



# 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**

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Monday, October 5, 2009

1:30 PM

Room 301-B, City Hall

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The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, October 5, 2009 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect to Item #1... Resolution to authorize settlement of the lawsuit entitled Wisconsin Bell, Inc. d/b/a AT&T v. City of Milwaukee and then will go into open session for the regular agenda.

1. [090744](#) Resolution to authorize settlement of the lawsuit entitled Wisconsin Bell, Inc. d/b/a AT&T v. City of Milwaukee.

**Sponsors:** THE CHAIR

**Attachments:** [City Attorney Letter](#)

[Fiscal Note](#)

[Hearing Notice List](#)

1:45 P.M.

2. [090685](#) Resolution authorizing settlement of the lawsuit entitled Harris v. Clark, et al.

**Sponsors:** THE CHAIR

**Attachments:** [Cover Letter](#)

[Fiscal Note](#)

[Hearing Notice List](#)

--- May be referred to the Finance and Personnel Committee.

3. [090739](#) An ordinance relating to domestic partnership registration.

**Sponsors:** Ald. Hamilton

**Attachments:** [Fiscal Note](#)

[Hearing Notice List](#)

4. [090568](#) Communication from the Comptroller's Office relating to a report analyzing delinquent outstanding debt.

**Sponsors:** THE CHAIR

**Attachments:** [Report](#)  
[Hearing Notice List](#)

2:00 P.M.

5. [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 - Updated](#)  
[Treasurer's Office](#)  
[Dept of Neighborhood Services](#)  
[Health Dept](#)  
[Dept of City Development](#)  
[Hearing Notice List](#)

6. [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](#)

7.     [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](#)
8.     [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 Edeker, Agent for GMAC Mortgage, LLC)
- Sponsors:     THE CHAIR
- Attachments:   [Fiscal Note](#)  
                              [Request for Vacation of Inrem Judgment](#)  
                              [Treasurer's Office - Updated](#)  
                              [Treasurer's Office](#)  
                              [Dept of Neighborhood Services](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Hearing Notice List](#)
9.     [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 Bank)
- Sponsors:     THE CHAIR
- Attachments:   [Fiscal Note](#)  
                              [Request for Vacation of Inrem Judgment](#)  
                              [Treasurer's Office - Updated](#)  
                              [Treasurer's Office](#)  
                              [Dept of Neighborhood Services](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Hearing Notice List](#)

10.     [090629](#)     Substitute resolution authorizing the return of real estate located at 1529 W. Orchard St., in the 12th Aldermanic District to its former owner. (Israel Carrillo)
- Sponsors:     THE CHAIR
- Attachments:   [Fiscal Note](#)  
                              [Request for Vacation of Inrem Judgment](#)  
                              [Treasurer's Office](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)
11.     [090631](#)     Substitute resolution authorizing the return of real estate located at 1127-1129 W. Hadley St., in the 1st Aldermanic District to its former owner. (John McLain)
- Sponsors:     THE CHAIR
- Attachments:   [Fiscal Note](#)  
                              [Request for Vacation of Inrem Judgment](#)  
                              [Treasurer's Office](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)
12.     [090632](#)     Substitute resolution authorizing the return of real estate located at 2619 S. 66th St, in the 11th Aldermanic District to its former owner. (US Bank)
- Sponsors:     THE CHAIR
- Attachments:   [Fiscal Note](#)  
                              [Request for Vacation of Inrem Judgment](#)  
                              [Treasurer's Office](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)



13.     [090634](#)     Substitute resolution authorizing the return of real estate located at 2825 N. 6th St., in the 6th Aldermanic District to its former owner. (US Bank fka Firststar Bank)
- Sponsors:     THE CHAIR
- Attachments:   [Fiscal Note](#)  
                              [Request for Vacation of Inrem Judgment](#)  
                              [Treasurer's Office](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)
14.     [090646](#)     Substitute resolution authorizing the return of real estate located at 4830 N. 39th St., in the 1st Aldermanic District to its former owner. (Gary Michels)
- Sponsors:     THE CHAIR
- Attachments:   [Fiscal Note](#)  
                              [Request for Vacation of Inrem Judgment](#)  
                              [Treasurer's Office](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)
15.     [090647](#)     Substitute resolution authorizing the return of real estate located at 2432 N. 25th St., in the 15th Aldermanic District to its former owner. (CitiMortgage on behalf of Edgar Robertson)
- Sponsors:     THE CHAIR
- Attachments:   [Fiscal Note](#)  
                              [Request for Vacation of Inrem Judgment](#)  
                              [Treasurer's Office](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)

16. [090648](#) Substitute resolution authorizing the return of real estate located at 2532-2534 S. 5th Pl., in the 14th Aldermanic District to its former owner. (Liz Jackman, Agent for First American Tax Service for Washington Mutual)
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)  
[Request for Vacation of Inrem Judgment](#)  
[Treasurer's Office](#)  
[Health Dept](#)  
[Dept of City Development](#)  
[Dept of Neighborhood Services](#)  
[Hearing Notice List](#)
17. [090649](#) Substitute resolution authorizing the return of real estate located at 3530 N. 20th St., in the 6th Aldermanic District to its former owner. (Charles Fowlkes for the Fowlkes Estate)
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)  
[Request for Vacation of Inrem Judgment](#)  
[Treasurer's Office](#)  
[Health Dept](#)  
[Dept of City Development](#)  
[Dept of Neighborhood Services](#)  
[Hearing Notice List](#)
18. [090650](#) Substitute resolution authorizing the return of real estate located at 2479 S. 11th St., in the 12th Aldermanic District to its former owner. (Antonio Mayfield)
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)  
[Request for Vacation of Inrem Judgment](#)  
[Treasurer's Office](#)  
[Health Dept](#)  
[Dept of City Development](#)  
[Dept of Neighborhood Services](#)  
[Hearing Notice List](#)

19. [090651](#) Substitute resolution authorizing the return of real estate located at 738 W. Pierce St., in the 12th Aldermanic District to its former owner. (James O'Connor, Agent for Metro Area Properties)
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)  
[Request for Vacation of Inrem Judgment](#)  
[Treasurer's Office](#)  
[Health Dept](#)  
[Dept of City Development](#)  
[Dept of Neighborhood Services](#)  
[Hearing Notice List](#)
20. [090652](#) Substitute resolution authorizing the return of real estate located at 3241 N. 1st St., in the 6th Aldermanic District to its former owner. (Clay Kendrick)
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)  
[Request for Vacation of Inrem Judgment](#)  
[Treasurer's Office](#)  
[Health Dept](#)  
[Dept of City Development](#)  
[Dept of Neighborhood Services](#)  
[Hearing Notice List](#)
21. [090654](#) Substitute resolution authorizing the return of real estate located at 1346 W. Hadley St., in the 15th Aldermanic District to its former owner. (Wendy Thompson)
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)  
[Request for Vacation of Inrem Judgment](#)  
[Treasurer's Office](#)  
[Health Dept](#)  
[Dept of City Development](#)  
[Dept of Neighborhood Services](#)  
[Hearing Notice Report](#)

22. [090628](#) Substitute resolution authorizing the return of real estate located at 2853 N. Booth St, in the 3rd Aldermanic District to its former owner. (Anthony and Maria Pullara)

**Sponsors:** THE CHAIR

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

23. [090653](#) Substitute resolution authorizing the return of real estate located at 514 E. Lyon St., in the 3rd Aldermanic District to its former owner. (Anthony Pullara)

**Sponsors:** THE CHAIR

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

24. [090630](#) Substitute resolution authorizing the return of real estate located at 4965-4967 N. Teutonia Ave., in the 1st Aldermanic District to its former owner. (Stephen Fells)

**Sponsors:** THE CHAIR

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

2:15 P.M.

25. [090745](#) Resolution relating to an appeal from Christine Schultz for property damage. (14th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter](#)  
[Appeal](#)  
[Hearing Notice List](#)  
  
---\$250.00
26. [090683](#) Resolution relating to an appeal from Sabrina Childs for property damage. (9th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter](#)  
[Appeal](#)  
[Hearing Notice List](#)  
  
---\$2,819.24
27. [090691](#) Resolution relating to the claim of Albert Douglas for overpayment of property taxes and a board-up charge. (7th Aldermanic District)  
City Attorney  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
  
---\$5,431.10
28. [090637](#) Resolution relating to the claim of Odis Lovett for personal injuries. (4th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
  
---\$750,000.00
29. [090622](#) Resolution relating to the claim of Dora J. Wilkins/Thomas for property damage. (9th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
  
---\$8,000.00

30. [090391](#) Resolution relating to the claim of Emma Nash for property damage. (15th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter](#)  
[Claim](#)  
[Letter from Roy's Plumbing Service, Inc.](#)  
[Hearing Notice List](#)  
---\$6,203.40
31. [090611](#) Resolution relating to the claim of Makisha Cooper for property damage. (7th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$9,250.00
32. [090612](#) Resolution relating to the claim of Sandra Tomlinson for property damage. (2nd Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$13,300.00
33. [090638](#) Resolution relating to the claim of Rhonda Clemons for property damage. (7th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$7,000.00
34. [090645](#) Resolution relating to the claim of Dakin Emerson for property damage. (6th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$27,503.61

35. [090635](#) Resolution relating to the claim of Atty. Daniel Stevens on behalf of Frank Fuchsberger for property damage. (2nd Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$30,000.00
36. [090636](#) Resolution relating to the claim of Atty. Daniel Stevens on behalf of Stili Klikizos for property damage. (2nd Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$22,000.00
37. [090657](#) Resolution relating to the claim of attorney Daniel W. Stevens on behalf of Oscar and Gloria Bond for property damage. (2nd Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$50,000.00
38. [090659](#) Resolution relating to the claim of attorney Daniel W. Stevens on behalf of Wade Christopher for property damage. (7th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$100,000.00

3:00 P.M.

