap | 1200.00 |
| | for Sewer Repair in Street | 500.00 |
| | | 700.00 |

I hereby acknowledge the satisfactory completion of the above described work as stated and have read all terms and conditions as stated on back.

TAX

CUSTOMER SIGNATURE: _____ TOTAL

All claims and returned goods MUST be accompanied by this bill.
Please pay from this invoice — NO STATEMENT RENDERED.

☐ CASH ☐ CHECK # _____ ☐ C.C.

* All invoices are subject to finance charges (16% APR) if payment is not received when due or agreed.

**NOTICES SENT TO FOR FILE 090391:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Emma Nash | 2218 N. 17th St.<br>Milwaukee, WI 53205 | 9/4/09 | | |
| Robert Brooks | DPW | x | | |
| Ald. Hines | | | | |
| | | | | |
| | | | | |
|

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 080890 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 10/29/2008 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to the claim of Bobbie J. Lathan for property damage. (1st Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS | | |
| **Attachments:** | City Attorney Letter.pdf, Claim, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 10/29/2008 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 10/31/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 10/31/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 11/17/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 5:0 |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
080890
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relating to the claim of Bobbie J. Lathan for property damage. (1st Aldermanic District)

**Requestor**
City Attorney
**Drafter**
JAS:beg
September 24, 2008
1029-2008-2610:137462



powered by Legistar™

**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

**THOMAS O. GARTNER**
**BRUCE D. SCHRIMPF**
**SUSAN D. BICKERT**
**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
**JOHN J. HEINEN**
**DAVID J. STANOSZ**
**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
**PATRICIA A. FRICKER**
**HEIDI WICK SPOERL**
**KURT A. BEHLING**
**GREGG C. HAGOPIAN**
**ELLEN H. TANGEN**
**MELANIE R. SWANK**
**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
Assistant City Attorneys

September 24, 2008

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

Re: Resolution relating to the claim of Bobbie J. Lathan
C.I. File No. 08-L-74

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, Bobbie J. Lathan, 5064 North 26th Street, Milwaukee, WI 53209 alleges that on June 7, 2008 she sustained damages when a City sewer backed up into her basement. She claims damages in the amount of $20,000.00.

Our investigation reveals that the Infrastructure Services Division records indicate that because of the large amount and strong intensity of the rain during the weekend of June 7, 2008, the City experienced flows that exceeded the capacity of the sewer systems. The City was not negligent 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
1029-2008-2610:137463

Mrs Bobbie J. Lathan
5064 North 26th Street
Milwaukee, Wisconsin 53209
414-444-8247

August 29, 2008

Office of the City Clerk
Attn.: Claims Department
City of Milwaukee
200 E. Wells Street – Room 205
Milwaukee, WI 53202-3567

Dear Sir or Madam:

This letter is in response to our recent communication regarding the property damage I sustained as a result of a sewer backup in the basement of my residence, located at 5064 N 26th Street, Milwaukee, WI 53209. The backup was caused by a severe rainstorm and flooding on June 7, 2008.

Per your request, I have prepared an itemized list that, to the best of my knowledge, details the extent of my loss in property and personal effects as a result of the sewer malfunction. I have attached a dollar value to as many of the items as possible. However, many of the items that were damaged were antiques, photos, professional conference materials, and one-of-a-kind items, which are priceless and steeped in sentimental value.

The enclosed photos, taken as soon as the standing water and debris went down, show the extent of damage and disruption caused by the severity of the disaster. I trust that this will assist you in assessing the damage I sustained at my residence and in reaching a resolution to this matter.

If you require additional information or documentation, please contact me. I thank you for your consideration and assistance in this matter.

Sincerely,

Bobbie J. Lathan

Enclosures

CITY OF MILWAUKEE
RECEIVED
2008 SEP -2 PM 3:37
OFFICE OF THE
CITY ATTORNEY

RONALD D. LEONHARDI
CITY CLERK
2008 SEP -2 PM 1:39
CITY OF MILWAUKEE

List of Flood-Damaged Property of Bobbie Lathan

1-Dehumidifier @ $190.00
1-Pair of Antique White Window Draperies @ $100.00
1-Gas-powered Clothes Dryer @ $300.00
1-40-gallon Hot Water Heater @ $300.00
1-Gas Furnace @ $2,483.00
1-Cedar Closet @ $1,500.00
1-13-inch Color Television set @ $50.00
4- Lamps @ $600.00
3-Kitchen chairs Upholstered @ $300.00
2-Antique console record players
1-Record collection of vintage music on 45- and 78-rpm vinyl discs
1-Collection of religious books, sermon manuscripts and artifacts from my husband's career as a pastor
1-Antique Singer treadle-style sewing machine
1-Collection of family photos and organization documents
1-Assorted new, never worn clothing items and shoes
1-Structural restoration of basement, including wall paneling, ceiling, drywall and electrical wiring @ $6,000.00

Estimated total of damages: **$20,000.00**

Sears Home Improvement Products, Inc.
1024 Florida Central Parkway ♦ Longwood, FL 32750
FEIN 25-1698591

**Sears**
Home Improvement Products

Job No.: 8290547
Location: MILWAUKEE 0231
Phone #: 1-800-574-5438

# Heating & Cooling

Name BOBBIE LATHAN Phone: Res. 414-444-8247 Bus. _____
Address: 5064 N. 26TH ST. City: MILWAUKEE St.: WI Zip: 53209

I/We, the owners of the premises described below, hereinafter referred to as "Purchaser" offer to contract with Sears Home Improvement Products, Inc. hereinafter referred to as "SHIP", to furnish, deliver, and arrange for installation of all materials necessary to improve the premises located at:

SAME AS ABOVE
(Street) (City) (State) (Zip)

**SYSTEM INFORMATION:** EQUIPMENT BRAND: KENMORE ☐ SPLIT SYSTEM ☐ PACKAGE ☐ DUAL FUEL ☐ R-410A
SEER _____ COOLING BTU _____ KW _____ ☐ STRAIGHT COOL ☐ HEAT PUMP ☐ R-22

**TYPE INSTALLATION:** ☐ NEW ☐ REPLACEMENT ☐ CONVERSION
☐ REMOVE & DISCARD OLD SYSTEM

**FURNACE FUEL:** ☒ GAS ☐ OIL ☐ LP GAS ☐ ELECTRIC
AFUE 80% (UP TO) HEATING BTU 100,000

**EQUIPMENT SPECIFICATIONS:**

| EXISTING | NEW | | MODEL # OF NEW COMPONENT |
|---|---|---|---|
| ☐ | ☒ | FURNACE/FANCOIL | 18317 |
| ☐ | ☐ | CONDENSER UNIT | |
| ☐ | ☐ | EVAPORATOR COIL | |
| ☐ | ☐ | PACKAGE UNIT | |
| ☐ | ☒ | THERMOSTAT | 20164 |
| ☐ | ☐ | HUMIDIFIER | |
| ☐ | ☐ | AIR CLEANER | |
| ☐ | ☐ | UV LIGHT | |
| ☐ | ☐ | EVAP COOLER | |

**MISCELLANEOUS:**
☐ ☐ LINE SET ____ ' ☐ PAD ____ " X ____ "
☐ ☐ DRAIN LINE ____ ' ☐ CONDENSATE PUMP
☐ ☐ AUXILIARY DRAIN PAN ☐ OTHER _____

**ELECTRICAL:**
☒ CONNECT TO EXISTING ELECTRICAL
☐ INSTALL NEW ____ AMP MAIN PANEL
☐ NEW DISCONNECT ☐ FURNACE ☐ CONDENSER
☐ NEW GFI OUTLET ☐ ATTIC LIGHT & RECEPTACLE
OTHER: _____

**DUCT WORK:**
☒ REUSE EXISTING DUCT SYSTEM
☐ INSTALL NEW DUCT SYSTEM WITH # ____ NEW RUNS
☐ REBUILD PLENUM ☐ SUPPLY ☐ RETURN
☐ NEW TRUNK LINE(s) ☐ SUPPLY ☐ RETURN
☐ NEW RETURN GRILL(s) ____ x ____, ____ x ____
☐ REPLACE REGISTER(s) # ____
OTHER: _____

**FLUE VENTING AND/OR CHIMNEY:** ☐ USE EXISTING VENT OR CHIMNEY ☐ INSTALL NEW CHIMNEY LINER SIZE ____
☐ PVC VENT PIPE FOR HI-EFF FURNACE ☐ HORIZ. ☐ VERT. ☐ TYPE B-VENT PIPE ☐ STAINLESS STEEL VENT PIPE
☐ 1 PIPE INSTALLATION ☐ 2 PIPE INSTALLATION ☐ COMBUSTION AIR ☐ EXISTING ☐ MODIFY

☐ EXISTING ☐ MODIFY

**SPECIAL INSTRUCTIONS:**

INSTALL KENMORE 80% FURNACE
DISPOSE OF OLD UNIT.

CONTRACTOR _____ PHONE# _____ LICENSE # _____

ADDRESS _____

**ASBESTOS ABATEMENT:**
THIS CONTRACT ASSUMES NO ASBESTOS WILL BE DISTURBED IN THE PERFORMANCE OF WORK. IF UPON FURTHER INSPECTION BY CONTRACTOR OR OTHERS, ASBESTOS HAS TO BE DISTURBED TO PERFORM WORK, CUSTOMER MUST ARRANGE AND PAY FOR ABATEMENT OF ASBESTOS PRIOR TO THE START OR CONTINUATION OF WORK. IF CUSTOMER FAILS TO ARRANGE FOR NECESSARY ASBESTOS ABATEMENT WITHIN THIRTY (30) DAYS, SHIP MAY CANCEL THIS PROPOSAL UPON WRITTEN NOTICE TO CUSTOMER.

_____ INITIAL

THE WORK WILL START APPROXIMATELY 7/UK AND WILL BE SUBSTANTIALLY COMPLETED BY APPROXIMATELY 7/UK. THESE DATES ARE SUBJECT TO CHANGE AT THE TIME THE CONTRACT IS ACCEPTED BY SHIP OR AT ANY OTHER TIME BY MUTUAL WRITTEN AGREEMENT. I UNDERSTAND THAT THIS IS ONLY AN ESTIMATE DATE AND I WILL BE CONTACTED PRIOR TO THIS DATE TO SCHEDULE THE ACTUAL INSTALLATION DATE.

**CUSTOMER AGREES:**
SHIP IS NOT RESPONSIBLE FOR ANY EXISTING CODE VIOLATIONS OR PRE-EXISTING CONDITIONS OF ANY DUCTWORK, PIPING, ELECTRICAL SUPPLIES OR EQUIPMENT NOT BEING REPLACED AT THIS TIME. IF ADDITIONAL WORK IS REQUIRED, IT WILL BE THE CUSTOMER'S RESPONSIBILITY. ANY ADDITIONAL CHARGES WILL BE QUOTED AND APPROVED PRIOR TO THE START OF ADDITIONAL WORK _____ INITIAL

SHIP RESERVES THE RIGHT TO SUBSTITUTE A PRODUCT OF EQUAL OR GREATER EFFICIENCY AND/OR VALUE FOR YOUR ORIGINALLY PURCHASED PRODUCT AT NO ADDITIONAL CHARGE TO YOU _____ INITIAL

| | |
|---|---|
| CONTRACT PRICE | $ 2483 .00 |
| STATE SALES TAX (IF APPLICABLE) | $ _____ .00 |
| DOWN PAYMENT | $ _____ .00 |
| BALANCE DUE | $ 2483 .00 |
| TO BE FINANCED | ☒ |

| THIS CONTRACT PRICE INCLUDES: | PRICE: |
|---|---|
| 5 YR MASTER PROTECTION AGREEMENT | ☐ _____ |
| ___ YR REPAIR PROTECTION AGREEMENT | ☐ _____ |

**I ACKNOWLEDGE RECEIPT OF THE PROTECTION AGREEMENT TERMS AND CONDITIONS** _____ INITIALS

(ADDITIONAL PROVISIONS OF THIS PROPOSAL ARE STATED ON THE REVERSE SIDE)

SUBMITTED BY JIM KRYSIAK (SALES REPRESENTATIVE) NO. 18932

***"SATISFACTION GUARANTEED"***

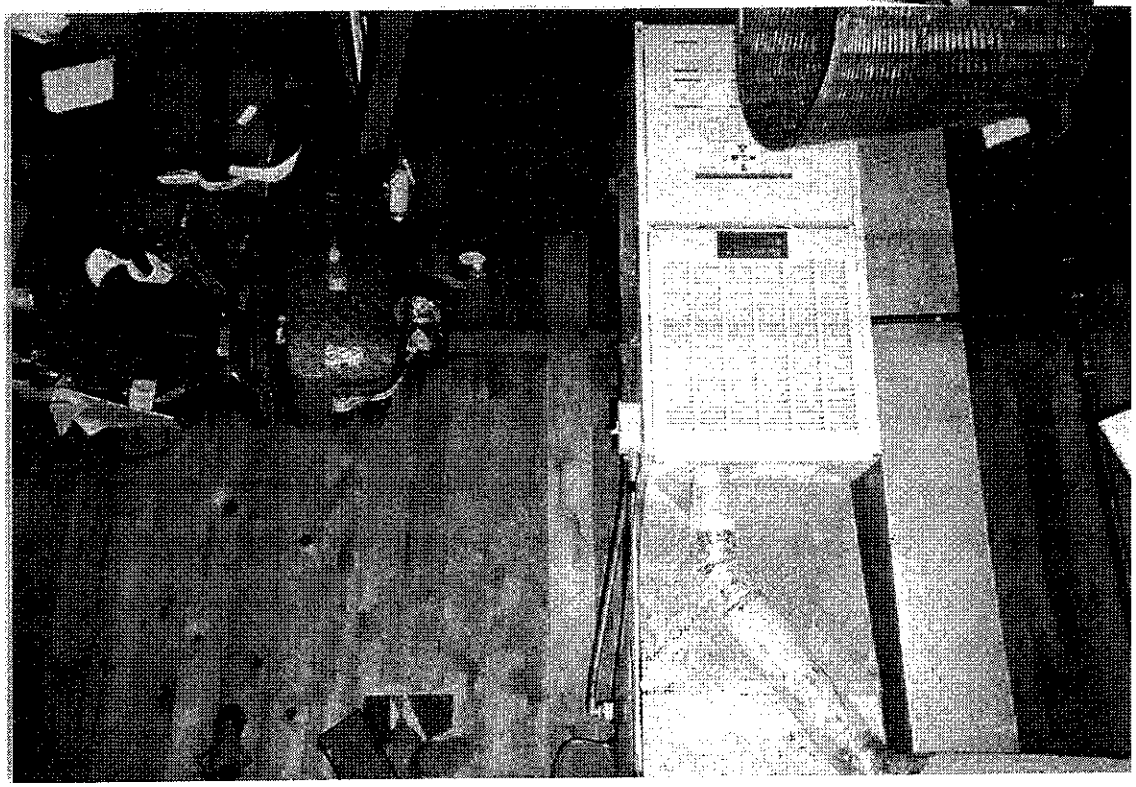
**DO NOT SIGN THIS CONTRACT IF THERE ARE ANY BLANK SPACES.**