39. [090729](#) Resolution opposing the move of the Department of Health Services' public assistance offices from the Marcia P. Coggs Human Services Center at 1220 W. Vliet St. to 2151 N. Dr. Martin Luther King Dr.  
**Sponsors:** Ald. Coggs  
**Attachments:** [Fiscal Note](#)  
[Hearing Notice List](#)

40. [090275](#) Substitute resolution relating to the spending of federal economic recovery monies to maximize the creation of American jobs restoring economic growth.  
**Sponsors:** Ald. Zielinski and Ald. Wade  
**Attachments:** [Fiscal Note](#)  
[Proposed Substitute A](#)  
[Hearing Notice List](#)
41. [090707](#) Resolution relative to legislative bills.  
**Sponsors:** THE CHAIR  
**Attachments:** [Agenda 10-05-09.doc](#)  
[AB-404.pdf](#)  
[SB-276.pdf](#)  
[LRB-3150\\_3.pdf](#)  
[LRB-3133\\_2.pdf](#)  
[RE AB-404 Relating to prohibiting municipal electric or water utilities from colle](#)  
[RE AB-404 Relating to prohibiting municipal electric or water utilities from colle](#)  
[RE AB-404 Relating to prohibiting municipal electric or water utilities from colle](#)  
[RE SB-276 Relating to requiring governmental bodies of school districts and c](#)  
  
*--AB-404 Prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens.*  
  
*--SB-276 Requiring governmental bodies of school districts and certain political subdivisions to post meeting notices and minutes on their Websites.*  
  
*--LRB-3150/3 Privatization of certain municipal water utilities.*  
  
*--LRB-3133/2 Prohibiting privatization of certain municipal water utilities.*
42. [090718](#) Reappointment of Donald Fraker to the Administrative Review Appeals Board by the Mayor. (3rd Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [Reappointment Letter](#)  
[Attendance Record](#)
43. [090719](#) Reappointment of Jennifer Havas to the Administrative Review Appeals Board by the Mayor. (10th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [Reappointment Letter](#)  
[Attendance Record](#)



44. [090746](#) Reappointment of Robert Shelledy to the Ethics Board by the Mayor.  
**Sponsors:** THE CHAIR  
**Attachments:** [Reappointment Letter](#)  
[Attendance Information](#)
45. [090371](#) Appointment of Eric Von to the Board of Review by the Mayor. (10th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [Appointment Letter](#)  
[Resume](#)  
[Hearing Notice List](#)  
  
*---May be placed on file as no longer needed.*
46. [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](#)  
  
*---May be placed on file as no longer needed.*

This meeting will be webcast live at [www.milwaukee.gov/channel25](http://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](http://www.milwaukee.gov/lobby).**



## Legislation Details (With Text)

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**File #:** 090744      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/24/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution to authorize settlement of the lawsuit entitled Wisconsin Bell, Inc. d/b/a AT&T v. City of Milwaukee.

**Sponsors:** THE CHAIR

**Indexes:** LITIGATION, SUITS PAYMENT, SUITS SETTLEMENT, WISCONSIN BELL

**Attachments:** City Attorney Letter, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/24/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
090744  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR

Title  
Resolution to authorize settlement of the lawsuit entitled *Wisconsin Bell, Inc. d/b/a AT&T v. City of Milwaukee*.

Analysis  
This resolution authorizes settlement of the lawsuit entitled *Wisconsin Bell, Inc. d/b/a AT&T v. City of Milwaukee*, Case No. 08-CV-004640 in the amount of \$13,350.00.

Body  
Whereas, The plaintiff, Wisconsin Bell, Inc. d/b/a AT&T, has filed a lawsuit against the City of Milwaukee seeking to recover the amount of \$26,730.21, plus costs and disbursements; and

Whereas, The plaintiff has agreed to settle this lawsuit in the amount of \$13,350.00; 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, and 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 \$13,350.00, payable to the Trust Account of Heuer Law Offices, S.C., in full and final settlement of all monetary damages sought in this lawsuit, including costs and disbursements, 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  
9/22/09

1029-2008-1210:150152

**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 22, 2009

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

Re: Proposed Settlement of *Wisconsin Bell, Inc. d/b/a AT&T Wisconsin v.*  
*City of Milwaukee*  
Case No. 08-CV-004640

Dear Council Members:

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

The plaintiff, Wisconsin Bell, Inc., d/b/a AT&T Wisconsin, alleges that on September 4, 2007 while the Infrastructure Services Division (ISD) was engaged in excavation activity in the area of North 17<sup>th</sup> Street and West McKinley Avenue, a city work crew damaged the plaintiff's underground telephone cable. The plaintiff claimed damages in the amount of \$26,730.21.

Our investigation revealed that ISD was engaged in excavation activity at 1301 North 17<sup>th</sup> Street related to the repair of a catch basin. While doing this repair the crew damaged the properly marked phone cable belonging to the plaintiff. What remained at issue in the litigation, however, was the appropriate method by which to calculate the reasonable costs to repair the cable. As a result of mediation, the plaintiff has agreed to accept \$13,350.00 in settlement of its claim.

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend payment of this claim in the amount of \$13,350.00 and have enclosed an

To the Hon. Common Council  
September 22, 2009  
Page 2

appropriate resolution for your convenience.

Very truly yours,



GRANT F. HANGLEY  
City Attorney



JAN A. SMOKOWICZ  
Assistant City Attorney

JAS

Enclosure

1029-2007-2766:150169

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE: September 24, 2009

FILE NUMBER: 090744

X ORIGINAL FISCAL NOTE \_\_\_\_\_ SUBSTITUTE

SUBJECT: Resolution for proposed settlement of *Wisconsin Bell, Inc. d/b/a AT&T v. City of Milwaukee*, Milwaukee County Circuit Court Case No. 08-CV-004640

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	Settlement of lawsuit <i>Wisconsin Bell, Inc. dba AT&amp;T v.</i> <i>City of Milwaukee</i>	0001   1490 S118 006300			
TOTALS			\$13,350.00		

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.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 ☐

1029-2008-1210/150291



**NOTICES SENT TO FOR FILE 090744:**

[illegible]



## Legislation Details (With Text)

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**File #:** 090685      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution authorizing settlement of the lawsuit entitled Harris v. Clark, et al.

**Sponsors:** THE CHAIR

**Indexes:** CONTINGENT FUND, LITIGATION, POLICE DEPARTMENT, SUITS PAYMENT, SUITS SETTLEMENT

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		

Number  
090685  
Version  
Original  
Reference

Sponsor  
THE CHAIR  
Title

Resolution authorizing settlement of the lawsuit entitled *Harris v. Clark, et al.*

Analysis

This resolution authorizes settlement of the lawsuit entitled *Harris v. Clark, et al.*, Case No. 06-C-0529, for the total amount of \$3,000,000.00.

Body

Whereas, Plaintiff Curtis E. Harris filed a civil rights lawsuit against Kevin G. Clark, and certain other former and/or current employees of the City of Milwaukee; and

Whereas, Representatives of Mr. Harris and the City of Milwaukee mediated the case and have entered into an agreement, to settle the above-referenced lawsuit for the total amount of \$3,000,000.00; and

Whereas, The City Attorney recommends that the City of Milwaukee 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 \$1,750,000.00, payable to the order of Curtis E. Harris Irrevocable Special Needs Trust, and a second check for the amount of \$1,250,000.00, made payable to the order of Hupy and Abraham, S.C. Trust Account, as soon as practicable, in full and final settlement of this lawsuit, said amounts to be charged to the Damages and Claims Fund, Account No. 0001-1490-S118-006300; and, be it

Further Resolved, That the funding of the settlement amount will be authorized by a resolution contemporaneously approved by the Common Council; and that the proper City officers are authorized to make the necessary transfers to the appropriate accounts or funds to dispense the settlement amount; and, be it

Further Resolved, that for and in consideration of the above-referenced payments, Mr. Harris will provide to the City a release of any and all claims arising out of or in any way related to this incident and a stipulation and proposed order for dismissal of the pending court action.

Requestor  
City Attorney  
Drafter  
SEL:enm  
September 17, 2009  
1032-2006-1359:149997

**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  
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PATRICIA A. FRICKER  
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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

September 17, 2009

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

Re: *Harris v. Clark, et al.*  
Case No. 06-C-0529


Dear Council Members:

Enclosed is a resolution recommending settlement of the above-referenced matter. We ask that the resolution be referred to the appropriate committee or committees for review.

This case stems from a police-involved arrest situation, which occurred on December 9-10, 2003. The plaintiff is Curtis E. Harris, who was rendered a quadriplegic as a result of the manner in which he was arrested. We have conducted significant discovery and other work regarding this matter, and we also mediated the case before a United States Magistrate Judge. Pursuant to the mediation process, we recommend settlement of all claims, along with all related attorneys fees and costs, for the total amount of \$3,000,000. As noted above, we have enclosed the appropriate resolution, along with a fiscal note, for your reference.

Very truly yours,

  
GRANT F. LANGLEY  
City Attorney

  
SUSAN E. LAPPEN  
Assistant City Attorney

SEL:enm  
Enclosures  
1032-2006-1359/150003

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE: September 17, 2009

FILE NUMBER: 090685

☒ ORIGINAL FISCAL NOTE ☐ SUBSTITUTE

SUBJECT: Resolution authorizing settlement of lawsuit entitled *Harris. v. Clark et al.*, U.S. District Court Case No. 06-C-0529

B) SUBMITTED BY name/title/dept./ext.): Susan E. Lappen, Assistant City Attorney; City Attorney; Ext. 2628

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: Settlement of Lawsuit	Settlement of Lawsuit entitled <i>Harris. v. Clark, et al.</i> Damages & Claims SPA	0001 1490 S118 006300	\$1,750,000.00  \$1,250,000.00		
TOTALS			\$3,000,000.00	\$	

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.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 ☐

**F&P FILE NUMBER: 090685**

[illegible]



## Legislation Details (With Text)

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**File #:** 090739      **Version:** 0

**Type:** Ordinance      **Status:** In Committee

**File created:** 9/24/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** An ordinance relating to domestic partnership registration.

**Sponsors:** ALD. HAMILTON

**Indexes:** DOCUMENTS AND RECORDS, WAGES AND BENEFITS

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

Date	Ver.	Action By	Action	Result	Tally
9/24/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090739

**Version**

ORIGINAL

**Reference**

**Sponsor**

ALD. HAMILTON

**Title**

An ordinance relating to domestic partnership registration.

**Sections**

81-43.7 rp

111 rp

112-1-5-g am

350-35-5-a am

350-245 cr

**Analysis**

This ordinance repeals the city's registration of domestic partners, except for city employees who wish to register for city benefit purposes. The state of Wisconsin has enacted statewide registration of same-sex domestic partners, which is handled by county clerks.

**Body**

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 81-43.7 of the code is repealed.

Part 2. Chapter 111 of the code is repealed.

Part 3. Section 112-1-5-g of the code is amended to read:

112-1. Definitions. 5. g. A domestic partner as defined in [~~s. 111-3~~] >ch. 770, Wis. Stats<.

Part 4. Section 350-35-5-a of the code is amended to read:

350-35. Leave of Absence Policies.

5. FUNERAL LEAVE. a. Immediate Family. Except for those positions listed in par. c, funeral leave shall cover necessary absence from duty of general city employees because of death in the immediate family of the employee. "Immediate family" is defined as husband or wife, child, stepchild, brother, sister, parent, stepparents, mother-in-law, father-in-law, brother-in-law, sister-in-law, or grand-child of the employee. [~~Also effective January 2, 2005 for~~] >For< management, and nonmanagement, nonrepresented employees, "brother-in-law" and "sister-in-law" includes a spouse's sibling's spouse. For management and nonmanagement, nonrepresented employees, "immediate family" also includes stepparents and stepchildren by virtue of the employee's current spouse. Furthermore, eligibility to use stepparent funeral leave benefits shall be limited to one



stepmother and one stepfather regardless of the number of stepparents. [~~Effective January 1, 2002, for~~] >For< management and nonmanagement, nonrepresented employees, "immediate family" shall include an employee's domestic partner, if the domestic partnership is registered >with the department of employee relations under s. 350-245 or was registered< with the city clerk as provided in s. 111-3 >in effect prior to the effective date of this ordinance [city clerk to insert date]<. In the case of a death in the immediate family, an employee may be granted a leave of absence not to exceed 3 work days with pay. These work days shall be limited to work days falling within the 10 consecutive calendar day period that begins on the day of death. One day with pay may be used to attend the funeral of grandparents of the employee. If funeral leave coincides with any mandatory furlough dates, the mandatory furlough time shall be rescheduled as approved by the department head. The provisions of this subsection do not govern fire and police department positions, employees holding positions represented by a certified bargaining unit, except those positions included in s. 350-237.

Part 3. Section 350-245 of the code is created to read:

350-245. Domestic Partnership Registration. 1. REGISTRATION AUTHORIZED. Any 2 individuals, one or each of whom is a city employee, who meet the requirements of this section may register as a domestic partnership as provided in this section.

2. APPLICATION. Individuals who seek to register as a domestic partnership shall appear in person in the department of employee relations and complete and sign an application form provided by the department, which shall include a declaration of domestic partnership, additional agreements, a declaration of a condition of domestic partnership and an affirmation, as provided in subs. 3 to 6.

3. DECLARATION OF DOMESTIC PARTNERSHIP. Applicants for registration shall sign a declaration of domestic partnership stating that they:

a. Are in a domestic relationship of mutual support, caring and commitment, and intend to remain in that relationship.

b. Are 18 years of age or older and competent to enter into a contract.

c. Are not married.

d. Are not related by kinship to a degree that would bar marriage in this state.

e. Reside together in the city.

f. Have not been in a registered domestic partnership with another individual during the 12 months immediately prior to the application date unless that domestic partnership was terminated by death or marriage.

4. ADDITIONAL AGREEMENTS. In addition, applicants shall agree that they:

a. Understand that their registration as domestic partners is a matter of public record.

b. Agree to notify the department of any change in the status of the domestic partnership and to file a termination notice when appropriate.

5. CONDITIONS OF DOMESTIC PARTNERSHIP. The applicants shall declare that they possess at least 3 of the following conditions of domestic partnership:

a. They have common or joint ownership of a residence.

b. They have a current lease for a residence identifying both applicants as tenants.

c. They jointly own a motor vehicle.

d. They have a joint bank or credit union account.

e. They have a joint credit account.

f. They have identified each other as primary beneficiaries in their wills.

6. AFFIRMATION. Each applicant shall swear or affirm, subject to the penalties for false statements of s. 946.32, Wis. Stats., that the information declared and stated in the application for domestic partnership is true and correct to the best of his or her knowledge.

7. VERIFICATION. The department shall verify the age, identity and city residence of applicants for domestic partnership. The department may require such reasonable documentation as may be

necessary to verify the claims made by those seeking to register a domestic partnership. If a previous domestic partnership was terminated by death or marriage, an applicant may be required to submit proof satisfactory to the department of the death or marriage.

8. TERMINATION. A domestic partnership is terminated by any of the following:

a. The death of one of the partners.

b. The marriage of one of the partners.

c. The filing of a termination statement. Either domestic partner may terminate a domestic partnership by submitting to the department a termination statement on a form provided by the department. The termination form shall either be signed by both domestic partners or shall include a statement by the terminating domestic partner that he or she has mailed or personally delivered a copy of the termination statement to the other domestic partner, or that he or she does not know the location of the other domestic partner.

9. RE-REGISTRATION. An individual whose domestic partnership has been terminated under sub. 8 may not file another declaration of domestic partnership under this section until at least 12 months after the date on which the department received the termination statement.

10. PRIOR REGISTRATIONS. Any individuals registered under s. 111-3-10, in effect prior to the effective date of this ordinance [city clerk to insert date], shall be considered registered under this section and subject to its requirements.

11. INTENT. This section is not intended to make any provisions of state law which relate to partnerships, particularly the uniform partnership act and the uniform limited partnership act, chs. 178 and 179, Wis. Stats., or ch. 770, Wis. Stats., relating to domestic partnership, apply to domestic partnerships registered under this section.

## LRB

### APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date:\_\_\_\_\_

## Attorney

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFOCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date:\_\_\_\_\_

## Requestor

City Clerk's Office

## Drafter

RDL

LRB 09394-1

ANC

09/15/09

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/24/09

FILE NUMBER: 090739

Original Fiscal Note ☒ Substitute ☐

SUBJECT: An ordinance relating to domestic partnership registration.

B) SUBMITTED BY (Name/title/dept./ext.): Rebecca Grill – License Division Manager

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: ☐ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
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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 090739:**

[illegible]



## Legislation Details (With Text)

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**File #:** 090568      **Version:** 0

**Type:** Communication-Report      **Status:** In Committee

**File created:** 9/1/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Communication from the Comptroller's Office relating to a report analyzing delinquent outstanding debt.

**Sponsors:** THE CHAIR

**Indexes:** COMPTROLLER, REPORTS AND STUDIES

**Attachments:** Report, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/1/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

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**File #:** 090568      **Version:** 0

---

**Number**

090568

**Version**

ORIGINAL

**Reference**

**Sponsor**

051296

**Title**

Communication from the Comptroller's Office relating to a report analyzing delinquent outstanding debt.

**Requestor**

**Drafter**

cc

dkf

8/27/09



Office of the Comptroller

August 25, 2009

W. Martin Morics, C.P.A.  
Comptroller

Michael J. Daun  
Deputy Comptroller

John M. Egan, C.P.A.  
Special Deputy Comptroller

Craig D. Kammholz  
Special Deputy Comptroller

Alderman Terry L. Witkowski  
200 East Wells Street, Room 205  
Milwaukee, WI 53202

Members of the Finance  
& Personnel Committee  
200 East Wells Street, Room 205  
Milwaukee, WI 53202

RE: 2009 Outstanding Receivables Report

Dear Alderman and Committee Members:

Attached you will find the Comptroller's 2009 report on outstanding receivables as of December 31, 2008. This report is being issued as required by Ordinance 304-1-5. The report provides summary information on City outstanding receivables. These receivables include:

- General Fund – Current year delinquent tax receivables (2007 taxes for 2008 purposes);
- Delinquent Tax Fund – Prior years' delinquent tax receivables (2006 and prior years);
- Parking Fund - Parking violation outstanding receivables;
- Municipal Court - Municipal Court outstanding judgments;
- Miscellaneous – Non-property tax outstanding receivables.

Should you have any questions or need further information, please feel free to contact Craig Kammholz of my staff at extension 2304.

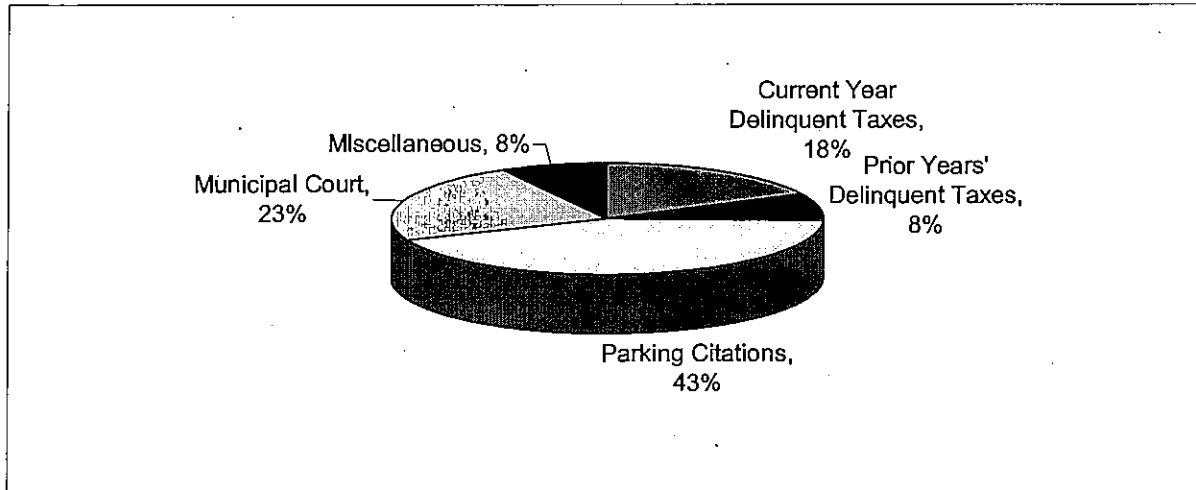
Sincerely,

W. Martin Morics  
Comptroller



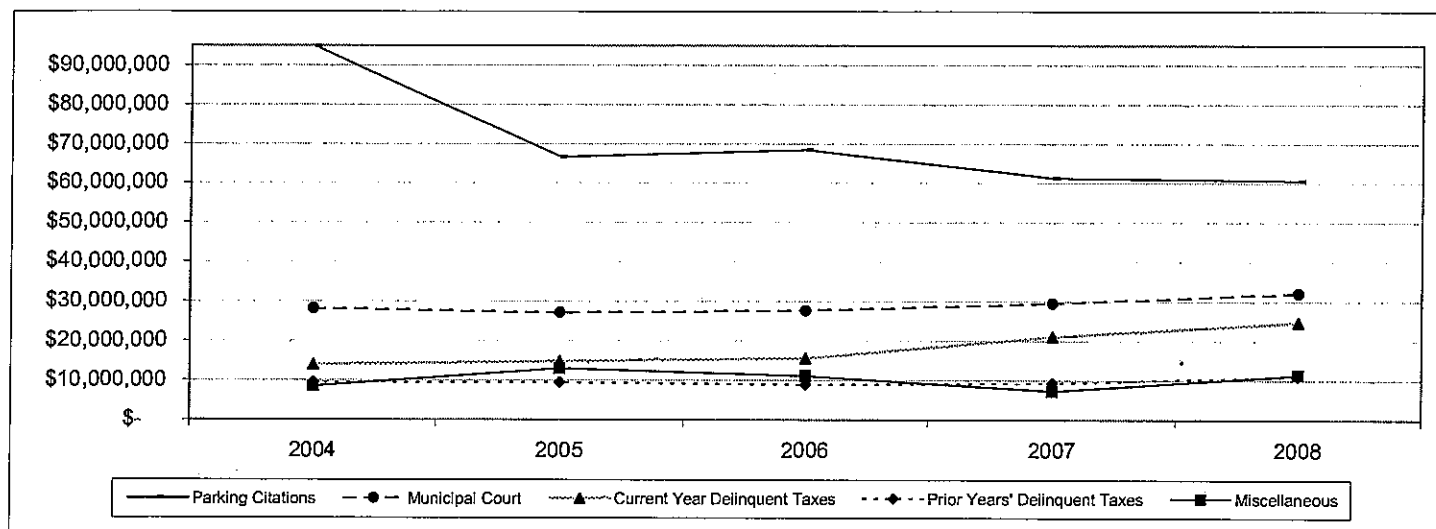


**Outstanding Receivables  
as of 12/31/2008**



Total outstanding receivables as of December 31, 2008 were \$139.7 million. The largest category of outstanding receivables is Parking Citations at 43%, followed by Delinquent Taxes totaling 26%. Of this amount, 18% is related to Current Year Delinquent Taxes (2007 taxes for 2008 purposes) and 8% to Prior Years' Delinquent Taxes (2006 taxes and prior). Municipal Court outstanding judgments make up 23% of total outstanding receivables. Miscellaneous Accounts Receivable is the smallest category totaling 8%.