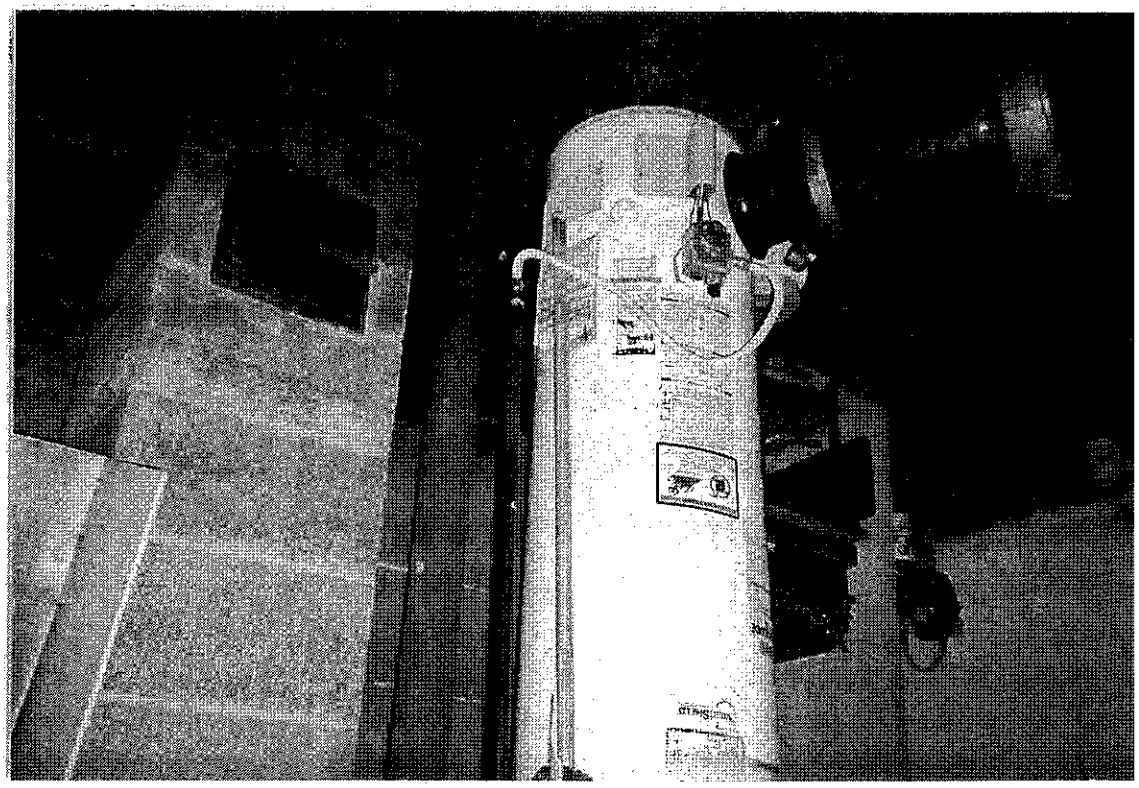
X _____ (CUSTOMER'S SIGNATURE) _____ (CUSTOMER'S SIGNATURE) 7/30/08 (DATE OF THIS TRANSACTION)

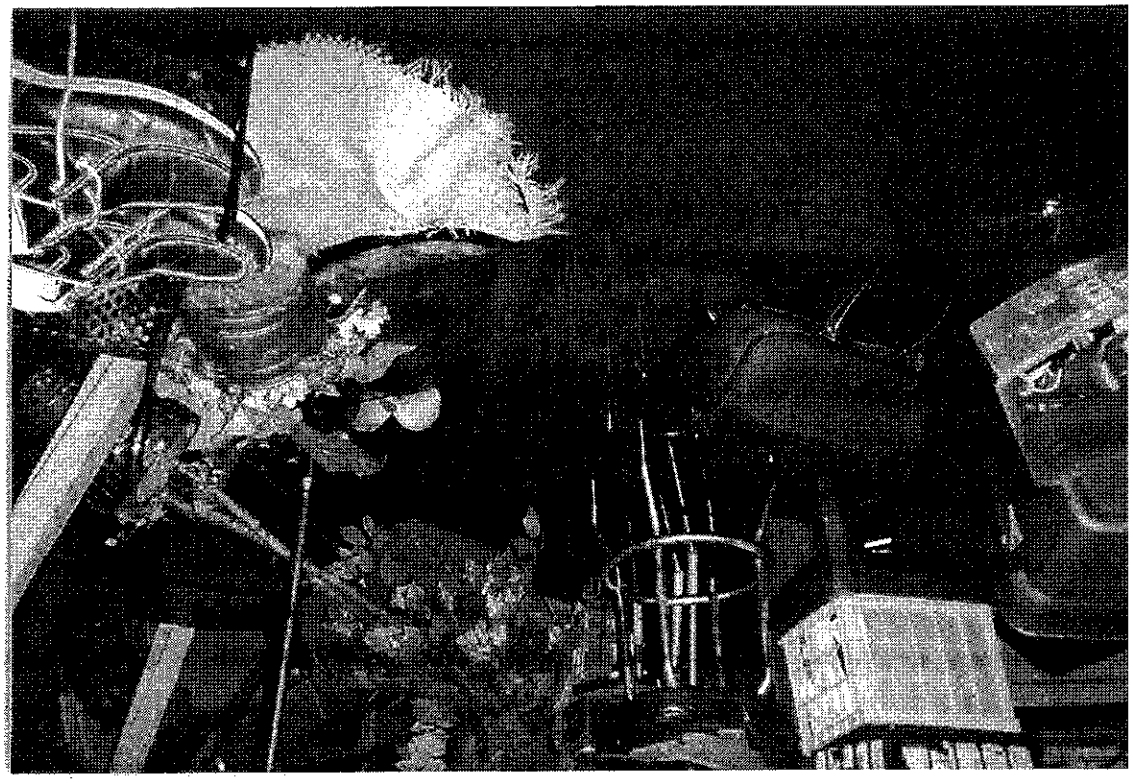
I acknowledge receipt of merchandise and/or services in the total amount shown hereon and agree that this credit purchase is subject to the agreement with the credit card issuer identified hereon.

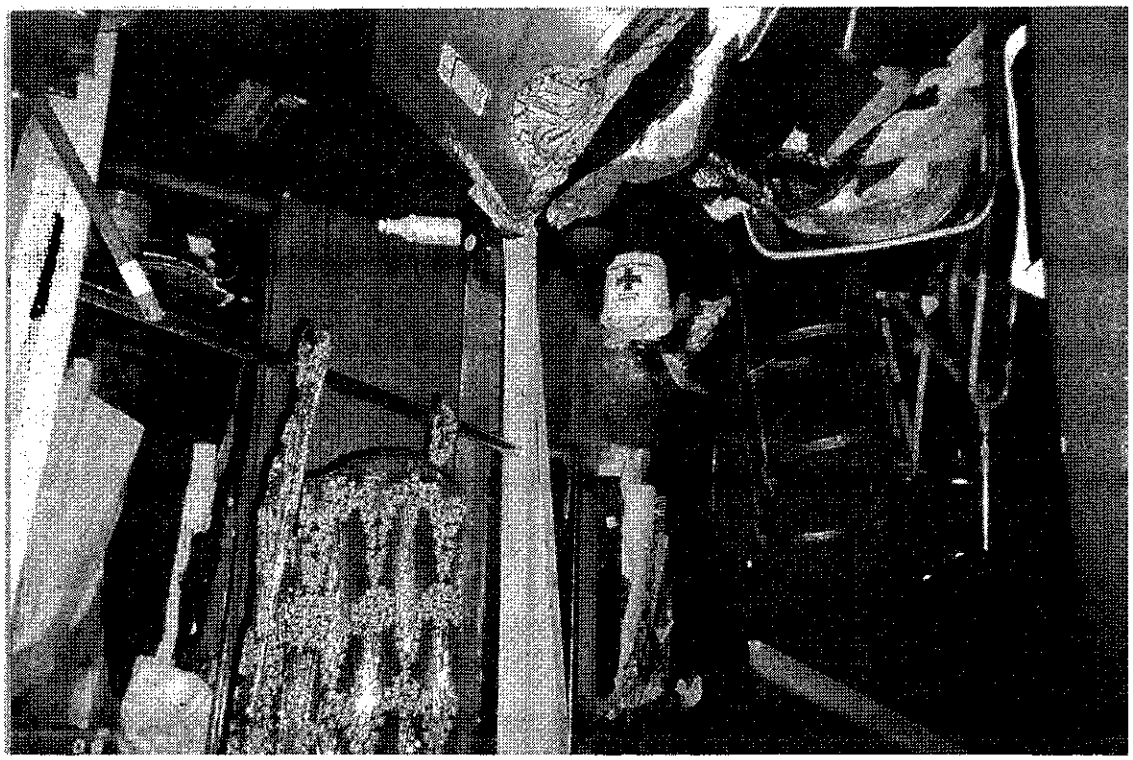
*Licenses held by or on behalf of Sears Home Improvement Products:* AL (HVAC 5097); AZ (C-39R HVAC ROC206649); AR (HVACR Class B 1004181); FL (HVAC CMC1249510); NM (MM 98-HVAC 58598, MM 98-HVAC [Manuf Home div] C58598); NC (H-2 H-3-I HVAC 15343, H-3-II HVAC 26961); NV (C-21 60608, C-1 60610); OH (HVAC 44752); OK (Mech Cont 106841); OR (Glass Roofing Siding Plbg & HVAC 113202); SC (HVAC-Residential RBH-919); TN (HVAC 54995); UT (S-350 HVAC 318604-5501); VA (HVAC 2705084717, Master HVAC 2710046587); WV (HVAC WV25882). *Some services and installation performed by SHIP associates. Other services and installation performed by SHIP-Authorized licensed contractors; additional SHIP license information available upon request.*

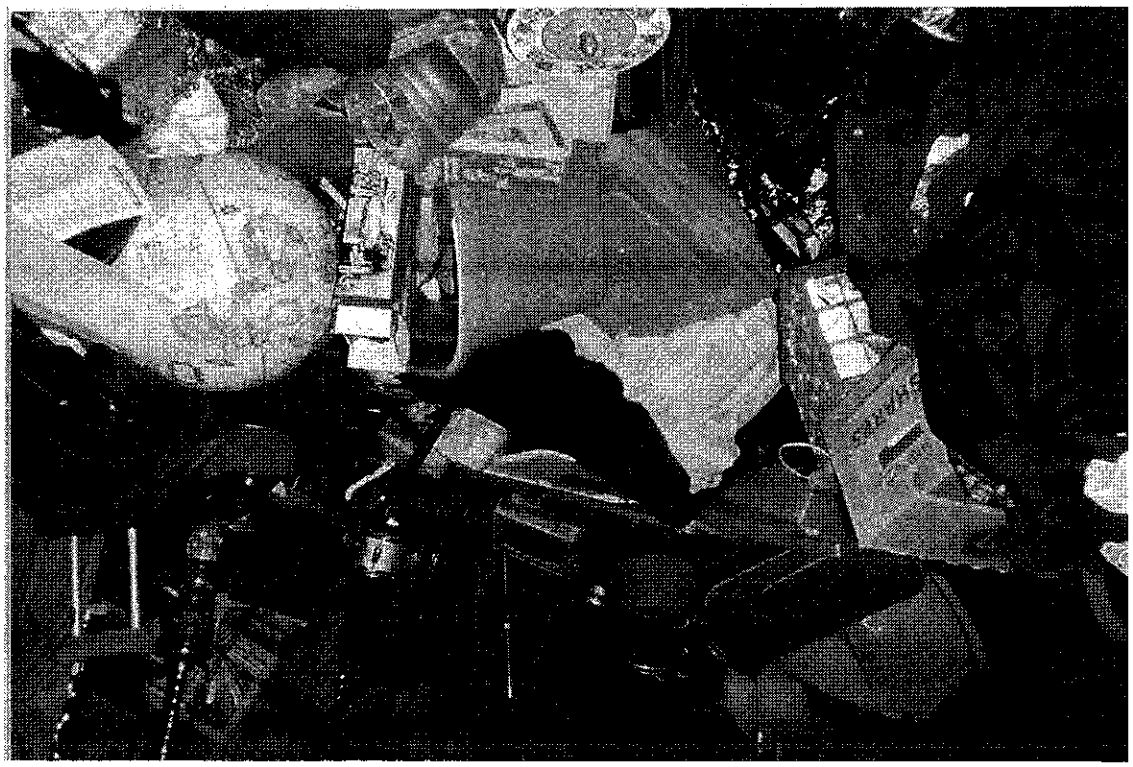
**NOTICE TO BUYER: YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY [FIFTH BUSINESS DAY IN ALASKA, FIFTEENTH BUSINESS DAY IN NORTH DAKOTA IF YOU ARE AGE 65 OR OLDER AFTER THE DATE OF THIS TRANSACTION. SEE THAT ATTACHED NOTICE OF CANCELLATION FORM FOR AN EXPLANATION OF THIS RIGHT.**