### Outstanding Receivables 2004 to 2008



	2004	2005	2006	2007	2008
Parking Citations	\$ 94,844,000	\$ 66,645,000	\$ 68,400,000	\$ 61,212,000	\$ 60,606,000
Municipal Court	28,107,000	27,059,000	27,650,000	29,494,000	32,076,000
Current Year Delinquent Taxes	13,961,000	14,741,000	15,615,000	21,079,000	24,675,000
Prior Years' Delinquent Taxes	9,495,000	9,463,000	8,929,000	9,297,000	11,004,000
Miscellaneous	8,500,000	13,005,000	11,096,000	7,238,000	11,322,000
<b>TOTAL</b>	<b>\$ 154,907,000</b>	<b>\$ 130,913,000</b>	<b>\$ 131,690,000</b>	<b>\$ 128,320,000</b>	<b>\$ 139,683,000</b>

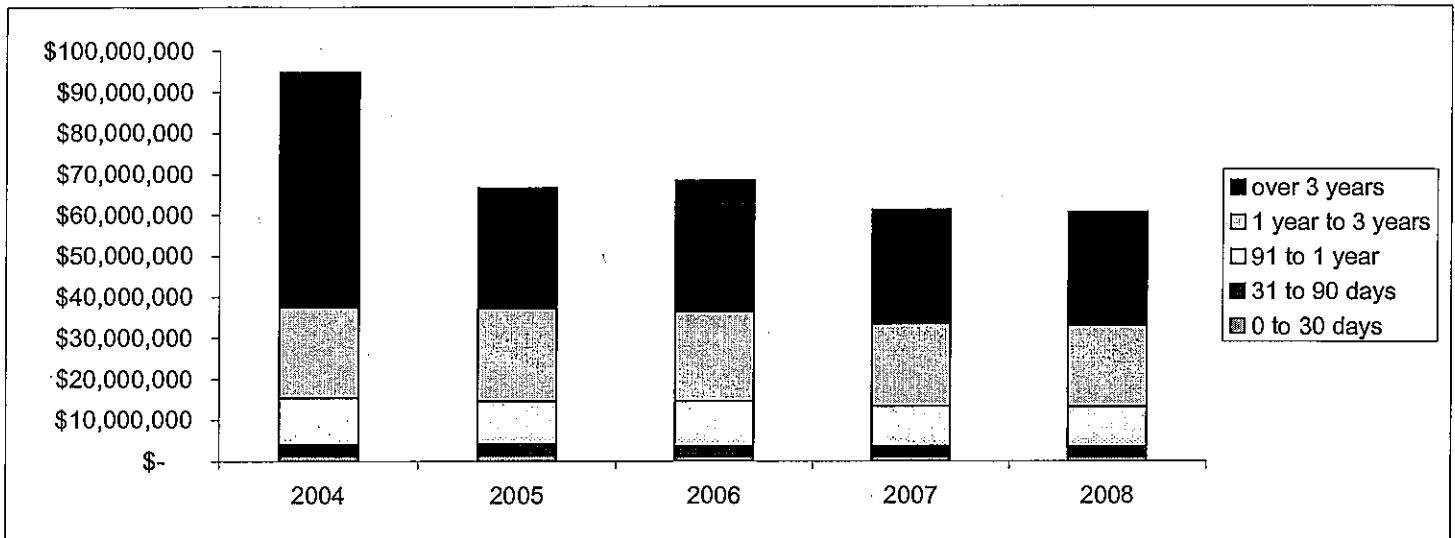
The chart and table above show outstanding receivables by category from 2004 through 2008. Outstanding receivables have increased for all major categories except parking citations, which decreased considerably due to the write off of \$30 million of delinquent receivables in 2005.

Current year delinquent tax receivables have increased at the greatest rate over time, going from nearly \$14 million in 2004 to \$24.6 million in 2008. Prior years' delinquent taxes have also increased over time, but at a slower rate, going from \$9.5 million in 2004 to \$11 million in 2008. Miscellaneous receivables, which include various billings by general city departments, have increased from \$8.5 million in 2004 to \$11.3 million in 2008.

Outstanding Municipal Court judgments, including fees, fines and forfeitures increased from \$28.1 million in 2004 to \$32.1 million in 2008. As noted previously, parking citation outstanding receivables decreased from \$94.8 million in 2004 to \$60.6 million in 2008 primarily due to the write off of delinquencies more than six years in age.

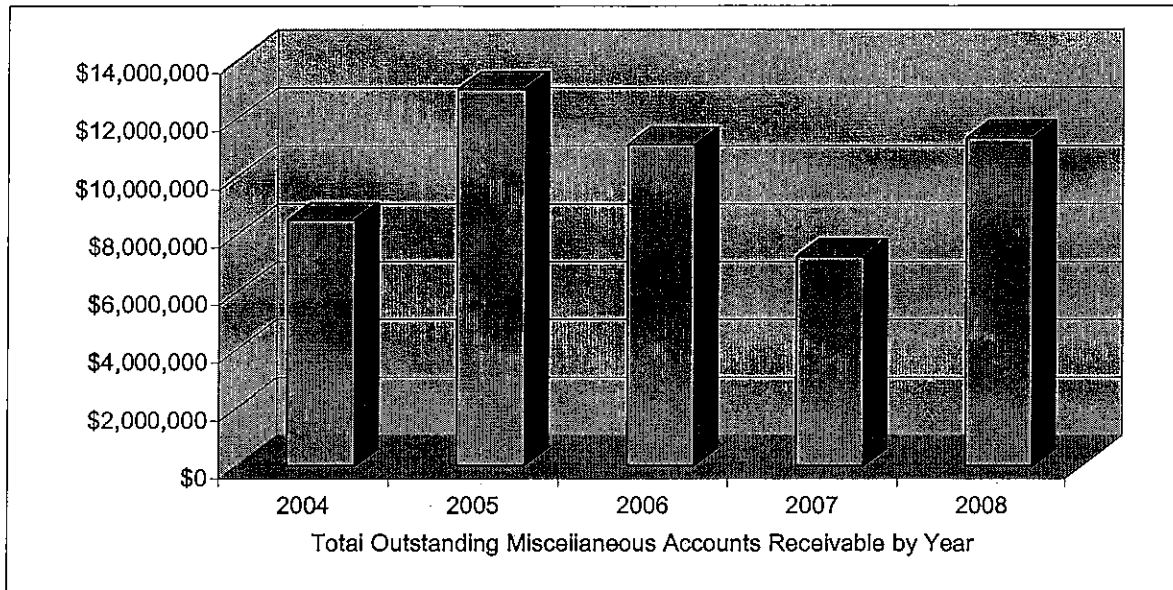
The Parking Fund continues to write off delinquencies that are six years old or older, due to the statute of limitations rendering these uncollectible. Miscellaneous receivable and tax delinquencies of \$5,000 or more may be cancelled or adjusted through Common Council action. An interdepartmental process is followed for delinquencies less than \$5,000. Municipal Court judgments are settled either through cash fines, jail time or community service. Judgments that are at least seven years old, and meet City Attorney criteria, may be written off pursuant to Common Council resolution.

### Parking Fund Receivables Aging 2004 through 2008



The chart above shows the aging of parking citation outstanding receivables from 2004 to 2008. It should be noted that more than half of the current outstanding balance for parking citation receivables is considered uncollectible due to lack of registered owner information, citations issued to out of state vehicles, and the age of outstanding citations.

### Outstanding Miscellaneous Accounts Receivable 2004 to 2008



	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>Change</u> <u>2004-2008</u>
City Clerk	\$ 66,000	\$ 71,000	\$ -	\$ 151,000	\$ 60,000	\$ (8,000)
City Attorney	121,000	66,000	128,000	78,000	-	(121,000)
City Development	439,000	298,000	299,000	297,000	297,000	(142,000)
Comptroller	698,000	4,323,000	3,362,000	258,000	195,000	(503,000)
Employee Relations	740,000	572,000	1,342,000	899,000	4,424,000	3,684,000
Dept of Administration	14,000	3,000	29,000	21,000	23,000	9,000
Fire Department	827,000	677,000	97,000	88,000	137,000	(690,000)
Health Department	816,000	781,000	857,000	193,000	92,000	(724,000)
Police Department	1,749,000	1,643,000	1,645,000	1,645,000	1,652,000	(97,000)
Port of Milwaukee	315,000	641,000	919,000	1,602,000	2,234,000	1,919,000
Public Works	2,705,000	3,922,000	2,409,000	1,998,000	2,198,000	(507,000)
Treasurer	9,000	8,000	9,000	8,000	10,000	1,000
<b>TOTAL</b>	<b>\$ 8,499,000</b>	<b>\$ 13,005,000</b>	<b>\$ 11,096,000</b>	<b>\$ 7,238,000</b>	<b>\$ 11,322,000</b>	<b>\$ 2,823,000</b>

The above table shows the change in outstanding miscellaneous accounts receivable by department and year. Overall, outstanding miscellaneous receivables increased by \$2.8 million, or 33.2%, with sizeable increases in two departments, the Department of Employee Relations and the Port of Milwaukee. All other departments experienced modest increases or decreases. The chart above shows the changes in total outstanding miscellaneous accounts receivable between 2004 and 2008.

The increase in Port outstanding miscellaneous receivables is primarily due to capital grant projects billed to the State, but not yet reimbursed as of December 31, 2008. As of March 2009, the Port had received payments from the State for these grant projects totaling approximately \$1.6 million.

The significant increase in DER miscellaneous receivables in 2008 is primarily due to approximately \$4 million in outstanding workers' compensation billings to Milwaukee Public Schools. As of August 2009, the remaining outstanding balance for 2008 MPS worker's compensation billings is \$1.3 million.

**NOTICES SENT TO FOR FILE 090568:**

[illegible]



## 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 - Updated, 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		
9/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

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 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 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 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 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



## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 8/12/09

FILE NUMBER: 090497

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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

# 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. 11<sup>th</sup> St  
TAXKEY NUMBER 2830296002  
NAME OF APPLICANT Homecomings Financial  
MAILING ADDRESS 3451 Hammond Ave  
Waukegan IL 50702 1-800-766-4622 x2365586  
CITY STATE ZIP CODE TELEPHONE NUMBER

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 10 PM 3:41

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'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 McDonnell DATE 7/31/09

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

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

Date 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. WHITTON  
City Treasurer

\*\*\*\* DUPLICATE \*\*\*\*



# 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 18, 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN OCT	IF PAID IN NOV
2007-2008	\$2,107.31	\$2,107.31
Interest	\$204.59	\$225.65
Penalty	\$102.29	\$112.82
TOTAL*	\$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



**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 11<sup>th</sup> 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  
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](http://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 :**

[illegible]




## Legislation Details (With Text)

**File #:** 090504      **Version:** 1  
**Type:** Resolution      **Status:** In Council-Adoption  
**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		
9/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
9/22/2009	1	COMMON COUNCIL	REFERRED TO	Pass	14:0
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 8/12/09

FILE NUMBER: 090504

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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



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 interim 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 Mania 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 TREASURER'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

Mania de la Luz Hernandez

DATE

8-14-09



**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

Office of the City Treasurer - Milwaukee, Wisconsin

2009 AUG 17 AM 11:10

Administration Division

Cash Deposit of Delinquent Tax Collection

RONALD D. LEONHARDT  
CITY CLERK

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

Date 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

---



# 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 11<sup>th</sup> 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



**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

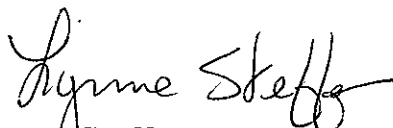
Re: File No.        090504  
      Address        1616-18 S Cesar E Chavez Dr

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 11<sup>th</sup> 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](http://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:**

[illegible]





## Legislation Details (With Text)

**File #:** 090507      **Version:** 1  
**Type:** Resolution      **Status:** In Council-Adoption  
**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		
9/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
9/22/2009	1	COMMON COUNCIL	REFERRED TO	Pass	14:0
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

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., previously owned by Wacheyne Evans, 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, 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 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 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/1//09

FILE NUMBER: 090507

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 *WFW*  
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

## 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 North 12th Street  
 TAXKEY NUMBER 312-3318-1  
 NAME OF APPLICANT Wachyne 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 ☒ NO ☐

If no, describe interest in this property N/A.

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 TREASURER'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 X [Signature] DATE X 8/17/09



**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**

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

CITY OF MILWAUKEE

2009 AUG 19 AM 11: 28

RONALD D. LEONHARDT  
CITY CLERK

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

Date 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**

---





# 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



**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

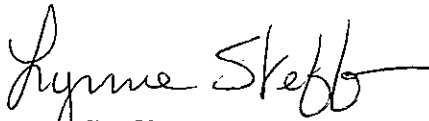
Re: File No.       090507  
     Address       3015 N 12<sup>th</sup> St

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  
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](http://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 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:**

[illegible]



## 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 Edeker, Agent for GMAC Mortgage, LLC)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Fiscal Note, Request for Vacation of Inrem Judgment, Treasurer's Office - Updated, 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		
9/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

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 Edeker, 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 Edeker, 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 Edeker, 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 Edeker, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/1/09

FILE NUMBER: 090580

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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

# 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 1080 S Pearl Street  
TAXKEY NUMBER 46015360003  
NAME OF APPLICANT GMAC Mortgage LLC  
MAILING ADDRESS 3451 Hammond Ave  
Waterloo IA 58702 319-236-4787  
CITY STATE ZIP CODE TELEPHONE NUMBER

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 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 \_\_\_\_\_

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 Edokew DATE 8/26/09

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

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

Date 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: sh111s2210004

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 000-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. WHITTON**

City Treasurer

\*\*\*\* DUPLICATE \*\*\*\*



# 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 18, 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$6,182.83	\$6,182.83
Interest	\$1,245.49	\$1,305.98
Penalty	\$622.75	\$652.99
<b>TOTAL*</b>	<b>\$8,051.07</b>	<b>\$8,141.80</b>

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

WFW/slk



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 1, 2009

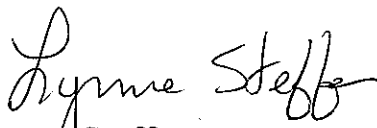
Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

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  
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](http://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 090580:**

[illegible]




## 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 Bank)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Fiscal Note, Request for Vacation of Inrem Judgment, Treasurer's Office - Updated, 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		
9/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**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 Bank)

**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 Bank, 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 Bank 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 Bank 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/2/09

FILE NUMBER: 090619

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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

## 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 3730 North Port Washington AvenueTAXKEY NUMBER 273-0127-9NAME OF APPLICANT M&I Marshall & Ilsley BankMAILING ADDRESS 5454 South 76th StreetGreendale, WI 53129414-817-5651

CITY

STATE

ZIP CODE

TELEPHONE NUMBER

B. FORMER OWNER YES \_\_\_\_\_ NO XXIf 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 TREASURER'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.

Unknown  
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 9/1/09
 MILWAUKEE CITY TREASURER  
 RECEIVED  
 2009 SEP 1 1 24 2:06





**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

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

Date 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

ayment Tendered: 9/1/2009 1:43 PM  
910 Delinquent Tax Cost Recovery  
ocument No.:  
ransaction Total: \$1,370.00

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 00015709 \$1,370.00

**WAYNE F. WHITTOW**  
City Treasurer

\*\*\* DUPLICATE \*\*\*



# 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 18, 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$16,750.39	\$16,750.39
Interest	\$3,243.03	\$3,409.17
Penalty	\$1,621.51	\$1,704.58
<b>TOTAL*</b>	<b>\$21,614.93</b>	<b>\$21,864.14</b>

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

WFW/slk



**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  
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](http://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 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 090619:**

[illegible]







## Legislation Details (With Text)

---

**File #:** 090629      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 1529 W. Orchard St., in the 12th Aldermanic District to its former owner. (Israel Carrillo)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090629

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 1529 W. Orchard St., in the 12th Aldermanic District to its former owner. (Israel Carrillo)

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 1529 W. Orchard St., previously owned by Israel Carrillo, 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, Israel Carrillo 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, Israel Carrillo 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 1529 W. Orchard 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 625, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/9/09

FILE NUMBER: 090629

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 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.: 460-0888-000-X  
Address: 1529 W ORCHARD ST  
Applicant/Requester: ISRAEL CARRILLO  
2009-01 Inrem File  
Parcel: 625  
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

# 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 1529 W. Orchard St. Mil. WI 53204  
TAXKEY NUMBER 460 - 0888 - X  
NAME OF APPLICANT Israel Carrillo  
MAILING ADDRESS 1529 W. Orchard St. Mil. WI 53204  
(414) 828-12-38  
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).

NONE

(Use reverse side, if additional space is needed)

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

YES ☒ 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

Israel Carrillo

DATE

09/02/09



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

Received of: ISREAL CARRILLO  
Tax Account No.: 460-0888-X  
Property Address: 1529 W ORCHARD ST  
Check Amount \$ 1370 Check No.: CASH

**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: 9/2/09

**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

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

Date 9/2/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 460-0888-000 - X  
Property Address: 1529 1529 W ORCHARD ST  
Applicant: ISRAEL CARRILLO

Parcel Number: 625  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\*\* DUPLICATE \*\*\*\*

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

Batch Date: 09/03/09 Receipt # 00677749  
Teller ID: ljones2210002

Payment Tendered: 9/2/2009 3:26 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

CA \$1,400.00  
CA (\$30.00)

WAYNE F. WHITTOW  
City Treasurer

\*\*\*\* DUPLICATE \*\*\*\*





# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090629 Reopening and Vacating InRem Judgment  
 Tax Key No.: 460-0888-000-X  
 Address: 1529 W ORCHARD ST  
 Applicant/Requester: ISRAEL CARRILLO  
 2009-01 in rem, Parcel: 625  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$11,258.73	\$11,258.73
Interest	\$2,174.21	\$2,285.45
Penalty	\$1,087.11	\$1,142.73
<b>TOTAL*</b>	<b>\$14,520.05</b>	<b>\$14,686.91</b>

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

WFW/slk

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](http://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.



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number090629  
1529 West Orchard Street

The Department of City Development reports that the tax foreclosed property located at 1529 West Orchard Street, Tax Key No. 460-0888-000-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 residential structure is occupied; 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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.       090629  
     Address       1529 W Orchard 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  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090629:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 090631      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 1127-1129 W. Hadley St., in the 1st Aldermanic District to its former owner. (John McLain)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090631

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 1127-1129 W. Hadley St., in the 1st Aldermanic District to its former owner. (John McLain)

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 1127-1129 W. Hadley St., previously owned by John McLain, 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, John McLain 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, John McLain 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 1127-1129 W. Hadley 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 369, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/9/09

FILE NUMBER: 090631

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 2, 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.: 312-2249-000-9  
Address: 1127 1129 W HADLEY ST  
Applicant/Requester: JOHN MCLAIN FOR HORTIE MCLAIN,  
DECEASED  
2009-01 Inrem File  
Parcel: 369  
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

# 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 1127 W. Hadley St  
TAXKEY NUMBER 312-2249-0009  
NAME OF APPLICANT John McLean  
MAILING ADDRESS 1127 W. Hadley St  
CITY Milwaukee STATE Wisconsin ZIP CODE 53209 TELEPHONE NUMBER 312-5630

B. FORMER OWNER YES \_\_\_\_\_ NO NO-  
If no, describe interest in this property It was in my Mother's ~~name~~ <sup>name</sup> she's passed

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 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 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

John McLean

DATE

Sept 2, 2009



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

544

Received of: John McClain for Hortie McClain  
Tax Account No.: 312-2249-9  
Property Address: 1127 - 1129 W Hadley  
Check Amount \$ 1370.00 Check No.: 569256

**Payment Type:**

Installment Payment ☐  
Delinquent Payment ☐ Year             
Bond Payment ☐  
Current Collection Tax Payment ☐  
Duplicate Bill Fee ☐  
Other ☒ Explain IN REM VAC OF JUDG FEE

Received By: Samantha Meagher

Signature: \_\_\_\_\_

Date: 9-2-09

**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

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

Date 9/2/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 312-2249-000 - 9  
Property Address: 1127 1129 W HADLEY ST  
Applicant: JOHN MCLAIN FOR HORTIE MCLAIN,  
DECEASED

Parcel Number: 369  
CaseNumber: 09-CV005281

**Teller Validation**

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

Batch Date: 09/02/09 Receipt # 00677477  
Teller ID: shills2210004

Payment Tendered: 9/2/2009 1:17 PM  
1910 Delinquent Tax Cost Recovery  
Document No. city treas  
Transaction Total: \$1,370.00  
322-2249-000-9 Reg for vac  
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 569256 \$1,370.00

WAYNE F. WHITTON  
City Treasurer



# 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 23, 2009

**To:** Milwaukee Common Council  
 Room 205, City Hall

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

**Re:** 090631 Reopening and Vacating InRem Judgment  
 Tax Key No.: 312-2249-000-9  
 Address: 1127 1129 W HADLEY ST  
 Applicant/Requester: JOHN MCLAIN FOR HORTIE MCLAIN  
 2009-01 in rem, Parcel: 369  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN OCT	IF PAID IN NOV
2006-2008	\$3,864.26	\$3,864.26
Interest	\$595.59	\$632.87
Penalty	\$297.79	\$316.45
TOTAL*	\$4,757.64	\$4,813.58

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

WFW/slk

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](http://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.