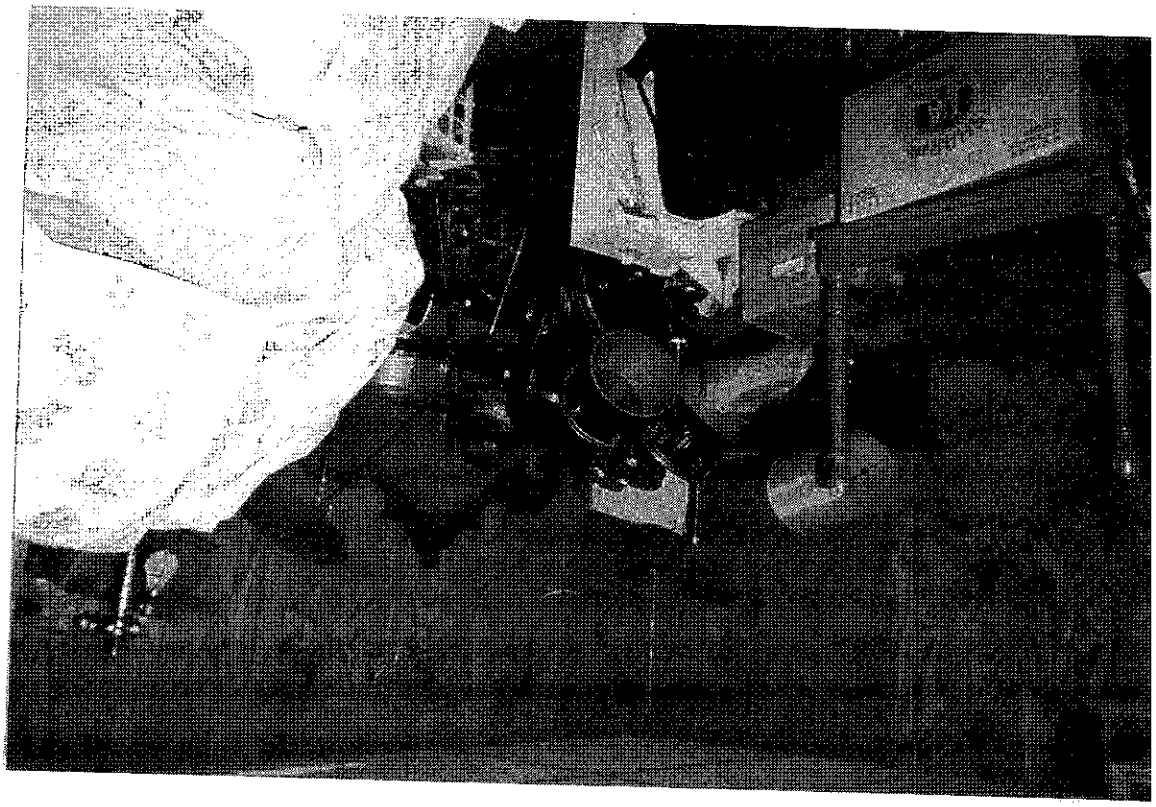


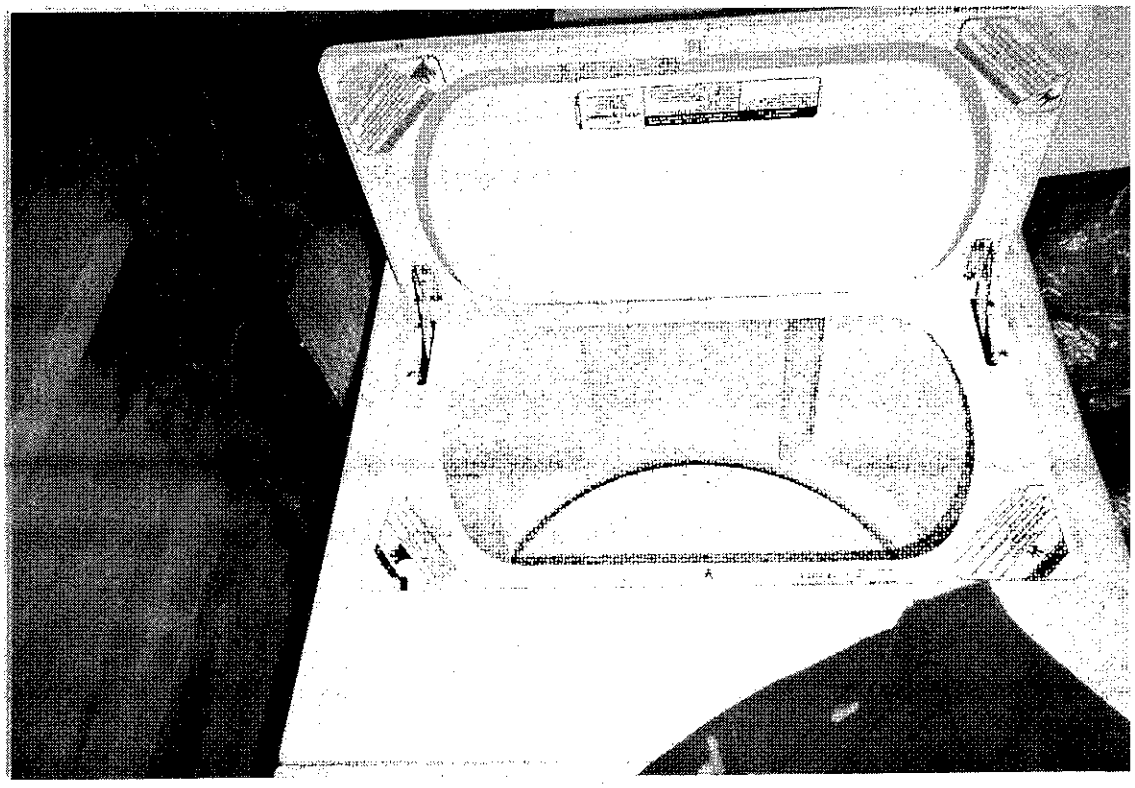


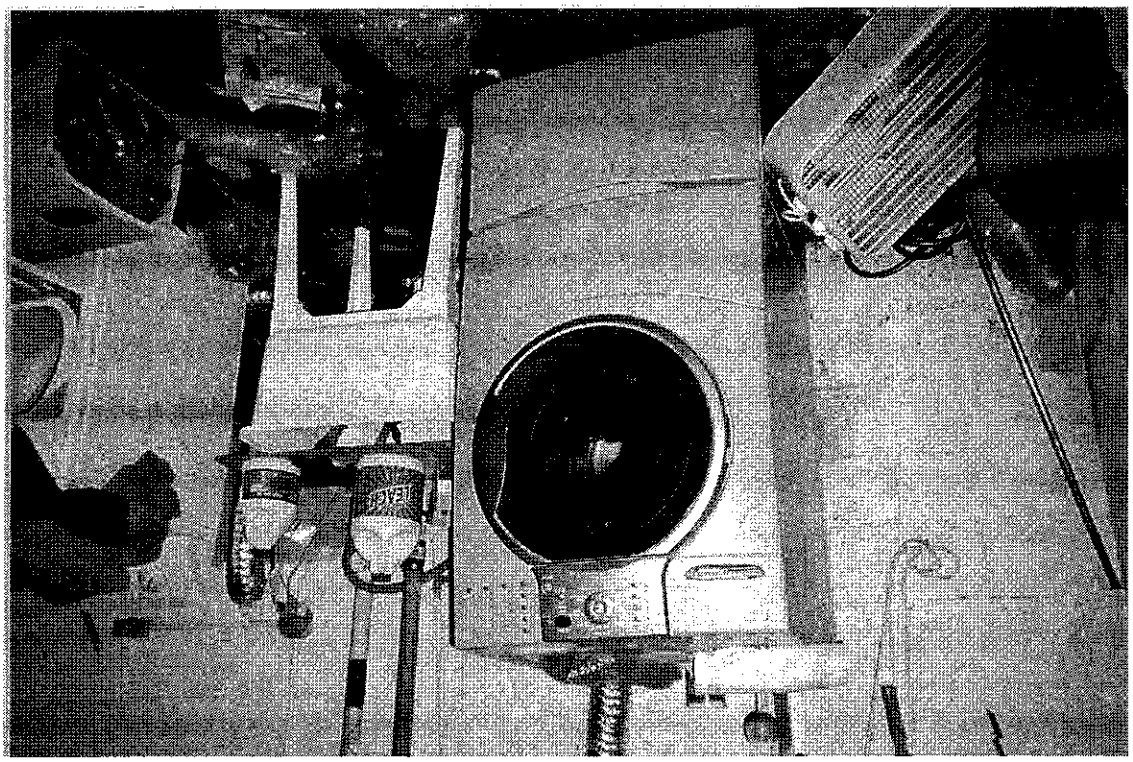












**NOTICES SENT TO FOR FILE 080890:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Bobbie J. Lathan | 5064 N. 26th St.<br>Milwaukee, WI 53209 | 10/31/08 | | |
| Robert Brooks | DPW | x | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090310 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/7/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relative to legislative bills. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | FEDERAL LEGISLATION, STATE LEGISLATION | | |
| **Attachments:** | Agenda 09-14-09.pdf, AB-269 - Cusing injury to a law enforcement officer while resisting or obstructing an officer or while attempting to flee and providing a penalty., AB-340 - Restricting access to and limiting information contained in the Consolidated Court Automation Programs and providing a penalty., SB-240 - Restoring the right to vote to certain persons barred from voting as a result of a felony, AB-353 Restoring the right to vote to certain persons barred from voting as a result of a felony, AB-403 - Local government property insurance fund premiums., SB-282 - Local government property insurance fund premiums., RE AB-269 Relating to causing injury to a law enforcement officer while resisting or obstructing an officer or while attempting to flee and providing a penalty..txt, RE AB-340 Relating to restricting access to and limiting information contained in the Consolidated Court Automation Programs and providing a penalty..txt, RE SB-240 Relating to restoring the right to vote to certain persons barred from voting as a result of a felony conviction and changing the information required on voter registration forms..txt, HACM Comments on AB-340.pdf, MPL Board Quorum.pdf, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/7/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090310
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution relative to legislative bills.
**Drafter**
IRD
MO
6/29/09



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# LEGISLATIVE HEARING CALENDAR

**Positions to be taken by the City of Milwaukee on the following bills will be discussed by the**

## COMMITTEE ON JUDICIARY-LEGISLATION

### MONDAY, SEPTEMBER 14, 2009 AT 4:00 PM

**Room 301-B City Hall**

| | |
|---|---|
| AB-269 | Causing injury to a law enforcement officer while resisting or obstructing an officer or while attempting to flee and providing a penalty. |
| AB-340 | Restricting access to and limiting information contained in the Consolidated Court Automation Programs and providing a penalty. |
| SB-240/ AB-353 | Restoring the right to vote to certain persons barred from voting as a result of a felony conviction and changing the information required on voter registration forms. |
| AB-403/ SB-282 | Local government property insurance fund premiums. |

Legislation to change the quorum requirement for the Milwaukee Public Library Board and legislation to change the language in Chapter 43 that limits the county executive's designee to a county supervisor who lives outside the city.

State of Wisconsin
2009 − 2010 LEGISLATURE

LRB−1560/2
CMH:cjs:md

# 2009 ASSEMBLY BILL 269

May 19, 2009 − Introduced by Representatives DANOU, MILROY, BROOKS, KERKMAN, BIES, SINICKI, KAUFERT, JORGENSEN, TOWNSEND, ZIGMUNT, SMITH, BERCEAU, SOLETSKI, HRAYCHUCK, PASCH, ZEPNICK, DEXTER, CLARK and SPANBAUER, cosponsored by Senators SULLIVAN, KREITLOW, PLALE, CARPENTER, KAPANKE and SCHULTZ. Referred to Committee on Criminal Justice.

AN ACT ***to amend*** 946.41 (title); and ***to create*** 946.41 (2r) of the statutes; **relating to:** causing injury to a law enforcement officer while resisting or obstructing an officer or while attempting to flee and providing a penalty.

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***Analysis by the Legislative Reference Bureau***

Under current law, a person who intentionally resists or obstructs a law enforcement officer is guilty of a Class A misdemeanor, and a person who intentionally causes bodily harm to a law enforcement officer is guilty of a Class H felony. Under this bill, a person who causes bodily harm to a law enforcement officer while the person is resisting, obstructing, fleeing from, or attempting to flee from, a law enforcement officer is guilty of a Class H felony.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 946.41 (title) of the statutes is amended to read:

**946.41** (title) **Resisting ~~or,~~ obstructing, or fleeing from officer.**

**SECTION 2.** 946.41 (2r) of the statutes is created to read:

946.41 **(2r)** Whoever causes bodily harm to an officer is guilty of a Class H felony if the officer is acting in an official capacity and with lawful authority, the actor knows or has reason to know that the victim is an officer, and the actor causes the bodily harm while violating sub. (1) or while he or she flees from, or attempts to flee from, an officer who is acting in an official capacity and with lawful authority.

**SECTION 3. Initial applicability.**

(1) The treatment of section 946.41 (2r) of the statutes first applies to acts committed on the effective date of this subsection.

**(END)**

State of Wisconsin
2009 − 2010 LEGISLATURE

LRB−2267/3
PJH:bjk:md

# 2009 ASSEMBLY BILL 340

July 8, 2009 − Introduced by Representatives SCHNEIDER, KESSLER and A. WILLIAMS.
Referred to Committee on Criminal Justice.

AN ACT ***to create*** 758.20 of the statutes; **relating to:** restricting access to and limiting information contained in the Consolidated Court Automation Programs and providing a penalty.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, the director of state courts established a consolidated electronic system. This system, known as the Consolidated Court Automation Programs (CCAP), contains information about civil and criminal cases filed in the circuit courts in this state, including information about the parties and their attorneys; documents filed; and deadlines, decisions, and outcomes of cases. CCAP also contains information on family court proceedings; probate proceedings; John Doe proceedings; reviews of certain administrative proceedings; tax warrants; mechanics', construction, condominium, or other types of liens; civil lawsuits; eviction proceedings; and domestic violence and other restraining orders and injunctions.

The information on CCAP is available for free on an Internet Web site. The Web site has no limitations on who has access to the information, although information in certain types of cases is not available to the public. CCAP allows a user to search for all civil and criminal cases in which a person or entity, who is the subject of the search, has been a party.

Currently, the initial CCAP Web page for each criminal and traffic or other civil forfeiture case contains the following statements: 1) for each criminal and traffic or other civil forfeiture case, a statement that employers may not discriminate against

persons because of arrest and conviction records, except in certain circumstances; 2) for each criminal and traffic or other civil forfeiture case that did not result in a conviction or forfeiture, a statement that the charges were not proven and have no legal effect, and that the defendant is presumed innocent; and 3) for each traffic or other civil forfeiture case in which a forfeiture but no criminal conviction was imposed, a statement that the charge or charges in the case are not criminal offenses.

Under this bill, the director of state courts may only provide case information on CCAP after a court does one of the following: 1) makes a finding that a person is guilty of a criminal charge; 2) makes a finding that a person is liable in a civil matter; 3) orders a person to be evicted; or 4) issues a restraining order or an injunction against a person.

The bill allows free access to CCAP to Wisconsin judges or other court officials, law enforcement personnel, attorneys, and accredited journalists. The bill allows access to CCAP information to any other person who pays a $10 annual fee and registers his or her name and address with the director of state courts. The bill requires the director of state courts to keep a registry and log of each user who pays the annual fee that records the searches each user performs. Under the bill, if a user searches for a person's name on CCAP and subsequently denies the person employment, housing, or another public accommodation, the user must inform the person that he or she searched for the person's record on CCAP. A user who fails to do so may be fined $1,000.

Under the bill, upon the written request of a person whose case information is currently available on CCAP, the director of state courts must remove any information relating to a case that did not result in a finding of criminal guilt or civil liability, an order of eviction, or the issuance of a restraining order against the person.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 758.20 of the statutes is created to read:

**758.20 Consolidated court automation programs. (1)** In this section, "Wisconsin Circuit Court Access Internet Web site" means the Web site of the consolidated court automation programs, which is the statewide electronic circuit court case management system established under s. 758.19 (4) and maintained by the director of state courts.

**(2)** The director of state courts may not include in the Wisconsin Circuit Court Access Internet Web site any information about any case or charge until a court does one of the following:

(a) Enters a finding of guilty in a criminal matter.

(b) Enters a finding of liability in a civil matter.

(c) Enters an order of eviction.

(d) Issues a restraining order or an injunction against a person.

**(3)** (a) The following persons shall have access to the information contained on the Wisconsin Circuit Court Access Internet Web site at no charge:

1. Justices, judges, magistrates, court commissioners, and other employees of state, federal, and municipal courts in Wisconsin who require access to court documents and records in the course of their employment.

2. Law enforcement officers as defined in s. 941.299 (1) (c) and other employees of state, federal, and municipal law enforcement agencies in Wisconsin who require access to court documents and records in the course of their employment.

3. Attorneys licensed to practice law in Wisconsin and their employees who require access to court documents and records in the course of their employment.

4. Members of the Wisconsin Newspapers Association, the Wisconsin Broadcasters Association, and any other Wisconsin media organization designated by the director of state courts.

(b) A person who does not meet the requirements under par. (a) may have access to the information on the Wisconsin Circuit Court Access Internet Web site if the person provides his or her full name and address and pays the fee specified in par. (c). The director of state courts shall maintain a record of each person who has access under this paragraph that includes the person's name, address, and the name of each

person about whom he or she requests information from the Wisconsin Circuit Court Access Internet Web site.

(c) Annually, a person who seeks access to the information on the Wisconsin Circuit Court Access Internet Web site under par. (b) shall pay a $10 fee to the director of state courts. The director of state courts shall transmit the fees to the department of administration for deposit in the general fund.

**(4)** The director of state courts shall make available an option to provide online the information required under sub. (3) (b) and to pay online the fee required under sub. (3) (c).

**(5)** A person may request, in writing, that the director of state courts remove from the Wisconsin Circuit Court Access Internet Web site all information relating to a case or charge against the person. Upon receiving the request, the director of state courts shall remove the information if it does not meet the requirements under sub. (2).

**(6)** Any person who requests information from the Wisconsin Circuit Court Access Internet Web site shall inform the person who is the subject of the request that he or she sought information about that person if he or she denies that person employment, housing, or any public accommodation. Any person who intentionally fails to comply with this subsection shall be required to forfeit $1,000 for each failure to comply.

**SECTION 2. Initial applicability.**

(1) This act first applies to judgments, findings, or orders entered on the effective date of this subsection, except that a request made under s. 758.20 (5), as created by this act, applies to information available on the Wisconsin Circuit Court Access Internet Web site on the effective date of this subsection.

(2) This act first applies to requests for information made on the effective date of this subsection.

**SECTION 3. Effective date.**

(1) This act takes effect on the first day of the 5th month beginning after publication.

**(END)**

State of Wisconsin
2009 – 2010 LEGISLATURE

LRB–0696/3
CMH&JTK:wlj:ph

# 2009 SENATE BILL 240

July 21, 2009 – Introduced by Senators TAYLOR, MILLER, COGGS and RISSER, cosponsored by Representatives GRIGSBY, SCHNEIDER, PARISI, YOUNG, PASCH, ROYS, HILGENBERG, BLACK, POCAN, TURNER, FIELDS, KESSLER, BERCEAU, A. WILLIAMS, TOLES and SINICKI. Referred to Committee on Labor, Elections and Urban Affairs.

AN ACT ***to repeal*** 302.117, 304.078 (1) and 973.09 (4m); ***to renumber and amend*** 6.03 (1) (b) and 304.078 (3); ***to amend*** 6.33 (1), 6.33 (2) (a), 301.03 (3a) (intro.), 301.03 (20m), 304.078 (2) and 973.176 (2); and ***to create*** 6.03 (1) (b) 1., 2., 3. and 4. of the statutes; **relating to:** restoring the right to vote to certain persons barred from voting as a result of a felony conviction and changing the information required on voter registration forms.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, when a person is barred from voting as the result of a felony conviction (a "disqualifying offense"), the person's right to vote may be restored through a pardon. Otherwise, it is restored upon completion of the sentence, including extended supervision or parole, or completion of the term of probation imposed on the person who committed the offense.

Under this bill, a person loses his or her right to vote based on a disqualifying offense only while he or she is incarcerated for that offense. A person released to extended supervision or parole may resume voting. In addition, a person convicted of a disqualifying offense and on probation retains the right to vote while on probation unless he or she is confined as a condition of probation. But if a person who committed a disqualifying offense is returned to prison after the revocation of extended supervision or parole or is sent to prison or a jail or house of correction after the revocation of probation, the person loses the right to vote until he or she is released.

Currently, an applicant for voter registration must affirm 1) whether he or she has been convicted of a felony for which he or she has not been pardoned and, if so, whether the applicant is incarcerated or on parole, probation, or extended supervision; and 2) whether the applicant is disqualified on any other ground from voting.

This bill deletes the requirement that an applicant provide any information relating to a felony conviction but retains the requirement that an applicant affirm that he or she is not disqualified on any ground from voting.

This bill also requires the Department of Corrections (DOC), the Government Accountability Board, and the Director of State Courts to include in their ongoing training programs a discussion of the changes in law produced by this bill and to offer the training to judges, attorneys, election officials, employees of DOC, and the public.