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090631  
1127-29 West Hadley Street

The Department of City Development reports that the tax foreclosed property located at 1127-29 West Hadley Street, Tax Key No. 312-2249-000-9, 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; 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





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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.       090631  
     Address       1125-29 W Hadley 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  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090631:**

[illegible]



## Legislation Details (With Text)

<b>File #:</b>	090632	<b>Version:</b>	1
<b>Type:</b>	Resolution	<b>Status:</b>	In Committee
<b>File created:</b>	9/22/2009	<b>In control:</b>	JUDICIARY & LEGISLATION COMMITTEE
<b>On agenda:</b>		<b>Final action:</b>	
<b>Effective date:</b>			
<b>Title:</b>	Substitute resolution authorizing the return of real estate located at 2619 S. 66th St, in the 11th Aldermanic District to its former owner. (US Bank)		
<b>Sponsors:</b>	THE CHAIR		
<b>Indexes:</b>	IN REM JUDGMENTS		
<b>Attachments:</b>	Fiscal Note, Request for Vacation of Inrem Judgment, Treasurer's Office, Health Dept, Dept of City Development, Dept of Neighborhood Services, Hearing Notice List		

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090632

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2619 S. 66th St, in the 11th Aldermanic District to its former owner. (US Bank)

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 2619 S. 66th St, previously owned by US Bank, 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, US Bank 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, US Bank 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 2619 S. 66th 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 670, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/9/09

FILE NUMBER: 090632

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 2, 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.: 490-1173-000-X  
Address: 2619 S 66TH ST  
Applicant/Requester: US BANK NA  
2009-01 Inrem File  
Parcel: 670  
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

# 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. *Milwaukee*
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 2619 S. 66th Street, Milwaukee, WI 53219

TAX KEY NUMBER 490-1173-X

NAME OF APPLICANT U.S. Bank, N.A.

MAILING ADDRESS 200 South 6th Street Mail Code: EP-MN-L22F

Minneapolis  
CITY

MN  
STATE

55402-1403  
ZIP CODE

612-973-0761  
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).

(Use reverse side, if additional space is needed.)

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

\*Attached to request.

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 ☒ N/A

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 Megan C. Dahlin  
Megan C. Dahlin, REO Representative  
U.S. Bank

DATE 9/1/09  
I:\COMMON\TAXENFOR\VACATE.APP



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

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

Date 9/2/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 490-1173-000 - X  
Property Address: 2619 2619 S 66TH ST  
Applicant: US BANK NA

Parcel Number: 670  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\*\* DUPLICATE \*\*\*\*

City of Milwaukee  
PAYMENT RECEIPT

Office of the City Treasurer  
City Hall, Room 103

Batch Date: 09/02/09 Receipt # 00677204  
Teller ID: mgutierrez210001

Payment Tendered: 9/2/2009 12:02 PM  
1910 Delinquent Tax Cost Recovery  
Document No. 490-1173-X  
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 10265035 \$1,370.00

WAYNE F. WHITTON  
City Treasurer

\*\*\*\*\* DUPLICATE \*\*\*\*\*



# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090632 Reopening and Vacating InRem Judgment  
 Tax Key No.: 490-1173-000-X  
 Address: 2619 S 66TH ST  
 Applicant/Requester: US BANK NA  
 2009-01 in rem, Parcel: 670  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$11,159.15	\$11,159.15
Interest	\$2,051.68	\$2,161.93
Penalty	\$1,025.83	\$1,080.96
<b>TOTAL*</b>	<b>\$14,236.66</b>	<b>\$14,402.04</b>

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

WFW/slk

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](http://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.



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090632  
2619 South 66th Street

The Department of City Development reports that the tax foreclosed property located at 2619 South 66th Street, Tax Key No. 490-1173-000-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 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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.        090632  
      Address        2619 S 66<sup>th</sup> 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  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090632:**

[illegible]




## Legislation Details (With Text)

**File #:** 090634      **Version:** 1  
**Type:** Resolution      **Status:** In Committee  
**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 2825 N. 6th St., in the 6th Aldermanic District to its former owner. (US Bank fka Firststar Bank)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		



Number

090634

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2825 N. 6th St., in the 6th Aldermanic District to its former owner. (US Bank fka Firststar Bank)

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 2825 N. 6th St., previously owned by US Bank fka Firststar Bank, 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, US Bank fka Firststar Bank 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, US Bank fka Firststar Bank 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 2825 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 360, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/9/09

FILE NUMBER: 090634

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 2, 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.: 312-0916-000-8  
Address: 2825 2825 N 6TH ST  
Applicant/Requester: US BANK NA FKA FIRSTAR BANK  
2009-01 Inrem File  
Parcel: 360  
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

Attn: Sandy Koepsel or Authorized Agent

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

**NO LATER THAN SEPT. 3**

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 2825 North 6<sup>th</sup> Street, Milwaukee, WI 53212  
TAX KEY NUMBER 312 - 0916 - 000 - 8 (Parcel 360)  
NAME OF APPLICANT US Bank N.A. f/k/a Firststar Bank, N.A.  
MAILING ADDRESS c/o Ken Johnson, Attorney, Johnson, Blumberg and Associates  
230 W. Monroe Street, Suite 1125, Chicago, IL 60606  
CITY STATE ZIP CODE TELEPHONE NUMBER  
\* (312) 541-9710

B. FORMER OWNER YES \_\_\_\_\_ NO ☒  
If no, describe interest in this property Mortgage Holder & Record Lien Holder  
(C-1) (Attorney James P. Molligan will appear in person on behalf of  
the above named counsel for US Bank  
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 TREASURER'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. 200-51.57

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 9/1/09

COMMONTAXENFORVACATE.APP

attached please find a Cashiers Check = \$1,370.00

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

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

Date 9/2/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 312-0916-000 - 8  
Property Address: 2825 2825 N 6TH ST  
Applicant: US BANK NA FKA FIRSTAR BANK

Parcel Number: 360  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\*\* DUPLICATE \*\*\*\*

**City of Milwaukee  
PAYMENT RECEIPT**

Office of the City Treasurer  
City Hall, Room 103

Batch Date: 09/02/09 Receipt # 00677076  
Teller ID: sfurre2210005

Payment Tendered: 9/2/2009 10:11 AM  
1910 Delinquent Tax Cost Recovery  
Document No. 312-0916-000-8  
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 61520849 \$1,370.00

**WAYNE F. WHITTOW**  
City Treasurer

\*\*\*\* DUPLICATE \*\*\*\*



# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090634 Reopening and Vacating InRem Judgment  
 Tax Key No.: 312-0916-000-8  
 Address: 2825 N 6TH ST  
 Applicant/Requester: US BANK NA FKA FIRSTAR BANK  
 2009-01 in rem, Parcel: 360  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$6,248.48	\$6,248.48
Interest	\$1,320.57	\$1,381.71
Penalty	\$660.28	\$690.85
<b>TOTAL*</b>	<b>\$8,229.33</b>	<b>\$8,321.04</b>

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

WFW/slk

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](http://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.





Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090634  
2825 North 6th Street

The Department of City Development reports that the tax foreclosed property located at 2825 North 6th Street, Tax Key No. 312-0916-000-8, 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; 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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.       090634  
     Address       2825 N 6<sup>th</sup> 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  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090634:**

[illegible]




## Legislation Details (With Text)

---

**File #:** 090646      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 4830 N. 39th St., in the 1st Aldermanic District to its former owner. (Gary Michels)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090646

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 4830 N. 39th St., in the 1st Aldermanic District to its former owner. (Gary Michels)

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 4830 N. 39th St., previously owned by Gary Michels, 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, Gary Michels 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, Gary Michels 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 4830 N. 39th 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 77, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090646

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 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.: 208-0610-000-6  
Address: 4830 N 39TH ST  
Applicant/Requester: GARY A MICHELS  
2009-01 Inrem File  
Parcel: 77  
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

# 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 4830 N. 39<sup>th</sup> STREET  
TAXKEY NUMBER 208 - 0610 - 000 - 6  
NAME OF APPLICANT GARY A. MICHELS  
MAILING ADDRESS 151 W. MT ROYAL  
GLENDALE WI 53217 414 351 4611  
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).

No

(Use reverse side, if additional space is needed)

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

YES X NO \_\_\_\_\_

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

Gary A. Michels

DATE 9-2-09



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

Received of: GARY MICHELS  
Tax Account No.: 208-0610-000-6  
Property Address: 4830 N 39TH STREET  
Check Amount \$ 1370 Check No.: 20003232

**Payment Type:**

Installment Payment ☐  
Delinquent Payment ☐ Year 2008  
Bond Payment ☐  
Current Collection Tax Payment ☐  
Duplicate Bill Fee ☐  
Other ☐ Explain VACATION OF JUDGMENT

Received By: JACKIE CARTER

Signature: 

Date: 9/3/09

**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

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

Date 9/3/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 208-0610-000 - 6  
Property Address: 4830 4830 N 39TH ST  
Applicant: GARY A MICHELS

Parcel Number: 77  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\* DUPLICATE \*\*\*

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

Batch Date: 09/03/09 Receipt # 00678029  
Teller ID: mgutierrez210001

Payment Tendered: 9/3/2009 9:48 AM  
1910 Delinquent Tax Cost Recovery  
Document No. 208-0610-6  
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 20003232 \$1,370.00

WAYNE F. WHITTOW  
City Treasurer

\*\*\* DUPLICATE \*\*\*



# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090646 Reopening and Vacating InRem Judgment  
 Tax Key No.: 208-0610-000-6  
 Address: 4830 N 39TH ST  
 Applicant/Requester: GARY A MICHELS  
 2009-01 in rem, Parcel: 77  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN OCT	IF PAID IN NOV
2006-2008	\$7,070.67	\$7,070.67
Interest	\$1,362.32	\$1,431.66
Penalty	\$681.16	\$715.83
TOTAL*	\$9,114.15	\$9,218.16

The Assessor's office also lists ownership interest in the following property:  
**937 N 17<sup>th</sup> St** – Tax Key #363-2557-2 with delinquent 2008 taxes of \$1,927.56.

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

WFW/slk



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090646  
4830 North 39th Street

The Department of City Development reports that the tax foreclosed property located at 4830 North 39th Street, Tax Key No. 208-0610-000-6, 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; \$995.00 rent has been collected. Administrative costs incurred by our Department total \$465.00.

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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.       090646  
     Address       4830 N 39<sup>th</sup> 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 \$25.00 in pending Litter Nuisance Abatement fees and files a property recording application.