For further information see the ***state*** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 6.03 (1) (b) of the statutes is renumbered 6.03 (1) (b) (intro.) and amended to read:

6.03 **(1)** (b) (intro.) Any person ~~convicted of treason,~~ <u>who, as a result of a</u> felony ~~or bribery, unless the person's right to vote is restored through a pardon or under s. 304.078 (3)~~ <u>conviction, is any of the following:</u>

**SECTION 2.** 6.03 (1) (b) 1., 2., 3. and 4. of the statutes are created to read:

6.03 **(1)** (b) 1. Incarcerated while serving a sentence that was not imposed under s. 973.01.

2. Serving a term of confinement, or incarcerated after revocation of extended supervision, while serving a sentence that was imposed under s. 973.01.

3. Incarcerated following the revocation of probation.

4. Confined as a condition of probation under s. 973.09 (4) (a).

**SECTION 3.** 6.33 (1) of the statutes is amended to read:

6.33 **(1)** The board shall prescribe the format, size, and shape of registration forms. All forms shall be printed on cards and each item of information shall be of uniform font size, as prescribed by the board. The municipal clerk shall supply sufficient forms to meet voter registration needs. The forms shall be designed to obtain from each applicant information as to name; date; residence location; citizenship; date of birth; age; the number of a valid operator's license issued to the elector under ch. 343 or the last 4 digits of the elector's social security account number; whether the applicant has resided within the ward or election district for at least 10 days; ~~whether the applicant has been convicted of a felony for which he or she has not been pardoned, and if so, whether the applicant is incarcerated, or on parole, probation, or extended supervision;~~ whether the applicant is disqualified on any ~~other~~ ground from voting; and whether the applicant is currently registered to vote at any other location. The form shall include a space for the applicant's signature and the signature of any corroborating elector. The form shall include a space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6) or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name, affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form. The form shall include a space for entry of the ward and aldermanic district, if any, where the elector resides and any other information required to determine the offices and referenda for which the elector is certified to vote. The form shall also include a space where the clerk may record an indication of whether the form is received by mail, a space where the clerk may record an indication of the type of identifying document submitted by the elector as proof of residence under s. 6.34, whenever required, and a space where the clerk, for any applicant who possesses a valid voting

identification card issued to the person under s. 6.47 (3), may record the identification serial number appearing on the voting identification card. Each county clerk shall obtain sufficient registration forms for completion by an elector who desires to register to vote at the office of the county clerk under s. 6.28 (4).

**SECTION 4.** 6.33 (2) (a) of the statutes is amended to read:

6.33 **(2)** (a) All information may be recorded by any person, except that the ward and aldermanic district, if any, other geographic information under sub. (1), the indication of whether the registration is received by mail, the type of identifying document submitted by the elector as proof of residence under s. 6.34, whenever required, and any information relating to an applicant's voting identification card shall be recorded by the clerk. An applicant is not required to provide a copy of any certificate or notice issued to the applicant under s. 304.078. Each applicant shall sign his or her own name unless the applicant is unable to sign his or her name due to physical disability. In such case, the applicant may authorize another elector to sign the form on his or her behalf. If the applicant so authorizes, the elector signing the form shall attest to a statement that the application is made upon request and by authorization of a named elector who is unable to sign the form due to physical disability.

**SECTION 5.** 301.03 (3a) (intro.) of the statutes is amended to read:

301.03 **(3a)** (intro.) Subject to all of the following, design a form to provide notice under ~~ss. 302.117, 973.09 (4m), and~~ s. 973.176 (2) of ineligibility to vote under s. 6.03 (1) (b):

**SECTION 6.** 301.03 (20m) of the statutes is amended to read:

301.03 **(20m)** Transmit to the government accountability board, on a continuous basis, a list containing the name of each living person who ~~has been~~

~~convicted of a felony under the laws of this state and whose civil rights have not been restored~~ is ineligible to vote under s. 6.03 (1) (b), together with his or her residential address and the date on which the department expects ~~his or her civil rights to be restored~~ him or her to be eligible to vote.

**SECTION 7.** 302.117 of the statutes is repealed.

**SECTION 8.** 304.078 (1) of the statutes is repealed.

**SECTION 9.** 304.078 (2) of the statutes is amended to read:

304.078 **(2)** Except for the right to vote, which is restored as provided in sub. (3), every person who is convicted of a crime obtains a restoration of his or her civil rights by serving out his or her term of imprisonment or otherwise satisfying his or her sentence. The certificate of the department or other responsible supervising agency that a convicted person has served his or her ~~sentence~~ term of imprisonment or otherwise satisfied the ~~judgment~~ sentence against him or her is evidence of that fact and that the person is restored to his or her civil rights. The department or other agency shall list in the person's certificate rights which have been restored and which have not been restored. Persons who served out their terms of imprisonment or otherwise satisfied their sentences prior to August 14, 1947, are likewise restored to their civil rights from and after September 25, 1959.

**SECTION 10.** 304.078 (3) of the statutes is renumbered 304.078 (3) (a) and amended to read:

304.078 **(3)** (a) If a person is disqualified ~~from voting~~ under s. 6.03 (1) (b) from voting, his or her right to vote is restored when ~~he or she completes the term of imprisonment or probation for the crime that led to the disqualification. The~~ the factor under s. 6.03 (1) (b) that disqualified him or her from voting no longer applies to him or her.

(b) When a person is placed on parole or extended supervision or when a person is discharged from an incarceration sentence or a confinement period that disqualified him or her under s. 6.03 (1) (b) from voting, the department or, if the person is sentenced to a county jail or house of correction, the jailer shall ~~inform the person in writing at the time his or her~~ provide the person written notice of the right to vote ~~is restored under this subsection~~ and, if the person resided in this state at the time of conviction, a voter registration form.

**SECTION 11.** 973.09 (4m) of the statutes is repealed.

**SECTION 12.** 973.176 (2) of the statutes is amended to read:

973.176 **(2)** VOTING. Whenever a court imposes a sentence or ~~places a defendant on probation for a conviction~~ a condition of probation that disqualifies the defendant from voting under s. 6.03 (1) (b), the court shall inform the defendant in writing that he or she may not vote in any election until ~~his or her civil rights are restored~~ the factor under s. 6.03 (1) (b) that disqualified him or her from voting no longer applies to him or her. The court shall use the form designed by the department of corrections under s. 301.03 (3a) to inform the defendant, and the defendant and a witness shall sign the form.

**SECTION 13. Nonstatutory provisions.**

(1) TRAINING. The department of corrections, the government accountability board, and the director of state courts shall include in their ongoing training programs a discussion of the changes to voting rights that this act creates and shall offer the training to judges, attorneys, election officials, employees of the department of corrections, and the public, as appropriate. If this subsection takes effect at least 60 days before the first election that follows that effective date, the department, the board, and the director shall endeavor to provide the training before election day.

(2) NOTICE. The department of corrections shall, as soon as reasonably possible but no later than 6 months after the effective date of this subsection, mail to each person on parole, extended supervision, or probation, who was released to parole or extended supervision, or placed on probation, before the effective date of this subsection, notice that the person's right to vote is restored.

**SECTION 14. Initial applicability.**

(1) The renumbering and amendment of section 6.03 (1) (b) of the statutes and the creation of section 6.03 (1) (b) 1., 2., 3., and 4. of the statutes first apply to persons who are on or released to parole or extended supervision on the effective date of this subsection and to persons who are on or placed on probation on the effective date of this subsection.

**(END)**

State of Wisconsin
2009 – 2010 LEGISLATURE

LRB–2499/5
CMH&JTK:wlj:rs

# 2009 ASSEMBLY BILL 353

July 28, 2009 – Introduced by Representatives GRIGSBY, SCHNEIDER, PARISI, HILGENBERG, POCAN, YOUNG, PASCH, ROYS, BLACK, TURNER, FIELDS, KESSLER, BERCEAU, A. WILLIAMS, TOLES, SINICKI, POPE-ROBERTS and ZIGMUNT, cosponsored by Senators TAYLOR, COGGS, MILLER and RISSER, by request of Restore the Vote Wisconsin NOW Coalition. Referred to Committee on Corrections and the Courts.

AN ACT ***to repeal*** 302.117, 304.078 (1) and 973.09 (4m); ***to renumber and amend*** 6.03 (1) (b) and 304.078 (3); ***to amend*** 6.33 (1), 6.33 (2) (a), 301.03 (3a) (intro.), 301.03 (20m), 304.078 (2) and 973.176 (2); and ***to create*** 6.03 (1) (b) 1., 2., 3. and 4. of the statutes; **relating to:** restoring the right to vote to certain persons barred from voting as a result of a felony conviction and changing the information required on voter registration forms.

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### *Analysis by the Legislative Reference Bureau*

Under current law, when a person is barred from voting as the result of a felony conviction (a "disqualifying offense"), the person's right to vote may be restored through a pardon. Otherwise, it is restored upon completion of the sentence, including extended supervision or parole, or completion of the term of probation imposed on the person who committed the offense.

Under this bill, a person loses his or her right to vote based on a disqualifying offense only while he or she is incarcerated for that offense. A person released to extended supervision or parole may resume voting. In addition, a person convicted of a disqualifying offense and on probation retains the right to vote while on probation unless he or she is confined as a condition of probation. But if a person who committed a disqualifying offense is returned to prison after the revocation of extended supervision or parole or is sent to prison or a jail or house of correction after the revocation of probation, the person loses the right to vote until he or she is released.

Currently, an applicant for voter registration must affirm 1) whether he or she has been convicted of a felony for which he or she has not been pardoned and, if so, whether the applicant is incarcerated or on parole, probation, or extended supervision; and 2) whether the applicant is disqualified on any other ground from voting.

This bill deletes the requirement that an applicant provide any information relating to a felony conviction but retains the requirement that an applicant affirm that he or she is not disqualified on any ground from voting.

This bill also requires the Department of Corrections (DOC), the Government Accountability Board, and the Director of State Courts to include in their ongoing training programs a discussion of the changes in law produced by this bill and to offer the training to judges, attorneys, election officials, employees of DOC, and the public.

For further information see the ***state*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 6.03 (1) (b) of the statutes is renumbered 6.03 (1) (b) (intro.) and amended to read:

6.03 **(1)** (b) (intro.) Any person ~~convicted of treason,~~ <u>who, as a result of a</u> felony ~~or bribery, unless the person's right to vote is restored through a pardon or under s. 304.078 (3)~~ <u>conviction, is any of the following:</u>

**SECTION 2.** 6.03 (1) (b) 1., 2., 3. and 4. of the statutes are created to read:

6.03 **(1)** (b) 1. Incarcerated while serving a sentence that was not imposed under s. 973.01.

2. Serving a term of confinement, or incarcerated after revocation of extended supervision, while serving a sentence that was imposed under s. 973.01.

3. Incarcerated following the revocation of probation.

4. Confined as a condition of probation under s. 973.09 (4) (a).

**SECTION 3.** 6.33 (1) of the statutes is amended to read:

6.33 **(1)** The board shall prescribe the format, size, and shape of registration forms. All forms shall be printed on cards and each item of information shall be of uniform font size, as prescribed by the board. The municipal clerk shall supply sufficient forms to meet voter registration needs. The forms shall be designed to obtain from each applicant information as to name; date; residence location; citizenship; date of birth; age; the number of a valid operator's license issued to the elector under ch. 343 or the last 4 digits of the elector's social security account number; whether the applicant has resided within the ward or election district for at least 10 days; ~~whether the applicant has been convicted of a felony for which he or she has not been pardoned, and if so, whether the applicant is incarcerated, or on parole, probation, or extended supervision;~~ whether the applicant is disqualified on any ~~other~~ ground from voting; and whether the applicant is currently registered to vote at any other location. The form shall include a space for the applicant's signature and the signature of any corroborating elector. The form shall include a space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6) or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name, affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form. The form shall include a space for entry of the ward and aldermanic district, if any, where the elector resides and any other information required to determine the offices and referenda for which the elector is certified to vote. The form shall also include a space where the clerk may record an indication of whether the form is received by mail, a space where the clerk may record an indication of the type of identifying document submitted by the elector as proof of residence under s. 6.34, whenever required, and a space where the clerk, for any applicant who possesses a valid voting

identification card issued to the person under s. 6.47 (3), may record the identification serial number appearing on the voting identification card. Each county clerk shall obtain sufficient registration forms for completion by an elector who desires to register to vote at the office of the county clerk under s. 6.28 (4).

**SECTION 4.** 6.33 (2) (a) of the statutes is amended to read:

6.33 **(2)** (a) All information may be recorded by any person, except that the ward and aldermanic district, if any, other geographic information under sub. (1), the indication of whether the registration is received by mail, the type of identifying document submitted by the elector as proof of residence under s. 6.34, whenever required, and any information relating to an applicant's voting identification card shall be recorded by the clerk. An applicant is not required to provide a copy of any certificate or notice issued to the applicant under s. 304.078. Each applicant shall sign his or her own name unless the applicant is unable to sign his or her name due to physical disability. In such case, the applicant may authorize another elector to sign the form on his or her behalf. If the applicant so authorizes, the elector signing the form shall attest to a statement that the application is made upon request and by authorization of a named elector who is unable to sign the form due to physical disability.

**SECTION 5.** 301.03 (3a) (intro.) of the statutes is amended to read:

301.03 **(3a)** (intro.) Subject to all of the following, design a form to provide notice under ~~ss. 302.117, 973.09 (4m), and~~ s. 973.176 (2) of ineligibility to vote under s. 6.03 (1) (b):

**SECTION 6.** 301.03 (20m) of the statutes is amended to read:

301.03 **(20m)** Transmit to the government accountability board, on a continuous basis, a list containing the name of each living person who ~~has been~~

~~convicted of a felony under the laws of this state and whose civil rights have not been restored~~ is ineligible to vote under s. 6.03 (1) (b), together with his or her residential address and the date on which the department expects ~~his or her civil rights to be restored~~ him or her to be eligible to vote.

**SECTION 7.** 302.117 of the statutes is repealed.

**SECTION 8.** 304.078 (1) of the statutes is repealed.

**SECTION 9.** 304.078 (2) of the statutes is amended to read:

304.078 **(2)** Except for the right to vote, which is restored as provided in sub. (3), every person who is convicted of a crime obtains a restoration of his or her civil rights by serving out his or her term of imprisonment or otherwise satisfying his or her sentence. The certificate of the department or other responsible supervising agency that a convicted person has served his or her ~~sentence~~ term of imprisonment or otherwise satisfied the ~~judgment~~ sentence against him or her is evidence of that fact and that the person is restored to his or her civil rights. The department or other agency shall list in the person's certificate rights which have been restored and which have not been restored. Persons who served out their terms of imprisonment or otherwise satisfied their sentences prior to August 14, 1947, are likewise restored to their civil rights from and after September 25, 1959.

**SECTION 10.** 304.078 (3) of the statutes is renumbered 304.078 (3) (a) and amended to read:

304.078 **(3)** (a) If a person is disqualified ~~from voting~~ under s. 6.03 (1) (b) from voting, his or her right to vote is restored when ~~he or she completes the term of imprisonment or probation for the crime that led to the disqualification. The~~ the factor under s. 6.03 (1) (b) that disqualified him or her from voting no longer applies to him or her.

(b) When a person is placed on parole or extended supervision or when a person is discharged from an incarceration sentence or a confinement period that disqualified him or her under s. 6.03 (1) (b) from voting, the department or, if the person is sentenced to a county jail or house of correction, the jailer shall ~~inform the person in writing at the time his or her~~ provide the person written notice of the right to vote ~~is restored under this subsection~~ and, if the person resided in this state at the time of conviction, a voter registration form.

**SECTION 11.** 973.09 (4m) of the statutes is repealed.

**SECTION 12.** 973.176 (2) of the statutes is amended to read:

973.176 **(2)** VOTING. Whenever a court imposes a sentence or ~~places a defendant on probation for a conviction~~ a condition of probation that disqualifies the defendant from voting under s. 6.03 (1) (b), the court shall inform the defendant in writing that he or she may not vote in any election until ~~his or her civil rights are restored~~ the factor under s. 6.03 (1) (b) that disqualified him or her from voting no longer applies to him or her. The court shall use the form designed by the department of corrections under s. 301.03 (3a) to inform the defendant, and the defendant and a witness shall sign the form.

**SECTION 13. Nonstatutory provisions.**

(1) TRAINING. The department of corrections, the government accountability board, and the director of state courts shall include in their ongoing training programs a discussion of the changes to voting rights that this act creates and shall offer the training to judges, attorneys, election officials, employees of the department of corrections, and the public, as appropriate. If this subsection takes effect at least 60 days before the first election that follows that effective date, the department, the board, and the director shall endeavor to provide the training before election day.

(2) NOTICE. The department of corrections shall, as soon as reasonably possible but no later than 6 months after the effective date of this subsection, mail to each person on parole, extended supervision, or probation, who was released to parole or extended supervision, or placed on probation, before the effective date of this subsection, notice that the person's right to vote is restored.

**SECTION 14. Initial applicability.**

(1) The renumbering and amendment of section 6.03 (1) (b) of the statutes and the creation of section 6.03 (1) (b) 1., 2., 3., and 4. of the statutes first apply to persons who are on or released to parole or extended supervision on the effective date of this subsection and to persons who are on or placed on probation on the effective date of this subsection.

**(END)**

State of Wisconsin
2009 – 2010 LEGISLATURE

LRB–3053/1
TJD:bjk:ph

# 2009 ASSEMBLY BILL 403

August 31, 2009 – Introduced by Representatives BARCA, HUBLER, JORGENSEN, HIXSON, ZIGMUNT, HILGENBERG, CLARK, GARTHWAITE, SEIDEL, MASON, STASKUNAS, KERKMAN, BERCEAU, POPE–ROBERTS, ZEPNICK, SMITH, DEXTER, PETROWSKI, VAN ROY, A. WILLIAMS, HRAYCHUCK, FIELDS, BERNARD SCHABER, MURSAU, TURNER, PASCH, SHILLING, NYGREN, ROYS, STRACHOTA and HINTZ, cosponsored by Senators VINEHOUT, LEHMAN, WIRCH, HOLPERIN, HANSEN, ERPENBACH, HARSDORF, TAYLOR, CARPENTER, COGGS, ROBSON and GROTHMAN. Referred to Committee on Urban and Local Affairs.

1 AN ACT **relating to:** local government property insurance fund premiums.

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***Analysis by the Legislative Reference Bureau***

Under current law, a local governmental unit, including a city, county, town, village, or school district, may insure its property through the local government property insurance fund (property fund). The local governmental unit pays premiums into the state treasury for the benefit of the property fund.

This bill requires the commissioner of insurance to reduce a local governmental unit's premium for insuring property through the property fund, for premiums due beginning on October 1, 2009, and ending on September 30, 2010, for property insured in 2008 through the property fund by the amount the local governmental unit paid in premiums in 2008 on that property. The local governmental unit pays no premium, and receives no refund, if the premium paid in 2008 is higher than the premium due beginning on October 1, 2009, and ending on September 30, 2010.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

2 **SECTION 1. Nonstatutory provision.**

3 (1) LOCAL GOVERNMENT PROPERTY INSURANCE FUND; PREMIUM REDUCTION.

(a) In this subsection:

1. "Local governmental unit" has the meaning given in section 605.01 (1) of the statutes.

2. "Property fund" means the local government property insurance fund.

(b) For property insured by a local governmental unit in the property fund for which premiums are payable on or after October 1, 2009, but before October 1, 2010, and which was insured in the property fund during calendar year 2008, the commissioner of insurance shall reduce the premium payable by the local governmental unit on or after October 1, 2009, but before October 1, 2010, by an amount equal to one of the following, whichever is less:

1. The premium paid to the property fund on that property by that local governmental unit during calendar year 2008.

2. The premium payable by that local governmental unit for that property on or after October 1, 2009, but before October 1, 2010.

**(END)**

State of Wisconsin
2009 – 2010 LEGISLATURE

LRB–3135/1
TJD:bjk:md

# 2009 SENATE BILL 282

August 31, 2009 – Introduced by Senators VINEHOUT, LEHMAN, WIRCH, HOLPERIN, ERPENBACH, TAYLOR, CARPENTER, COGGS, ROBSON and HARSDORF, cosponsored by Representatives BARCA, HUBLER, JORGENSEN, HIXSON, ZIGMUNT, HILGENBERG, BERCEAU, GARTHWAITE, MASON, SEIDEL, CLARK, POPE–ROBERTS, ZEPNICK, STASKUNAS, A. WILLIAMS, TURNER, SMITH, HRAYCHUCK, BERNARD SCHABER, FIELDS, KERKMAN, PETROWSKI, VAN ROY and MURSAU. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

AN ACT **relating to:** local government property insurance fund premiums.

---

***Analysis by the Legislative Reference Bureau***

Under current law, a local governmental unit, including a city, county, town, village, or school district, may insure its property through the local government property insurance fund (property fund). The local governmental unit pays premiums into the state treasury for the benefit of the property fund.

This bill requires the commissioner of insurance to reduce a local governmental unit's premium for insuring property through the property fund, for premiums due beginning on October 1, 2009, and ending on September 30, 2010, for property insured in 2008 through the property fund by the amount the local governmental unit paid in premiums in 2008 on that property. The local governmental unit pays no premium, and receives no refund, if the premium paid in 2008 is higher than the premium due beginning on October 1, 2009, and ending on September 30, 2010.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1. Nonstatutory provision.**

(1) LOCAL GOVERNMENT PROPERTY INSURANCE FUND; PREMIUM REDUCTION.

(a) In this subsection:

1. "Local governmental unit" has the meaning given in section 605.01 (1) of the statutes.

2. "Property fund" means the local government property insurance fund.

(b) For property insured by a local governmental unit in the property fund for which premiums are payable on or after October 1, 2009, but before October 1, 2010, and which was insured in the property fund during calendar year 2008, the commissioner of insurance shall reduce the premium payable by the local governmental unit on or after October 1, 2009, but before October 1, 2010, by an amount equal to one of the following, whichever is less:

1. The premium paid to the property fund on that property by that local governmental unit during calendar year 2008.

2. The premium payable by that local governmental unit for that property on or after October 1, 2009, but before October 1, 2010.

**(END)**

From: Hinrichs, Kristine
Sent: Friday, July 17, 2009 11:04 AM
To: Intergovernmental
Cc: Wood, Brenda; Gonda, Jennifer; Dahlberg, Art
Subject: RE: AB-340 Relating to: restricting access to and limiting information contained in the Consolidated Court Automation Programs and providing a penalty.

The Court has opposed this legislation in the past. The Judges are sensitive to the issue of the potential for the information to be used in a manner that is not intended. For that reason, they did direct Court staff to display only cases on our public site that are less than five years old. They believed that this is an appropriate time period for the types of cases heard here. That time period would, of course, not be appropriate for criminal and other more serious cases. They also directed that we place a disclaimer related to the use of the data on our case search page.

The following are other issues that relate to the Court's opposition to this proposal.

Concern that such a restriction would later be applied to municipal court web sites - increasing the number of phone calls and other records requests from people who had used the site in the past. We direct employers and government agencies to use our site to reduce staff time dedicated to looking up cases and providing the information. The implementation of a registration requirement would be very costly to us as well.

We direct defendants to our web site for information about pending action and to allow them to make on-line payments. The Judges believe that defendants should have easy access to information about their own cases. They have often lost their citation or court notices so do need to be able to search on their own name.

Concern that many people confuse us with circuit court and that the number of people who call here for circuit court information would increase. Even though we don't provide the data to them when they call, referring these parties to circuit court or CCAP is fairly time consuming.

The Judges have an overall concern that the public does have a right to reasonable access to public records and that people should not have to come to a physical location in order to exercise that right.

Kris

Kristine Hinrichs
Chief Court Administrator
Milwaukee Municipal Court
951 North James Lovell Street
Milwaukee, WI 53233

414-286-3836 - direct
414-286-3615 fax

-----Original Message-----
From: Intergovernmental
Sent: Wednesday, July 15, 2009 9:07 AM
To: Hinrichs, Kristine; Dahlberg, Art
Cc: Wood, Brenda; Gonda, Jennifer
Subject: AB-340 Relating to: restricting access to and limiting information contained in the Consolidated Court Automation Programs and providing a penalty.

http://www.legis.state.wi.us/2009/data/AB-340.pdf

AB-340 was recently introduced.

Please review the proposed legislation for its impact on the City of Milwaukee and respond below by email ('Reply to All') as soon as possible.

Please include the following information:

Is this germane to the City of Milwaukee?

Recommended position:

Specific reason for this position:

Estimated fiscal cost or revenue:

The information you provide will be helpful to the Judiciary and Legislation Committee in formulating the City's position.

Thank you.

From: Gacek, Gary
Sent: Sunday, June 07, 2009 3:51 PM
To: Intergovernmental; Rowe, Diana
Cc: Kwaterski, Steve
Subject: RE: AB-269 Relating to: causing injury to a law enforcement officer while resisting or obstructing an officer or while attempting to flee and providing a penalty.

1) YES

2) Support

3) The Bill enhances the ability to prosecute for causation of injury to an officer.

4) None

LT. GJG

-----Original Message-----
From: Intergovernmental
Sent: Tue 6/2/2009 2:20 PM
To: Gacek, Gary; Rowe, Diana
Cc: Kwaterski, Steve
Subject: AB-269 Relating to: causing injury to a law enforcement officer while resisting or obstructing an officer or while attempting to flee and providing a penalty.

http://www.legis.state.wi.us/2009/data/AB-269.pdf

AB-269 was recently introduced.

Please review the proposed legislation for its impact on the City of Milwaukee and respond below by email ('Reply to All') as soon as possible.

Please include the following information:

Is this germane to the City of Milwaukee?

Recommended position:

Specific reason for this position:

Estimated fiscal cost or revenue:

The information you provide will be helpful to the Judiciary and Legislation Committee in formulating the City's position.

Thank you.

From: Edman, Susan
Sent: Thursday, July 30, 2009 3:32 PM
To: Intergovernmental; Leonhardt, Ronald; Moschella, Vincent
Cc: Vornholt, Paul; Gonda, Jennifer; Wood, Brenda
Subject: RE: SB-240 Relating to: restoring the right to vote to certain persons barred from voting as a result of a felony conviction and changing the information required on voter registration forms.

See responses below.

-----Original Message-----
From: Intergovernmental
Sent: Monday, July 27, 2009 1:39 PM
To: Leonhardt, Ronald; Edman, Susan; Moschella, Vincent
Cc: Vornholt, Paul; Gonda, Jennifer; Wood, Brenda
Subject: SB-240 Relating to: restoring the right to vote to certain persons barred from voting as a result of a felony conviction and changing the information required on voter registration forms.

http://www.legis.state.wi.us/2009/data/SB-240.pdf

SB-240 was recently introduced.

Please review the proposed legislation for its impact on the City of Milwaukee and respond below by email ('Reply to All') as soon as possible.

Please include the following information:

Is this germane to the City of Milwaukee? YES

Recommended position: SUPPORT

Specific reason for this position: The District Attorney's Office and Election Commission management staff spend an enormous amount of time following-up on convicted felons (on probation or parole) who may have registered to vote or voted. Additionally, clerical staff spend hours and hours inactivating the registration status of these individuals (in the Statewide Voter Registration System) as well as sending follow-up letters advising them of same. This change is state statute would eliminate the aforementioned clerical work as well as the constant controversy surrounding this issue. I see little harm in this change.

Estimated fiscal cost or revenue: $2,500 to print new voter registration cards.

The information you provide will be helpful to the Judiciary and Legislation Committee in formulating the City's position.

Thank you.

**AB-340**

## HOUSING AUTHORITY OF THE CITY OF MILWAUKEE

## COMMENTS TO PROPOSED CCAP LEGISLATION

The Housing Authority of the City of Milwaukee has been utilizing the CCAP court system since its inception. Access to this valuable, FREE, database is invaluable to our organization, as well as to private-sector landlords in the community. As a government funded agency facing federal budget cuts, we cannot afford to lose this FREE resource.

Under federal housing regulations issued by the U. S. Department of Housing & Urban Development (HUD), housing authorities are required to screen all applicants for suitability. Public housing and Section 8 Housing Choice Voucher Programs ARE NOT entitlement programs. Applicants must meet specific screening criteria.

The CCAP system is used by HACM in a variety of ways:

**Landlord/tenant civil judgments**: oftentimes the CCAP system contains enough information so that valuable staff time, resources and funds do not have to be utilized accessing physical court records. Landlord tenant judgments that occur outside Milwaukee County often cannot be obtained due to time, distance or other factors. It can be very costly under open records to obtain these documents via an open records request. In addition, there is a time delay that effects application processing time. When the application processing time slows down, vacancy rates can climb which also results in a potential loss of revenue to the agency. CCAP records in general are often a tool we use to verify prior or undisclosed addresses a potential applicant lived at. This is essential for good screening. Oftentimes rental property has changed hands and we no longer can contact the former owner for a reference check. CCAP provides valuable information if a property has changed ownership.

**Criminal history**: CCAP provides comprehensive information about an individual's involvement with a county's court system statewide. The notes within the CCAP record let us know about sentencing requirements, if an individual has had probation violations, had his/her probation revoked or has been discharged from probation. Again, this can save valuable time and reduce the number of calls to already busy probation/parole agents. Our Public Safety staff also frequently uses the CCAP system when investigating complaints of unauthorized live-ins, accusations that a criminal may be living in public housing, etc. [**You may want to ask Al Schoessow for his input. You also know how you may have used CCAP yourself**.]

**Harassment/restraining orders**: CCAP also provides valuable information about harassment/restraining orders. Under the federal governments Violence Against Women Act (VAWA) we have a legal obligation to assist legitimate victims of domestic violence in a variety of ways within our assisted housing programs. With easy access to CCAP records, HACM is able to quickly and sensitively verify and substantiate a victim's claim that he/she is or has been the victim of domestic violence if the court system has been utilized.

**Other investigations**: HACM frequently receives requests from residents already living in public housing to add new adults to their households. Criminal checks are done on the potential new adult household members. CCAP has been invaluable for documenting previous cases of domestic violence between these individuals. When domestic violence occurs within our housing developments, the neighbors (including young children) are frequently disturbed and the police are called to the property. Such disturbances contribute to the community's perception that public housing is crime-ridden and unsafe. Good residents/families may become so tired of their neighbors disturbances that they move-out in frustration rather than stay while we attempt to build a successful eviction case against the family who is disturbing their neighbors.

**Private-sector landlords**: Good, reputable private-sector landlords also benefit from access to the CCAP system. They also can use CCAP as a tool when screening their own tenants. HACM has difficulties finding enough landlords to participate in the Section 8 Housing Choice Voucher Program. When a landlord does agree to participate, the program notifies the landlord that they (the landlord) are responsible for screening their potential tenants. If the CCAP system is taken away from private-sector landlords, they may be unwilling to consider Section 8 voucher holders. This would dramatically impact low income persons looking for a decent apartment in the private market.

**Other social services agencies/shelters etc**. In HACM's many relationships and partnerships with various agencies in the greater Milwaukee community, the vast majority of these agencies also rely on CCAP. They also use it as a screening tool to determine if they should admit or allow individuals to stay/participate at their shelters. They have great concerns about housing, even temporarily, violent criminals, those who've engaged in drug-related activities or who've had other significant, repeated law enforcement contacts. Oftentimes it is the shelters who are housing families with children, victims of domestic violence, etc. who have already been through significant trauma. These agencies are trying to keep these families safe and secure.

Across the country, public housing programs have a reputation for housing criminals. **In Milwaukee, this is not the case.** We take our screening responsibilities very seriously.

Good tenants start with strong, effective screening. We believe firmly that we should never admit those individuals to our public or assisted housing communities who have a past record, whether eviction or criminal related, of damaging property, disturbing neighbors or engaging in violent or drug related activities, to name just a few.

We have consistently been rated a high-performing housing authority by HUD. The quality of our programs, services and buildings have been recognized on numerous occasions, including being the past recipient of a World Leadership Award in the housing industry. If access to the CCAP system is denied, our ability to adequately screen applicants for housing would be severely compromised. Elected officials from the state to the local level do contact our office on behalf of residents of our assisted housing programs or residents who are neighbors of the public housing communities when there are problems—whether real or perceived. These elected officials, on behalf of the constituents they serve, should expect that HACM will investigate these complaints and allegations. One of HACM's continuing goals is to CONTINUE to be a good neighbor and partner in Milwaukee neighborhoods. CCAP is essential to keeping our assisted housing communities safe, crime and disturbance free.

#148757:08/06/09

Legislation to change the quorum requirement for the Milwaukee Public Library Board.