Sincerely,

Lynne Steffen  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090646:**

[illegible]





## Legislation Details (With Text)

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**File #:** 090647      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 2432 N. 25th St., in the 15th Aldermanic District to its former owner. (CitiMortgage on behalf of Edgar Robertson)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090647

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2432 N. 25th St., in the 15th Aldermanic District to its former owner. (CitiMortgage on behalf of Edgar Robertson)

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 2432 N. 25th St., previously owned by CitiMortgage on behalf of Edgar Robertson, 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, CitiMortgage on behalf of Edgar Robertson 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, CitiMortgage on behalf of Edgar Robertson 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 2432 N. 25th 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 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090647

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 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.: 325-0087-000-0  
Address: 2432 2432 N 25TH ST  
Applicant/Requester: CITIMORTGAGE ON BEHALF OF  
EDGAR R ROBERTSON  
2009-01 Inrem File  
Parcel: 437  
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

Loan # 502037140 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 totalling \$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	2432 N. 25th St.		
TAXKEY NUMBER	32500870000		
NAME OF APPLICANT	Edgar Robertson *		
MAILING ADDRESS	P.O. Box 16531		
Milwaukee	WI	53216-0531	
CITY	STATE	ZIP CODE	TELEPHONE NUMBER

B. FORMER OWNER . YES ☒ NO ☐

If no, describe interest in this property CitiMortgage tax department (First American Tax Service) is requesting the vacation on behalf of the homeowner

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 TREASURER'S OFFICE? (Documentation must be attached)

YES ☒ NO ☐

(payment is accompanied by this form)

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 ☐ Unknown

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 Colin Dewey (agent of CitiMortgage) DATE 9/1/09

Attorney for CitiMortgage would also like to be notified of meeting.

\* Peter N. Flessas

14665 W Lisbon Rd

Brookfield WI 53005

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

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

Date 9/3/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 325-0087-000 - 0  
Property Address: 2432 2432 N 25TH ST  
Applicant: CITIMORTGAGE ON BEHALF OF EDGAR  
ROBERTSON

Parcel Number: 437  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\*\*\* DUPLICATE \*\*\*\*\*

WAYNE F. WHITTOW  
City Treasurer

CK 20003089 \$1,370.00

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

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

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

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

Payment Tendered: 9/3/2009 11:53 AM  
1910 Delinquent Tax Cost Recovery  
Document No. 325-0087-0  
Transaction Total: \$1,370.00

Batch Date: 09/03/09 Receipt # 00678281  
Teller ID: mgutierrez210001

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

\*\*\*\*\* DUPLICATE \*\*\*\*\*



# 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 23, 2009

**To:** Milwaukee Common Council  
 Room 205, City Hall

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

**Re:** 090647 Reopening and Vacating InRem Judgment  
 Tax Key No.: 325-0087-000-0  
 Address: 2432 N 25TH ST  
 Applicant/Requester: CITIMORTGAGE ON BEHALF OF  
 EDGAR R ROBERTSON  
 2009-01 in rem, Parcel: 437  
 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.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$7,327.25	\$7,327.25
Interest	\$1,451.08	\$1,523.01
Penalty	\$725.53	\$761.50
<b>TOTAL*</b>	<b>\$9,503.86</b>	<b>\$9,611.76</b>

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

WFW/slk

The Assessor also lists ownership interest in the following properties on the attached sheet for Edgar R. Robertson, the former owner:



**Edgar R. Robertson**

**3783 N 10<sup>th</sup> St.,** Tax Key #272-0033-0 with delinquent 2007-2008 taxes totaling \$5,651.11.

**2945 N 23<sup>rd</sup> St.,** Tax Key #310-1009-0 with delinquent 2007 taxes of \$1,777.06.

**2456 N 16<sup>th</sup> St.,** Tax Key #324-1326-100-6 with delinquent 2008 taxes of \$826.15.

**2436 N 25<sup>th</sup> St.,** Tax Key #325-0088-6 with delinquent 2008 taxes of \$482.51.

**2464 N 27<sup>th</sup> St.,** Tax Key #325-1092-100-2 with delinquent 2008 taxes of \$28.55.

**2434 N 46<sup>th</sup> St.,** Tax Key #328-0918-9 with taxes paid in full.



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090647  
2432 North 25th Street

The Department of City Development reports that the tax foreclosed property located at 2432 North 25th Street, Tax Key No. 325-0087-000-0, is not suitable for use by a public agency or community based organization. Also, said property is located in the Fond du Lac and North Avenue planning area, but the property will be returned to a owner occupant which is a key element to the planning area.

This residential structure is occupied; 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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.        090647  
      Address        2432 N 25<sup>th</sup> 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  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090647:**

[illegible]





## Legislation Details (With Text)

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**File #:** 090648      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 2532-2534 S. 5th Pl., in the 14th Aldermanic District to its former owner. (Liz Jackman, Agent for First American Tax Service for Washington Mutual)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090648

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2532-2534 S. 5th Pl., in the 14th Aldermanic District to its former owner. (Liz Jackman, Agent for First American Tax Service for Washington Mutual)

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 2532-2534 S. 5th Pl., previously owned by Liz Jackman, Agent for First American Tax Service for Washington Mutual, 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, Liz Jackman, Agent for First American Tax Service for Washington Mutual 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, Liz Jackman, Agent for First American Tax Service for Washington Mutual 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 2532-2534 S. 5th Pl., 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 683, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090648

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 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.: 498-1526-000-6  
Address: 2532 2534 S 5TH PL  
Applicant/Requester: FIRST AMERICAN TAX SERV FOR  
WASHINGTON MUTUAL  
2009-01 Inrem File  
Parcel: 683  
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

# 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 2532-2534 S 5<sup>th</sup> PL  
TAXKEY NUMBER 49815260006  
NAME OF APPLICANT LIZ JACKMAN-REP FIRST AMERICAN TAX SERVICE FOR WASHINGTON MUTUAL  
MAILING ADDRESS 6053 S. FASHION SQ DR SUITE 200  
MURRAY UT 84107 801-284-4618  
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES \_\_\_\_\_ NO ☒

If no, describe interest in this property FA. PAYS TAXES ON BEHALF OF WAMU. THE WRONG TAX ID WAS BEING PAID ON FOR LAST YEAR

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 SEP -3 AM 11:2

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'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 Liz Jackman DATE 9-1-09

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

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

Date 9/3/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 498-1526-000 - 6  
Property Address: 2532 2534 S 5TH PL  
Applicant: FIRST AMERICAN TAX SERV FOR  
WASHINGTON MUTUAL

Parcel Number: 683  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\* DUPLICATE \*\*\*

**City of Milwaukee  
PAYMENT RECEIPT**

Office of the City Treasurer  
City Hall, Room 103

Batch Date: 09/03/09 Receipt # 00678282  
Teller ID: mgutierrez210001

Payment Tendered: 9/3/2009 11:55 AM  
1910 Delinquent Tax Cost Recovery  
Document No. 498-1526-6  
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 32424954 \$1,370.00

**WAYNE F. WHITTON**  
City Treasurer

\*\*\*\*\* DUPLICATE \*\*\*\*\*



# 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 23, 2009

**To:** Milwaukee Common Council  
 Room 205, City Hall

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

**Re:** 090648 Reopening and Vacating InRem Judgment  
 Tax Key No.: 498-1526-000-6  
 Address: 2532 2534 S 5TH PL  
 Applicant/Requester: FIRST AMERICAN TAX SERV FOR WASHINGTON  
 MUTUAL  
 2009-01 in rem, Parcel: 683  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$5,838.67	\$5,838.67
Interest	\$993.31	\$1,050.34
Penalty	\$496.65	\$525.17
<b>TOTAL*</b>	<b>\$7,328.63</b>	<b>\$7,414.18</b>

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

WFW/slk



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090648  
2532-34 South 5th Place

The Department of City Development reports that the tax foreclosed property located at 2532-34 South 5th Place, Tax Key No. 498-1526-000-6, 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; \$650.00 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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.       090648  
     Address       2532 S 5<sup>th</sup> Pl

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  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090648:**

[illegible]



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## Legislation Details (With Text)

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**File #:** 090649      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 3530 N. 20th St., in the 6th Aldermanic District to its former owner. (Charles Fowlkes for the Fowlkes Estate)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090649

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 3530 N. 20th St., in the 6th Aldermanic District to its former owner. (Charles Fowlkes for the Fowlkes Estate)

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 3530 N. 20th St., previously owned by Charles Fowlkes for the Fowlkes Estate, 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, Charles Fowlkes for the Fowlkes Estate 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, Charles Fowlkes for the Fowlkes Estate 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 3530 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 178, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090649

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 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.: 271-1041-100-1  
Address: 3530 3530 N 20TH ST  
Applicant/Requester: CHARLES E. FOWLKES, REP OF  
FOWLKES ESTATE  
2009-01 Inrem File  
Parcel: 178  
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

# 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

3530 n 20th Street

TAXKEY NUMBER

271-1041-100-1

NAME OF APPLICANT

Charles E Fowlkes Rep of Fowlkes Estate

MAILING ADDRESS

3884 n 85th Street

Milw  
CITY

WI  
STATE

53222  
ZIP CODE

TELEPHONE NUMBER

B. FORMER OWNER

YES ☒

NO ☐

If no, describe interest in this property

Parent deceased

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 TREASURER'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

Charles E Fowlkes

DATE

9-3-2009



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

Received of: CHARLES FOWLKES  
Tax Account No.: 271-1041-100-1  
Property Address: 3530 N 20TH ST  
Check Amount \$ 1370 Check No.: 1566980

**Payment Type:**

Installment Payment ☐  
Delinquent Payment ☐ Year             
Bond Payment ☐  
Current Collection Tax Payment ☐  
Duplicate Bill Fee ☐  
Other ☒ Explain VAC OF JUDGMENT

Received By: S JACKSON

Signature: 

Date: 9-3-09

**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 9/3/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 271-1041-100 - 1  
Property Address: 3530 3530 N 20TH ST  
Applicant: CHARLES E FOWLKES, REP OF FOWLKES EST

Parcel Number: 178  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\*\* DUPLICATE \*\*\*\*

City of Milwaukee  
PAYMENT RECEIPT

Office of the City Treasurer  
City Hall, Room 103

Batch Date: 09/04/09 Receipt # 00678498  
Teller ID: ljones2210002

Payment Tendered: 9/3/2009 1:55 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 1566980 \$1,370.00

WAYNE F. WHITTOW  
City Treasurer

\*\*\*\* DUPLICATE \*\*\*\*



# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090649 Reopening and Vacating InRem Judgment  
 Tax Key No.: 271-1041-100-1  
 Address: 3530 N 20TH ST  
 Applicant/Requester: CHARLES E FOWLKES REP OF FOWLKES ESTATE  
 2009-01 in rem, Parcel: 178  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$11,582.85	\$11,582.85
Interest	\$1,979.45	\$2,093.94
Penalty	\$989.72	\$1,046.97
<b>TOTAL*</b>	<b>\$14,552.02</b>	<b>\$14,723.76</b>

The Assessor's office also lists ownership interest in the following property:

**3522-3524 N 20<sup>th</sup> St** – Tax Key #271-2715-7 with delinquent 2006-2008 taxes totaling \$270.48.

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

WFW/slk



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090649  
3530 North 20th Street

The Department of City Development reports that the tax foreclosed property located at 3530 North 20th Street, Tax Key No. 271-1041-100-1, 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; \$250.00 rent has been collected. Administrative costs incurred by our Department total \$565.00.