The Milwaukee Public Library Board has asked the Intergovernmental Relations Division to lobby for a change to their quorum requirements. Specifically, they approved asking IRD to lobby for the following language change:

Amend Wis. Stat. 43.54(1)(e). . . *library boards organized under par. (am), 7 members, or a majority of the filled seats, constitute a quorum.*

This change would allow the Board to more effectively and efficiently conduct library business, especially during extended periods of vacant appointments, such as we have experienced in the past year.

**NOTICES SENT TO FOR FILE 090310:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Paul Vornholt | DOA-IRD | 9/4/09 | | |
| Brenda Woods | CC-CC | x | | |
| All Council members | | x | | |
| Kim Montgomery | Mayor's Office | x | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090590 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation amending the neighborhood improvement districts law with respect to mail notification of the city plan commission public hearings on the proposed creation or termination of a neighborhood improvement district. | | |
| **Sponsors:** | ALD. DONOVAN | | |
| **Indexes:** | CITY PLAN COMMISSION, INTERGOVERNMENTAL RELATIONS DIVISION, NEIGHBORHOOD IMPROVEMENT DISTRICTS, STATE LEGISLATION | | |
| **Attachments:** | Fiscal Note, Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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Number
090590
Version
ORIGINAL
Reference

Sponsor
ALD. DONOVAN
Title
Resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation amending the neighborhood improvement districts law with respect to mail notification of the city plan commission public hearings on the proposed creation or termination of a neighborhood improvement district.
Analysis
Currently, Wisconsin Statutes require that a copy of the notice of a plan commission public hearing on a proposal to create or terminate a neighborhood improvement district be sent by certified mail to all owners of property within the proposed or existing district. This resolution directs the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation replacing the requirement for certified-mail notification with a requirement for notification by regular mail.
Body
Whereas, Section 66.1110(3)(c), Wis. Stats., requires that a copy of the notice of a plan commission public hearing on a proposed neighborhood improvement district and initial operating plan, along with a copy of the plan and a boundary map of the proposed district, be sent by certified mail to all owners of property within the proposed neighborhood improvement district; and

Whereas, Certified mail service costs approximately six times as much as regular, first-class postage; and

Whereas, The additional expense associated with sending notices by certified mail, rather than regular mail, whether borne by the municipality creating the neighborhood improvement district or passed through to property owners in the district, makes creation of a neighborhood improvement district a costly undertaking and may hamper efforts to establish such a district, particularly when the proposed district encompasses hundreds or even thousands of properties; and

Whereas, The funds used to send notices by certified mail could be better used to support the actual neighborhood improvement activities set forth in the district's operating plan; and

Whereas, Section 66.1110(6)(b), Wis. Stats., establishes a similar certified-mail requirement for notices of a plan commission public hearing on the proposed termination of a neighborhood improvement district; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division-Department of Administration is directed to seek introduction and passage of state legislation replacing the requirement for certified-mail notification of a plan commission public hearing on a proposal to create or terminate a neighborhood improvement district with a requirement for regular-mail notification.
Requestor

Drafter



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LRB09356-1
JDO
08/27/2009



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CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** 9/1/09 **FILE NUMBER:** 090590

Original Fiscal Note [x] Substitute [ ]

**SUBJECT:** Resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation amending the neighborhood improvement districts law with respect to mail notification of the city plan commission public hearings on the proposed creation or termination of a neighborhood improvement district.

**B) SUBMITTED BY (Name/title/dept./ext.):** Linda Elmer/Staff Assistant/City Clerks' Office per Paul Vornholt – DOA-IRD

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES: FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

**D) CHARGE TO:**

- [ ] DEPARTMENT ACCOUNT (DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
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| **SUPPLIES:** | | | | | |
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| **MATERIALS:** | | | | | |
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| **NEW EQUIPMENT:** | | | | | |
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| **EQUIPMENT REPAIR:** | | | | | |
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| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

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| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

| H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE: |
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PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

**NOTICES SENT TO FOR FILE 090590:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| All Council members | | 9/4/09 | | |
| Kim Montgomery | Mayor's Office | x | | |
| Brenda Wood | CC/CC | x | | |
| Paul Vornholt | DOA-IRD | x | | |
| Rocky Marcoux | DCD | x | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

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|---|---|---|---|
| **File #:** | 090600 **Version:** 0 | | |
| **Type:** | Appointment | **Status:** | In Committee |
| **File created:** | 9/1/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Reappointment of Lillian Carter-Pounds to the Deferred Assessment Board by the Mayor. (9th Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | APPOINTMENTS, DEFERRED ASSESSMENT BOARD | | |
| **Attachments:** | Reappointment Letter, Attendance Record | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/1/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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## Number
090600
## Version
ORIGINAL
## Reference

## Sponsor
THE CHAIR
## Title
Reappointment of Lillian Carter-Pounds to the Deferred Assessment Board by the Mayor. (9th Aldermanic District)
## Requestor
Mayor
## Drafter
CC
dkf
9/1/09



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September 1, 2009

To the Honorable, the Common Council
Of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to reappoint Lillian Carter-Pounds, 8580 North Servite Drive, Milwaukee, Wisconsin 53223, to the Deferred Assessment Board. This reappointment is pursuant to Section 115-44-4-b of the Milwaukee Code of Ordinances. Ms. Carter-Pounds' term will commence upon taking of the oath of office.

I trust this reappointment will have the approval of your Honorable Body.

Respectfully submitted,

Tom Barrett
Mayor

City of Milwaukee
City Hall, Room 205
200 E. Wells Street
Milwaukee, WI 53202
(414) 286-2221

**Office of the City Clerk**

Re: Common Council File Number 090600

Reappointment of Lillian Carter-Pounds to the Deferred Assessment Board by the Mayor.

Dear Sir/Madam,

In accordance with Common Council resolution File Number 65-2210, adopted November 30, 1965, all reappointments are to be referred to an appropriate standing committee.

Under this policy, the appropriate committee is to be informed in writing of the incumbent's attendance record during his/her last term of service.

Please provide the following required information and return immediately to our office for consideration at the Judiciary & Legislation Committee on 9/14/09

- Number of meetings held: 6
- Number of meetings attended: 6
- Number of excused absences: 0
- Number of unexcused absences: 0

Please return this information to Charlotte Rodriguez or Crodri@milwaukee.com City Clerk's Office in Room 205, City Hall.

Very truly yours,

Ronald D. Leonhardt

RONALD D. LEONHARDT
City Clerk

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 090467 **Version:** 0 | | |
| **Type:** | Appointment | **Status:** | In Committee |
| **File created:** | 7/28/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Reappointment of Robert Spindell, Jr., to the Election Commission by the Mayor. (3rd Aldermanic District) | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | APPOINTMENTS, ELECTION COMMISSION | | |
| **Attachments:** | Reappointment Letter, Attendance Record | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/28/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/4/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number**
090467
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Reappointment of Robert Spindell, Jr., to the Election Commission by the Mayor. (3rd Aldermanic District)
**Drafter**
Mayor
TB
7/28/09



powered by Legistar™

July 28, 2009

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to reappoint Mr. Robert F. Spindell, Jr., 1626 North Prospect Avenue - #2209, Milwaukee, Wisconsin, 53202, to the Board of Election Commissioners. This reappointment is pursuant to Section 7.20 of the Wisconsin State Statutes. Mr. Spindell's term will commence upon taking of the oath of office.

I trust this reappointment will have the approval of your Honorable Body.

Respectfully submitted,

Tom Barrett
Mayor

City of Milwaukee

City Hall, Room 205
200 E. Wells Street
Milwaukee, WI 53202
(414) 286-2221

**Office of the City Clerk**

Re: Common Council File Number 090467

Reappointment of Robert Spindell, Jr. to the Election Commission by the Mayor.

Dear Sir/Madam,

In accordance with Common Council resolution File Number 65-2210, adopted November 30, 1965, all reappointments are to be referred to an appropriate standing committee.

Under this policy, the appropriate committee is to be informed in writing of the incumbent's attendance record during his/her last term of service.

Please provide the following required information and return immediately to our office for consideration at the Judiciary & Legislation Committee on 9/14/09

- Number of meetings held: 50
- Number of meetings attended: 46
- Number of excused absences: 4
- Number of unexcused absences: 0

Please return this information to Charlotte Rodriguez or Crodri@milwaukee.com City Clerk's Office in Room 205, City Hall.

Very truly yours,

Ronald D. Leonhardt

RONALD D. LEONHARDT
City Clerk

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 060331 **Version:** 1 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 6/20/2006 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Substitute resolution directing the Election Commission to place an advisory referendum on the consolidation of certain City of Milwaukee and Milwaukee County government functions on the November 7, 2006, ballot. | | |
| **Sponsors:** | ALD. WITKOWSKI | | |
| **Indexes:** | ELECTION COMMISSION, REFERENDA | | |
| **Attachments:** | Fiscal Note, News media release of 7/20/06 by Ald. Witkowski, News media release of 8/10/06 by Ald. Witkowski, News media release by Ald. Davis, News media release of 9/19/06 by Ald. Witkowski | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 6/20/2006 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 7/19/2006 | 1 | CITY CLERK | DRAFT SUBMITTED | | |



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**Number**
060331
**Version**
SUBSTITUTE 1
**Reference**

**Sponsor**
ALD. WITKOWSKI
**Title**
Substitute resolution directing the Election Commission to place an advisory referendum on the consolidation of certain City of Milwaukee and Milwaukee County government functions on the November 7, 2006, ballot.
**Analysis**
This resolution directs the Election Commission to provide, on the November 7, 2006, general election ballot, an advisory referendum on whether the City of Milwaukee and other interested or relevant parties should study the feasibility and potential cost savings of the City assuming responsibility for government functions currently performed by Milwaukee County through dissolution of the County and creation of a consolidated city/county form of government.
**Body**
Whereas, In recent years, the City of Milwaukee has faced a number of fiscal challenges, including rising employee health care costs, a State Legislature-imposed tax levy “freeze” and declining inflation-adjusted state shared revenue payments; and

Whereas, Despite these fiscal restraints, the City has been able to maintain a high level of service to City residents without increasing the property tax rate; and

Whereas, While Milwaukee County faces a number of the same fiscal challenges as the City, it is experiencing an ongoing and worsening budget crisis caused in large part by escalating fringe benefit costs, particularly pensions and health care for retired County employees; and

Whereas, In order to balance its budgets, the County has chosen to underfund its pension system and to make substantial cuts in the services it provides to County residents; and

Whereas, According to the Wisconsin Policy Research Institute, Milwaukee County is on the verge of fiscal insolvency, with its budget deficit projected to grow from less than $10 million this year to $81 million in 2007 and approximately $250 million by 2011; and

Whereas, On June 29, 2006, Governor Jim Doyle announced the creation of a state task force of public- and private-sector leaders that will determine the severity of Milwaukee County’s financial problems and recommend solutions by December, 2006; and

Whereas, There is widespread community concern about Milwaukee County’s declining ability to provide public services in such key areas as parks, transit and law enforcement; and

Whereas, Many services provided by City and County agencies are similar, if not identical; and

Whereas, One way to achieve operational and cost efficiencies in government is to have only one unit of government (for example, the City of Milwaukee) provide the services previously provided by two units of government (the City and Milwaukee County); and



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Whereas, The consolidation of city and county services and functions, sometimes referred to as “metropolitan government” or “unified government”, has been successfully implemented in a number of other major U.S. cities, including Indianapolis, Louisville and Nashville; and

Whereas, By dissolving Milwaukee County and having the City of Milwaukee perform most or all of its functions, duplication of services could be eliminated and the cost of providing services could be reduced; and

Whereas, Part of the State Legislature’s intent in imposing the local government tax levy “freeze” was to encourage greater efficiencies in the provision of local government services, a prime example of which is the efficiency gained by having a single level of government provide most or all services previously provided by two different governmental units; and

Whereas, The cost savings that could result from dissolution of Milwaukee County and consolidation of services under the City of Milwaukee could go a long way in addressing metropolitan Milwaukee’s image as a high-tax area - an image which hurts Milwaukee’s ability to retain and attract businesses and residents; and

Whereas, City of Milwaukee residents deserve an opportunity to express their opinions on whether the City, other units of government and other interested organizations should study the feasibility and potential cost savings of the City assuming responsibility for performing functions currently performed by Milwaukee County, through dissolution of the County and creation of some form of metropolitan or consolidated government; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Election Commission of the City of Milwaukee is directed to provide, on the November 7, 2006, general election ballot, an advisory referendum on whether the City of Milwaukee and other interested or relevant parties should study the feasibility and potential cost savings of the City assuming responsibility for most or all functions currently performed by Milwaukee County; and, be it

Further Resolved, That the following referendum question shall be submitted to a vote of the electors at this election:

> “Shall the City of Milwaukee, with assistance from other units of government and other interested organizations, study the feasibility and potential cost savings of the City assuming responsibility for government functions currently performed by Milwaukee County and, if such a consolidation of functions is feasible and financially beneficial, work with the State of Wisconsin and other municipalities in Milwaukee County to dissolve the County and created a consolidated city/county form of government?”

**Requestor**

**Drafter**
LRB06316-2
JDO
07/19/2006



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CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE** July 19, 2006 **FILE NUMBER:** 060331

Original Fiscal Note [x] Substitute [ ]

**SUBJECT:** Resolution directing the Election Commission to place an advisory referendum on the consolidation of certain City of Milwaukee and Milwaukee County government functions on the November 7, 2006 ballot.

**B) SUBMITTED BY (Name/title/dept./ext.):** Susan M. Edman, Executive Director, Election Commission

**C) CHECK ONE:**

- [ ] ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
- [X] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES: FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [ ] NOT APPLICABLE/NO FISCAL IMPACT.

**D) CHARGE TO:**

- [X] DEPARTMENT ACCOUNT (DA)
- [ ] CONTINGENT FUND (CF)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] GRANT & AID ACCOUNTS (G & AA)
- [ ] OTHER (SPECIFY)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
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| **MATERIALS:** | | | | | |
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| **NEW EQUIPMENT:** | | | | | |
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| **EQUIPMENT REPAIR:** | | | | | |
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| **OTHER:** | | | | | |
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| **TOTALS** | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION: Estimated** cost - $4,000.

The referendum must be noticed twice in the Milwaukee Journal/Sentinel - $4,000.

| H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE: |
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PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

FOR IMMEDIATE RELEASE

COMMON COUNCIL
CITY OF MILWAUKEE
NEWS RELEASE
CITY CLERK COMMUNICATIONS CENTER

FOR INFORMATION CALL

**July 20, 2006**

**Ald. Terry Witkowski**
**414-731-0472**

# Alderman Wants Consolidated Government Study On Fall Ballot

***Ald. Witkowski says City Residents Deserve the Opportunity to Vote on Whether a Study of the Consolidation of Two Governments Should Take Place***

Ald. Terry L. Witkowski wants to know what Milwaukee residents think of the idea of the city assuming responsibility for most or all government functions currently performed by Milwaukee County through **dissolution of the County and creation of a consolidated city/county form of government.**

Ald. Witkowski is sponsoring a resolution directing the Election Commission to place an advisory referendum on the consolidation of certain City of Milwaukee and Milwaukee County functions on the November 7, 2006 ballot. Ald. Witkowski said, "Many services provided by city and county agencies are similar, if not identical, and I believe our residents should have the opportunity to say whether we should study such a consolidation."

"I think the timing is right and this is the first time in my lifetime that I think the public would support government consolidation," said Ald. Witkowski. "By using a referendum, representatives of all levels of government would know how the public feels about consolidation, and would be able to judge if they should support it and work for it before a penny is spent looking at it," Ald. Witkowski added.

"There is widespread community concern about Milwaukee County's declining ability to provide public services in such key areas as parks, transit and law enforcement," said Ald. Witkowski, "And one way to achieve operational and cost efficiencies in government is to have only one unit of government."

**-More-**

## Consolidated City/County Gov't/ADD ONE

Ald. Witkowski says a referendum asking about a consolidation would allow a study to determine if duplication of services could be eliminated and the cost of providing services could be reduced by dissolving Milwaukee County and having the City of Milwaukee perform most or all of its functions.

In recent years, the City of Milwaukee has faced a number of fiscal challenges, including rising employee health care costs, declining inflation adjusted state shared revenue payments and a state legislature imposed tax levy "freeze." The alderman added the goal of the freeze was to have local governments look for efficiencies in services.

"In spite of the fiscal restraints the city has been able to maintain a high level of service to city residents without increasing the property tax rate," said Ald. Witkowski, "While Milwaukee County, faced with many of the same fiscal challenges, is experiencing an ongoing and worsening budget crisis."

The consolidation of city and county services and functions has been successfully implemented in major U.S. cities, including Indianapolis, Louisville and Nashville, and Ald. Witkowski says the costs savings that could result from dissolution of Milwaukee County and consolidation of services under the City of Milwaukee could go a long way in addressing metropolitan Milwaukee's image as a high-tax area, an image which hurts the city's ability to retain and attract businesses and residents.

The proposed referendum question for the November 7, 2006 ballot states:

"Shall the City of Milwaukee, with assistance from other units of government and other interested organizations, study the feasibility and potential cost savings of the city assuming responsibility for government functions currently performed by Milwaukee County and, if such a consolidation of functions is feasible and financially beneficial, work with the State of Wisconsin and other municipalities in Milwaukee County to dissolve the county and create a consolidated city/county form of government?"

**-30-**

FOR IMMEDIATE RELEASE

COMMON COUNCIL
CITY OF MILWAUKEE
NEWS RELEASE
CITY CLERK COMMUNICATIONS CENTER

FOR INFORMATION CALL

**August 10, 2006**

**Ald. Terry Witkowski**
**414 286-2221**

# Consolidation of County-City Services On Tap For Public Meeting

## *Ald. Terry Witkowski to Present His Case for Advisory Referendum, Will Take Comments From Residents Monday Night*

County government operations in several large metropolitan areas in the U.S. have been taken over by cities, and Ald. Terry Witkowski thinks Milwaukee is ready to weigh in on whether such a change should be studied here. Ald. Witkowski has drafted a Common Council resolution seeking an advisory referendum on the November ballot that would allow voters to indicate whether they think dissolving most or all of Milwaukee County government services is worth a closer look.

The alderman will discuss his proposal and take comments from residents during a **town hall meeting at 6:30 p.m. Monday, August 14, 2006 at the Robert A. Anderson Municipal Building, 4001 S. 6th St., third floor**. **Media coverage is invited.**

Ald. Witkowski said he's heard from a "wide array" of residents and constituents who are genuinely concerned "about Milwaukee County's declining ability to provide public services in such key areas as parks, transit and law enforcement." He said a referendum would allow voters to decide whether there should be a study to determine if duplication of services exists, and if there is duplication whether it could be eliminated at a savings to taxpayers.

The proposed referendum question for the November 7, 2006 ballot states:

**-More-**

## Public Meeting Re: Consolidation Ballot Question/ADD ONE

"Shall the City of Milwaukee, with assistance from other units of government and other interested organizations, study the feasibility and potential cost savings of the city assuming responsibility for government functions currently performed by Milwaukee County and, if such a consolidation of functions is feasible and financially beneficial, work with the State of Wisconsin and other municipalities in Milwaukee County to dissolve the county and create a consolidated city/county form of government?"

The consolidation of city and county services and functions has been successfully implemented in major U.S. cities, including Indianapolis, Louisville and Nashville, and Ald. Witkowski said the costs savings that could result from dissolution of Milwaukee County and consolidation of services under the City of Milwaukee could go a long way in addressing metropolitan Milwaukee's image as a high-tax area, an image which hurts the city's ability to retain and attract businesses and residents.

**-30-**

FOR IMMEDIATE RELEASE

COMMON COUNCIL
CITY OF MILWAUKEE
NEWS RELEASE
CITY CLERK COMMUNICATIONS CENTER

FOR INFORMATION CALL

**September 11, 2006**

**Bill Arnold**
**286-3285**

# Public Can Comment On Study of County-City Consolidation of Services

***Northwest Side Hearing Will Allow Comments On Possible Consolidation Study, Advisory Referendum***

City residents will have the chance again to provide their views on whether the city should move forward with steps that could lead to a study of the pros and cons of consolidating most or all of Milwaukee County government functions within city government.

**The public is invited to offer input on whether such a change should be studied further during a hearing at 6:30 p.m. on Wednesday, September 13, 2006 at Albright United Methodist Church, 5555 W. Capitol Dr. (parking and entry via the rear of the church property). The hearing is being hosted by Ald. Joe Davis, Sr. Media coverage is invited.**

Ald. Davis said he's not taken a position on the issue and is hosting the hearing so residents can comment on it and discuss it.

Ald. Terry L. Witkowski has drafted a Common Council resolution seeking an advisory referendum on the November ballot that would allow voters to indicate whether they think dissolving most or all of Milwaukee County government services is worth a closer look. He said a referendum would allow voters to decide whether there should be a study to determine if duplication of services exists, and if there is duplication whether it could be eliminated at a savings to taxpayers.

**-More-**

## Hearing On Consolidation Ballot Question/ADD ONE

The proposed referendum question for the November 7, 2006 ballot states:

"Shall the City of Milwaukee, with assistance from other units of government and other interested organizations, study the feasibility and potential cost savings of the city assuming responsibility for government functions currently performed by Milwaukee County and, if such a consolidation of functions is feasible and financially beneficial, work with the State of Wisconsin and other municipalities in Milwaukee County to dissolve the county and create a consolidated city/county form of government?"

The consolidation of city and county services and functions has been successfully implemented in major U.S. cities, including Indianapolis, Louisville and Nashville, and Ald. Witkowski has said the costs savings that could result from dissolution of Milwaukee County and consolidation of services under the City of Milwaukee could go a long way in addressing metropolitan Milwaukee's image as a high-tax area, an image he says hurts the city's ability to retain and attract businesses and residents.

**-30-**

FOR IMMEDIATE RELEASE

COMMON COUNCIL
CITY of MILWAUKEE
NEWS RELEASE
CITY CLERK COMMUNICATIONS CENTER

FOR INFORMATION CALL

**September 19, 2006**

**Ald. Terry Witkowski**
**414 286-2221**

# Consolidation Question Won't Go To Milwaukee Voters ---- Yet

***Deadline to Include Referendum on November 7 Ballot Missed, But Ald. Terry Witkowski Says Too Early to Eulogize the Issue***

It's clear now that City of Milwaukee voters won't get the opportunity in six weeks to weigh in on a possible study of consolidating city and county government operations, but the topic is now in the public realm and could come back for a ballot measure in 2008, Ald. Terry L. Witkowski said today.

"The referendum for November is not moving forward, but the consolidation issue is definitely not dead in my book," said Ald. Witkowski, who drafted a Common Council resolution seeking an advisory referendum on the November ballot that would have allowed city voters the chance to weigh in on the topic.

"Nine out of 10 residents I spoke to on this issue said they wholeheartedly support studying how consolidating county government functions might work, and I don't see that sentiment going away anytime soon," the alderman said.

To have been included on the fall general election ballot on November 7, the referendum resolution needed Common Council passage and approval by September 22. However, the measure failed to get scheduled before the Council's Judiciary and Legislation Committee, and no special Council meeting was called on the matter, thus effectively killing the issue for now. Ald. Witkowski said the next opportunity to get the issue before city voters would be during the spring general election in April 2008.

**-More-**

## Consolidation Ballot Question Shelved/ADD ONE

Ald. Witkowski's resolution sought an advisory referendum that would have allowed voters to indicate whether a study of consolidation of Milwaukee County government services under the City of Milwaukee – thus dissolving county government – should go forward.

Ald. Witkowski said he believes consolidation of county services "may not be incompatible" with a state study of Milwaukee County government operations and a recently released report from the Greater Milwaukee Committee that suggested the possibility of the state taking over some functions of Milwaukee County government.

During a recent public hearing on the topic – held on the city's northwest side – citizens asked for more information on consolidation and how it would work, Ald. Witkowski said. "They were clearly saying 'we need to know more, so please give (the public) more information and research results' before moving forward with the referendum," he said.

The wording of the proposed referendum question was:

"Shall the City of Milwaukee, with assistance from other units of government and other interested organizations, study the feasibility and potential cost savings of the city assuming responsibility for government functions currently performed by Milwaukee County and, if such a consolidation of functions is feasible and financially beneficial, work with the State of Wisconsin and other municipalities in Milwaukee County to dissolve the county and create a consolidated city/county form of government?"

The consolidation of city and county services and functions has been successfully implemented in major U.S. cities, including Indianapolis, Louisville and Nashville, and Ald. Witkowski has said the savings that could result from dissolution of Milwaukee County and consolidation of services under the City of Milwaukee could help address metropolitan Milwaukee's image as a high-tax area, an image he said which hurts the city's ability to retain and attract businesses and residents.

**-30-**

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 070678 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/5/2007 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution authorizing the remission of the real estate taxes, for the tax year 2005 and 2006 in the amount of $25,184.62, for the properties conveyed from K&L Trust and Kohl et al. to the Milwaukee County. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | TAX CANCELLATIONS | | |
| **Attachments:** | City Atty. Cover Letter, Fiscal Note, Fiscal Analysis.pdf | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/5/2007 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/11/2007 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/17/2007 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 3:0 |
| 11/27/2007 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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**Number:**
070678
**Version:**
ORIGINAL

**Reference:**

**Sponsor:**
THE CHAIR

**Title:**
Resolution authorizing the remission of the real estate taxes, for the tax year 2005 and 2006 in the amount of $25,184.62, for the properties conveyed from K&L Trust and Kohl et al. to the Milwaukee County.

**Analysis:**
This resolution authorizes the remission of the real estate taxes, for the tax year 2005 and 2006 in the amount of $25,184.62, for the properties conveyed from K&L Trust and Kohl et al. to the Milwaukee County, a municipal body corporate.

**Body:**
Whereas, The properties listed below were conveyed from K&L Trust and Kohl et. al. to the Milwaukee County, on December 2004:

| Tax Key Number | Address |
|---|---|
| 005-9998-113-6 | 9001 R W COUNTY LINE ROAD |
| 005-9998-123-3 | 9371 ADJ N BURBANK AVE |
| 005-9998-151-9 | 9400 N SWAN ROAD |
| 005-9998-161-6 | 9202 N SWAN ROAD |
| 005-9998-131-4 | 9370 ADJN BURBANK AVE |
| 006-9999-126-0 | 9217 ADJN 83RD STREET |
| 006-9999-160-0 | 7603 RW COUNTY LINE ROAD |
| 007-0131-200-7 | 7400W GLENBROOK ROAD |
| 031-0114-100-3 | 6901 R W COUNTY LINE ROAD |
| 031-9986-124-6 | 9100 N 70TH STREET |

Whereas, The K&L Trust and Kohl et al transferred the properties to the Milwaukee County, a municipal body corporate; and,

Whereas, The Milwaukee County a municipal body corporate is exempt from general property taxes pursuant to Wis. Stat., § 70.11(2); and,

Whereas, The Milwaukee County did not record the deed until July 7, 2007; and

Whereas, In 2005 and 2006, because there was no recorded change in ownership, the Assessors' Office assessed the properties; and

Whereas, The Milwaukee County was the beneficial owner of the properties in 2005 and 2006; and

Whereas, The deeds were recorded on July 5th 2007, by the Milwaukee County and sent to the Assessor's Office who exempted the properties for the tax year 2007; and

Whereas, Common Council desires to provide for the remission of taxes outstanding with respect to:

| Tax Key Number | Address |
|---|---|
| 005-9998-113-6 | 9001 R W COUNTY LINE ROAD |
| 005-9998-123-3 | 9371 ADJ N BURBANK AVE |
| 005-9998-151-9 | 9400 N SWAN ROAD |
| 005-9998-161-6 | 9202 N SWAN ROAD |



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005-9998-131-4 9370 ADJN BURBANK AVE
006-9999-126-0 9217 ADJN 83RD STREET
006-9999-160-0 7603 RW COUNTY LINE ROAD
007-0131-200-7 7400W GLENBROOK ROAD
031-0114-100-3 6901 R W COUNTY LINE ROAD
031-9986-124-6 9100 N 70TH STREET

; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers are authorized and directed to issue a city check in the amount of $25,184.62 payable to Milwaukee City Treasurer Wayne F. Whittow to remit the outstanding 2005 and 2006 property taxes on tax account numbers:

005-9998-113-6
005-9998-123-3
005-9998-151-9
005-9998-161-6
005-9998-131-4
006-9999-126-0
006-9999-160-0
007-0131-200-7
031-0114-100-3
031-9986-124-6
159-9968-110

said amount to be charged to the Remission of Taxes Fund, (Fund 0001-Org 1490-Program 1840-Class S163-Acount 636508), said check to be delivered to the Customer Services Unit of the Office of the City Treasurer; and, be it

Further Resolved, That the accrued delinquent interest and penalty charges on tax account number 005-9998-113-6
005-9998-123-3
005-9998-151-9
005-9998-161-6
005-9998-131-4
006-9999-126-0
006-9999-160-0
007-0131-200-7
031-0114-100-3
031-9986-124-6

for levy years 2005 and 2006 are hereby cancelled.

**Requestor:**
City Attorney

**Drafter:**
GOSC:gosc
August 29, 2007



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**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
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**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
**PATRICIA A. FRICKER**
**HEIDI WICK SPOERL**
**KURT A. BEHLING**
**GREGG C. HAGOPIAN**
**ELLEN H. TANGEN**
**MELANIE R. SWANK**
**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**VINCENT J. BOBOT**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN M. ZALEWSKI**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
Assistant City Attorneys

January 8, 2009

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

Re: Resolution authorizing the remission of the real estate taxes for the tax years 2005 and 2006 in the amount of $25,184.62, for the properties conveyed from K&L Trust and Kohl et al., to Milwaukee County, a municipal body corporate.

Dear Council Members:

We have prepared the attached resolution providing for the remission of taxes for the following real properties:

| Tax Key Number | Address |
|---|---|
| 005-9998-113-6 | 9001 R W COUNTY LINE ROAD |
| 005-9998-123-3 | 9371 ADJ N BURBANK AVE |
| 005-9998-151-9 | 9400 N SWAN ROAD |
| 005-9998-161-6 | 9202 N SWAN ROAD |
| 005-9998-131-4 | 9370 ADJN BURBANK AVE |
| 006-9999-126-0 | 9217 ADJN 83RD STREET |
| 006-9999-160-0 | 7603 RW COUNTY LINE ROAD |
| 007-0131-200-7 | 7400W GLENBROOK ROAD |
| 031-0114-100-3 | 6901 R W COUNTY LINE ROAD |
| 031-9986-124-6 | 9100 N 70TH STREET; |

The K&L Trust and Kohl et al transferred the properties to the Milwaukee County in 2004. Unfortunately, Milwaukee County did not record the deed until July 7, 2007, and in 2005 and 2006, because there was no recorded change in ownership, the Assessors' Office assessed the properties. The deeds were recorded on July 5th 2007, by the Milwaukee County and sent to the Assessor's Office who exempted the properties for the

tax year 2007. Tax years 2005 and 2006 remained delinquent. Milwaukee County, exempt from general property taxes pursuant to Wis. Stat., § 70.11(2), was the beneficial owner of the properties in 2005 and 2006. Therefore, please provide for the introduction of this resolution.

In the event that there are any comments or suggested revisions, please advise us accordingly.

Respectfully,

GRANT F. LANGLEY
City Attorney

Genevieve O'Sullivan-Crowley,
Assistant City Attorney

GOSC/gosc:
Enclosures

c. Mr. Ronald Leonhardt
Ms. Mary Reavey
Mr. Peter Weissenfluh
Mr. James Klajbor

1060-2007-2107/122290

# CITY OF MILWAUKEE FISCAL NOTE

**A) DATE:** **January 8, 2009**

**FILE NUMBER:** **070678**
ORIGINAL FISCAL NOTE ☑ SUBSTITUTE ☐

**SUBJECT:** **Resolution authorizing the remission of the real estate taxes, for the tax year 2005 and 2006 in the amount of $25,184.62, for the properties conveyed from K&L Trust and Kohl et al. to the Milwaukee County, a municipal body corporate:**

**B) SUBMITTED BY** **Genevieve O'Sullivan-Crowley, Assistant City Attorney**

**C) CHECK ONE:**
☐X ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
LIST ANTICIPATED COSTS IN SECTION G BELOW.
NOT APPLICABLE/NO FISCAL IMPACT.

**D) CHARGE TO:**
☐ DEPARTMENTAL ACCOUNT (DA)
☐ CAPITAL PROJECTS FUND (CPF)
☐ PERM. IMPROVEMENT FUNDS (PIF)
☐ OTHER (SPECIFY)
☐ CONTINGENT FUND (CF)
☐X SPECIAL PURPOSE ACCOUNTS (SPA)
☐ GRANT & AID ACCOUNTS (G&AA)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| **SALARIES/WAGES:** | | | | | |
| | | | | | |
| | | | | | |
| **SUPPLIES:** | | | | | |
| | | | | | |
| **MATERIALS:** | | | | | |
| | | | | | |
| **NEW EQUIPMENT:** | | | | | |
| | | | | | |
| **EQUIPMENT REPAIR:** | | | | | |
| | | | | | |
| **OTHER:** | | S-163 | $25,184.62 | | |
| | | | | | |
| | | | | | |
| TOTALS | | | | | |

**F)** FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX
BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY.**

| | | |
|---|---|---|
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |
| ☐ 1-3 YEARS | ☐ 3-5 YEARS | |

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

**H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

**PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐**

| LRB-RESEARCH AND ANALYSIS SECTION | |
|---|---|
| **JUDICIARY & LEGISLATION COMMITTEE** | **ITEM 9, FILE # 070678** |
| **SEPTEMBER 17, 2007** | **RICHARD L. WITHERS** |

Resolution authorizing the remission of real estate taxes for tax years 2005 and 2006 in the amount of $25,184.62 for properties conveyed from K&L Trust and Kohl et al. to Milwaukee County.

## Background

1. Ten parcels located within the City were conveyed by quitclaim deed to Milwaukee County in December of 2004 for purposes of creating parkland.

2. Milwaukee County is a municipal body corporate exempt from general property taxes pursuant to s. 70.11(2).

3. The County failed to record the transfers until July of 2007. Without proof of transfer, the City was required to treat the properties as taxable.

## Discussion

1. Taxes assessed on the 10 properties identified in the resolution in File # 070678 for the tax years 2005 and 2006 total $25,184.62.

2. This resolution cancels the taxes and directs that a check for this amount be drawn from funds in the Remission of Taxes Fund, Special Purpose Account (SPA), and delivered to the Customer Services Unit of the Office of the City Treasurer.

3. The Remission of Taxes Fund SPA is budgeted for $500,000 in budget year 2007, the same as 2006. Actual expenditures from this account were $904,882 in 2005 and $1,055,344 in 2006.

## Summary of Fiscal Impact

1. The resolution in File # 070678 will move $25,184.62 from the Remission of Taxes Fund SPA to revenues.

cc: Marianne Walsh
W. Martin Morics
Grant Langley
Genevieve O'Sullivan-Crowley
Barbara Woldt
John Ledvina

Prepared by:

Richard L. Withers
Legislative Research Analyst
Legislative Reference Bureau
September 14, 2007

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 080396 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 7/1/2008 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution authorizing settlement of US Oil v. City, tax assessment case. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | LITIGATION, SUITS SETTLEMENT, TAX CANCELLATIONS | | |
| **Attachments:** | Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 7/1/2008 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 7/9/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 7/21/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 5:0 |



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**Number**
080396
**Version**
ORIGINAL
**Reference**

**Sponsor**
THE CHAIR
**Title**
Resolution authorizing settlement of US Oil v. City, tax assessment case.

**Requestor**
City Attorney's Office
**Drafter**
LRB08339-1
TWM/mbh
6/25/2008



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**NOTICES SENT TO FOR FILE 080396:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Vince Moschella | | 7/9/08 | | |
| Ted Medhin | LRB | 7/9/08 | | |
| | | | | |
| | | | | |
| | |

# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 080605 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 9/2/2008 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution approving and authorizing the settlement of judgment for delinquent taxes entered on behalf of the City of Milwaukee by the Kohn Law Firm against Golden Marina Causeway LLC. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | LITIGATION, SUITS SETTLEMENT | | |
| **Attachments:** | Cover Letter, Fiscal Note, Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 9/2/2008 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/2/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/8/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 4:0 |
| 9/23/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/29/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | RECOMMENDED FOR ADOPTION | Pass | 4:1 |
| 10/3/2008 | 0 | CITY CLERK | NOT RETURNED BY COMPTROLLER | | |



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**Number**
080605
**Version**
ORIGINAL
**Reference**
**Sponsor**
THE CHAIR
**Title**
Resolution approving and authorizing the settlement of judgment for delinquent taxes entered on behalf of the City of Milwaukee by the Kohn Law Firm against Golden Marina Causeway LLC.
**Analysis**
Resolution approving and authorizing the settlement of judgment for delinquent taxes entered on behalf of the City of Milwaukee by the Kohn Law Firm against Golden Marina Causeway LLC.
**Body**
Whereas, The City of Milwaukee ("the City") through the Kohn Law Firm("Kohn") filed suit against Golden Marina Causeway LLC ("GMC") in January 2008 for real estate taxes for 2006 for the property located at 311 E. Greenfield; and

Whereas, The above referenced property was assessed at $537,100 for the 2005 tax year; and

Whereas, GMC attempted to sell the above referenced property in 2005 for $9.5 million; and

Whereas, The above referenced property was subsequently assessed at $9,290,400 for the 2006 tax year; and

Whereas, East Greenfield Investors LLC ("EGI") bought the property in January 2007 for $ 400,000 and the time to request a review of the 2006 assessment had passed; and

Whereas, EGI/GMC requested an assessment review of the 2007 taxes; and

Whereas, The 2007 assessment was lowered from $9.5 million to $3,580,700; and

Whereas, Enforcement of the judgment would be difficult due to EGI's nominal assets; and

Whereas, The City would not acquire the property because it is on the do not acquire list; and

Whereas, EGI/GMC is actively taken steps to investigate, remediate and redevelopment the above referenced property; and

Whereas, Kohn has negotiated a proposed settlement of the judgment for a total of $101,936.51 and that figure represents the principal, interest and penalties that the taxes for 2006 would have been if the property were assessed at the 2007 value of $3,580,700; and

Whereas, EGI/GMC has already paid the 2007 taxes in full; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Judgment against GMC be settled for $101,936.51 with the remaining tax principal of $107,270.83 to be charged to the Remission of Taxes Fund, (Fund 0001-Org 2210-Program 1241-Class S163-Acount 636508), said check to be delivered to the Customer Services Division of the Office of the City Treasurer; and, be it


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Further Resolved, That the accrued delinquent interest, penalties, fees, and costs for levy year 2006 are hereby cancelled.

**Requestor**

City Attorney

**Drafter**

City Attorney

MTC:mtc

Date:

08/25/08

136252

Technical correction made on 8/26/08 - LME in the Resolved Clause



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**GRANT F. LANGLEY**
City Attorney

**RUDOLPH M. KONRAD**
**LINDA ULISS BURKE**
**VINCENT D. MOSCHELLA**
Deputy City Attorneys

CITY OF MILWAUKEE
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**STUART S. MUKAMAL**
**THOMAS J. BEAMISH**
**MAURITA F. HOUREN**
**JOHN J. HEINEN**
**DAVID J. STANOSZ**
**SUSAN E. LAPPEN**
**JAN A. SMOKOWICZ**
**PATRICIA A. FRICKER**
**HEIDI WICK SPOERL**
**KURT A. BEHLING**
**GREGG C. HAGOPIAN**
**ELLEN H. TANGEN**
**MELANIE R. SWANK**
**JAY A. UNORA**
**DONALD L. SCHRIEFER**
**EDWARD M. EHRLICH**
**LEONARD A. TOKUS**
**MIRIAM R. HORWITZ**
**MARYNELL REGAN**
**G. O'SULLIVAN-CROWLEY**
**KATHRYN Z. BLOCK**
**MEGAN T. CRUMP**
**ELOISA DE LEÓN**
**ADAM B. STEPHENS**
**KEVIN P. SULLIVAN**
**BETH CONRADSON CLEARY**
**THOMAS D. MILLER**
**HEIDI E. GALVÁN**
**JARELY M. RUIZ**
**ROBIN A. PEDERSON**
Assistant City Attorneys

August 25, 2008

Honorable Common Council
City Hall, Room 205

Re: Resolution approving and authorizing the settlement of a real estate judgment located at 311 E. Greenfield Avenue against Golden Marina Causeway LLC for in personam liability for taxes in the amount of $244,513.05 in exchange for the lesser amount of $ $101,936.51.

Dear Council Members:

Enclosed for your consideration is a resolution approving and authorizing a settlement of the judgment granted to the City against Golden Marina Causeway LLC ("hereinafter GMC") in the amount of $244,513.05, for the lesser amount of $101,936.51. The City, through the Kohn Law Firm, obtained a judgment against GMC for real estate taxes arising out of the above-referenced property for the 2006 levy year.

In 2005, the City assessed the value of the property at $537,100. However, in that same year, GMC was attempting to sell the property for $9.5 million. Hence, in 2006, the City reassessed the value of the property to $9,290,400. GMC never objected to the newly assessed value of the property.

In January 2007, East Greenfield Investors LLC ("hereinafter EGI") purchased the entire membership interest in GMC (which included ownership of the property) for $400,000. In addition, EGI purchased the $3.7 million mortgage on the property for approximately $2.5 million. By that time, it was too late to seek a review of the 2006 assessment. However, EGI/GMC asked for a review of the assessment of the property for the 2007 tax year. As a result, the property was reassessed to $3,580,700. A formal post-judgment Supplementary Examination of GMC has confirmed that its only asset is the property at issue and that it is not currently producing any income, making enforcement of the judgment virtually impossible.

The compromise that EGI/GMC is seeking is with regard to the 2006 delinquent taxes during which time EGI/GMC claims that the property was wrongly assessed at a much higher value. Negotiations through the Kohn Law Firm and involving the offices of the City Treasurer, the City Attorney and the Department of City Development have resulted in a settlement proposal under which EGI/GMC would pay $101,936.51 to settle the judgment for the 2006 taxes, which represents the amount that would currently be due, including full interest and penalties through July of 2008, if the 2006 assessment had been made at the same reduced value eventually arrived at for the 2007 assessment. In July of 2008, EGI/GMC paid the proposed $101,936.51 to the Kohn Law Firm, to be held in escrow pending the Common Council's action in this matter. The 2007 taxes have been paid full.

The property at issue is contaminated, with current clean-up estimates running as well into the millions. The Department of City Development has confirmed that the property is contaminated and has placed the property on the City's "Do Not Acquire List." However, EGI/GMC is actively working to investigate, remediate, and redevelop the property so that it can be a beneficial asset to the City. Therefore, in this case, it is in the best interests of the City to accept the $101,936.51 as satisfaction of the judgment at issue and it is recommended that the remaining balance be cancelled.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MEGAN T. CRUMP
Assistant City Attorney

MTC:mc:136092
Enclosure
c: Mr. Jim Klajbor
Mr. Robert Potrzebowski, Jr.
Mr. Matt Haessly

CC-170 (REV. 6/86)

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 08/25/2008

FILE NUMBER:

Original Fiscal Note [x] Substitute [ ]

SUBJECT: Resolution approving and authorizing the settlement of judgment for delinquent taxes entered on behalf of the City of Milwaukee by the Kohn Law Firm against Golden Marina Causeway LLC (311 East Greenfield Avenue – Tax Key Number 463-9995-200-X)

B) SUBMITTED BY (Name/title/dept./ext.): Jim Klajbor, Special Deputy City Treasurer, Extension 2246

C) CHECK ONE:

- [X] ADOPTION OF THIS FILE WILL AUTHORIZE AN EXPENDITURE AND WILL FORGO REVENUES
- [ ] ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
- [ ] NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:

- [ ] DEPARTMENT ACCOUNT (DA)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] OTHER (SPECIFY)
- [ ] CONTINGENT FUND (CF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] GRANT & AID ACCOUNTS (G & AA)

| E) PURPOSE | SPECIFY TYPE/USE | ACCOUNT | EXPENDITURE | REVENUE | SAVINGS |
|---|---|---|---|---|---|
| SALARIES/WAGES: | | | | | |
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| SUPPLIES: | | | | | |
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| MATERIALS: | | | | | |
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| NEW EQUIPMENT: | | | | | |
| | | | | | |
| EQUIPMENT REPAIR: | | | | | |
| | | | | | |
| OTHER: | Remission of Taxes | 0001-2210-636508-1241-S163 | $107,270.83 | | |
| | Delinquent Tax Interest | 0110-2210-903506 | | ( $39,749.39 ) | |
| | Delinquent Tax Penalty | 0110-2210-903506 | | ( $19,874.70 ) | |
| | Costs and Fees | 0001-2210-941095 | | ( $764.50 ) | |
| TOTALS | | | $107,270.83 | ( $60,388.59) | |

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

| | | |
|---|---|---|
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |
| [ ] 1-3 YEARS | [ ] 3-5 YEARS | |

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE [ ]

**NOTICES SENT TO FOR FILE 080605 :**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Megan Crump | City Attorney | 9/2/08 | 9/23/08 | |
| Jim Klaijbor | Treasurer's Office | 9/2/08 | 9/23/08 | |
| Rocky Marcoux | DCD | 9/2/08 | 9/23/08 | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 081216 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 12/16/2008 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution relating to introduction of state legislation to permit use of Tax Incremental District funds to finance infrastructure improvements citywide. | | |
| **Sponsors:** | ALD. BOHL | | |
| **Indexes:** | PUBLIC IMPROVEMENTS, STATE LEGISLATION, TAX INCREMENTAL DISTRICTS, TAX INCREMENTAL FINANCING | | |
| **Attachments:** | Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 12/16/2008 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 12/26/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 1/12/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 5:0 |



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**Number**
081216
**Version**
ORIGINAL
**Reference**

**Sponsor**
ALD. BOHL
**Title**
Resolution relating to introduction of state legislation to permit use of Tax Incremental District funds to finance infrastructure improvements citywide.
**Requestor**

**Drafter**
LRB/BJZ
LRB08573-1
12/16/08



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**NOTICES SENT TO FOR FILE 081216:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| All Council members | | 12/26/08 | | |
| Brenda Wood | CC-CC | 12/26/08 | | |
| Paul Vornholt | DOA-IRD | 12/26/08 | | |
| Rocky Marcoux | DCD | 12/26/08 | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 081217 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 12/16/2008 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution urging the State of Wisconsin to allocate a portion of the state gasoline tax on gasoline sold in the City of Milwaukee to fund infrastructure improvements citywide. | | |
| **Sponsors:** | ALD. BOHL | | |
| **Indexes:** | PUBLIC IMPROVEMENTS, STATE LEGISLATION, TAXATION | | |
| **Attachments:** | Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 12/16/2008 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 12/26/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 1/12/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 5:0 |



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**Number**
081217
**Version**
ORIGINAL
**Reference**

**Sponsor**
ALD. BOHL
**Title**
Resolution urging the State of Wisconsin to allocate a portion of the state gasoline tax on gasoline sold in the City of Milwaukee to fund infrastructure improvements citywide.
**Requestor**

**Drafter**
LRB/BJZ
LRB08574-1
12/16/08



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**NOTICES SENT TO FOR FILE 081217:**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| All Council members | | 12/26/08 | | |
| Brenda Wood | CC-CC | 12/26/08 | | |
| Paul Vornholt | DOA-IRD | 12/26/08 | | |
| Kim Montgomery | Mayor's Office | 12/26/08 | | |
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# City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

| | | | |
|---|---|---|---|
| **File #:** | 081685 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | In Committee |
| **File created:** | 4/14/2009 | **In control:** | JUDICIARY & LEGISLATION COMMITTEE |
| **On agenda:** | | **Final action:** | |
| **Effective date:** | | | |
| **Title:** | Resolution appropriating funds from the 2009 Common Council Contingent Fund to the Remission of Taxes Fund for settlement of three lawsuits (Servite, Rainbow, & Riverwood) against the City of Milwaukee regarding their 2006, 2007, and 2008 tax assessments. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | ASSESSMENTS, CONTINGENT FUND, TAX CANCELLATIONS, TAXATION | | |
| **Attachments:** | Hearing Notice List | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 4/14/2009 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 4/17/2009 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |



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## Number
081685
## Version
ORIGINAL
## Reference

## Sponsor
THE CHAIR
## Title

Resolution appropriating funds from the 2009 Common Council Contingent Fund to the Remission of Taxes Fund for settlement of three lawsuits (Servite, Rainbow, & Riverwood) against the City of Milwaukee regarding their 2006, 2007, and 2008 tax assessments.

## Requestor

## Drafter
City Atty.
VM
4/7/09



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**NOTICES SENT TO FOR FILE :081685**

| NAME | ADDRESS | DATE NOTICE SENT | | |
|---|---|---|---|---|
| Vince Moschella | CA | 4/17/09 | | |
| | | | | |
| | | | | |
| | |