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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.        090649  
      Address        3530 N 20<sup>th</sup> 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 \$3,300.00 in pending Reinspection fees and files a property recording application. Also, the department requests that the applicant work cooperatively with our inspector to correct the outstanding code violations.

Sincerely,

Lynne Steffen  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090649:**

[illegible]



## Legislation Details (With Text)

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**File #:** 090650      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 2479 S. 11th St., in the 12th Aldermanic District to its former owner. (Antonio Mayfield)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090650

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2479 S. 11th St., in the 12th Aldermanic District to its former owner. (Antonio Mayfield)

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 2479 S. 11th St., previously owned by Antonio Mayfield, 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, Antonio Mayfield 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, Antonio Mayfield 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 2479 S. 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 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 678, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090650

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 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.: 497-0076-000-5  
Address: 2479 2479 S 11TH ST  
Applicant/Requester: ANTONIO MAYFIELD  
2009-01 Inrem File  
Parcel: 678  
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

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 interim 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 2479 S. 11th St.  
 TAXKEY NUMBER 497-0076-5  
 NAME OF APPLICANT ANTONIO MAXFIELD  
 MAILING ADDRESS P O Box 16831 MIL WI 53216  
414-795-7169  
 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).

NONE

(Use reverse side, if additional space is needed)

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

YES X NO \_\_\_\_\_

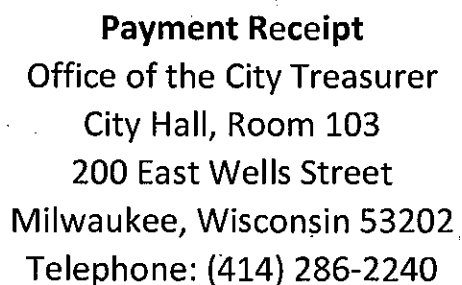
E. DEPT OF NEIGHBORHOOD SERVICES FILING:

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. 200-51.1?

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.**

X APPLICANT'S SIGNATURE Tony Maxfield DATE 9-3-09

**Payment Type:**

Date: 9-3-09

**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

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

Date 9/3/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 497-0076-000 - 5  
Property Address: 2479 2479 S 11TH ST  
Applicant: ANTONIO MAYFIELD

Parcel Number: 678  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\*\* DUPLICATE \*\*\*\*  
  
City of Milwaukee  
PAYMENT RECEIPT  
Office of the City Treasurer  
City Hall, Room 103  
  
Batch Date: 09/04/09 Receipt # 00678812  
Teller ID: mgutierrez210001

Payment Tendered: 9/3/2009 4:10 PM  
1910 Delinquent Tax Cost Recovery  
Document No. 497-0076-5  
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

OK 13080488 \$1,370.00

WAYNE F. WHITTOW  
City Treasurer

\*\*\*\* DUPLICATE \*\*\*\*



# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090650 Reopening and Vacating InRem Judgment  
 Tax Key No.: 497-0076-000-5  
 Address: 2479 2479 S 11TH ST  
 Applicant/Requester: ANTONIO MAYFIELD  
 2009-01 in rem, Parcel: 678  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN OCT	IF PAID IN NOV
2006-2008	\$6,358.47	\$6,358.47
Interest	\$1,255.39	\$1,317.62
Penalty	\$627.70	\$658.81
TOTAL*	\$8,241.56	\$8,334.90

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

WFW/slk



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090650  
2479 South 11th Street

The Department of City Development reports that the tax foreclosed property located at 2479 South 11th Street, Tax Key No. 497-0076-000-5, 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; 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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.        090650  
      Address        2479 S 11<sup>th</sup> 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 \$276.38 in pending Litter Nuisance Abatement charges and files a property recording application.

Sincerely,

Lynne Steffen  
Business Operations Manager



**NOTICES SENT TO FOR FILE 090650:**

[illegible]



## Legislation Details (With Text)

**File #:** 090651      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 738 W. Pierce St., in the 12th Aldermanic District to its former owner. (James O'Connor, Agent for Metro Area Properties)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090651

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 738 W. Pierce St., in the 12th Aldermanic District to its former owner. (James O'Connor, Agent for Metro Area Properties)

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 738 W. Pierce St., previously owned by James O'Connor, Agent for Metro Area Properties, has delinquent taxes for 2001-2008 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, James O'Connor, Agent for Metro Area Properties 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, James O'Connor, Agent for Metro Area Properties 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 738 W. Pierce 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 595, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090651

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 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.: 427-0043-000-0  
Address: 738 738 W PIERCE ST  
Applicant/Requester: METRO AREA PROPERTIES INC  
2009-01 Inrem File  
Parcel: 595  
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

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 interim 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 738 W. Pierce Street

TAXKEY NUMBER 427-0043-000

NAME OF APPLICANT ~~Metor~~ <sup>MCTAP</sup> Area Properties % James O'Connor

MAILING ADDRESS James O'Connor 815 W. National Ave

CITY	STATE	ZIP CODE	TELEPHONE NUMBER
<u>Milwaukee</u>	<u>Wisconsin</u>	<u>53204-1304</u>	<u>414-737-1118</u>

B. FORMER OWNER YES XX 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 TREASURER'S OFFICE? (Documentation must be attached)

YES   X   NO           

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property or any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-5

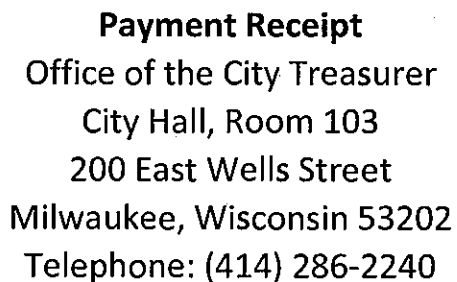
YES X NO \_\_\_\_\_

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 request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE

DATE \_\_\_\_\_

9/7/09



Received of:	James O'Connor of Metro Area Properties Inc		
Tax Account No.:	427-0043-0		
Property Address:	738 W Pierce St		
Check Amount \$	1370.00	Check No.:	671055

**Payment Type:**

Installment Payment	<input type="checkbox"/>	
Delinquent Payment	<input type="checkbox"/>	Year <input type="text"/>
Bond Payment	<input type="checkbox"/>	
Current Collection Tax Payment	<input type="checkbox"/>	
Duplicate Bill Fee	<input type="checkbox"/>	
Other	<input checked="" type="checkbox"/>	Explain <input type="text"/>

Received By: Samantha Meagher

Signature: SAW

Date: 9-3-09

**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

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

Date 9/3/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 427-0043-000 - 0  
Property Address: 738 738 W PIERCE ST  
Applicant: METRO AREA PROPERTIES INC

Parcel Number: 595  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\*\* DUPLICATE \*\*\*\*

City of Milwaukee  
PAYMENT RECEIPT

Office of the City Treasurer  
City Hall, Room 103

Batch Date: 09/04/09 Receipt # 00678802  
Teller ID: ljones2210002

Payment Tendered: 9/3/2009 3:57 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 671055 \$1,370.00

WAYNE F. WHITTOW  
City Treasurer

\*\*\*\* DUPLICATE \*\*\*\*



# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090651 Reopening and Vacating InRem Judgment  
 Tax Key No.: 427-0043-000-0  
 Address: 738 W PIERCE ST  
 Applicant/Requester: METRO AREA PROPERTIES INC  
 2009-01 in rem, Parcel: 595  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2001-2008	\$26,873.52	\$26,873.52
Interest	\$11,745.91	\$12,013.30
Penalty	\$5,520.11	\$5,653.80
<b>TOTAL*</b>	<b>\$44,139.54</b>	<b>\$44,540.62</b>

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

WFW/slk



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090651  
738 West Pierce Street

The Department of City Development reports that the tax foreclosed property located at 738 West Pierce Street, Tax Key No. 427-0043-000-0, 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 apartments structure is occupied; \$1,060.00 rent has been collected. Administrative costs incurred by our Department total \$915.00.

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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 29, 2009

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

Re: File No.        090651  
      Address        738 W Pierce 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 request, provided the applicant files a property recording application and works cooperatively with our inspector to correct outstanding code violations.

Sincerely,

Lynne Steffen  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090651:**

[illegible]





## Legislation Details (With Text)

**File #:** 090652      **Version:** 1  
**Type:** Resolution      **Status:** In Committee  
**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 3241 N. 1st St., in the 6th Aldermanic District to its former owner. (Clay Kendrick)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090652

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 3241 N. 1st St., in the 6th Aldermanic District to its former owner. (Clay Kendrick)

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 3241 N. 1st St., previously owned by Clay Kendrick, 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, Clay Kendrick 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, Clay Kendrick 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 3241 N. 1st 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 210, 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



## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090652

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 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.: 282-1107-000-7  
Address: 3241 3241 N 1ST ST  
Applicant/Requester: CLAY KENDRICK  
2009-01 Inrem File  
Parcel: 210  
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

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 3241 N 1st Street  
 TAXKEY NUMBER 282-1107-7  
 NAME OF APPLICANT Kendrick M Clay Sr  
 MAILING ADDRESS 3241 N 1st Street  
Milwaukee WI 53212 414 888-419-1537  
 CITY STATE ZIP CODE TELEPHONE NUMBER

414 888-2374  
 2009 SEP - 3 PM 3:44  
 RECEIVED ON  
 MILWAUKEE CITY TREASURER

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).

NONE

(Use reverse side, if additional space is needed)

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

YES ☒ 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

Kendrick M Clay

DATE

9-3-09



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

Received of:

CLAY KENDRICK

Tax Account No.:

282-1107-7

Property Address:

3241 N 1ST STREET

Check Amount \$

Check No.:

**Payment Type:**

Installment Payment

☐

Delinquent Payment

☐

Year

Bond Payment

☐

Current Collection Tax Payment

☐

Duplicate Bill Fee

☐

Other

☒

Explain

VACATION OF JUDGEMENT

Received By:

JACKIE CARTER

Signature:

Date:

9/3/09

**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

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

Date 9/3/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 282-1107-000 - 7  
Property Address: 3241 3241 N 1ST ST  
Applicant: CLAY KENDRICK

Parcel Number: 210  
CaseNumber: 09-CV005281

**Teller Validation**

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 \$20.00  
CA \$90.00  
CA \$130.00  
CA \$780.00  
CA \$150.00  
CA \$200.00

WAYNE F. WHITTON  
City Treasurer

\*\*\*\* DUPLICATE \*\*\*\*

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

Batch Date: 09/04/09 Receipt # 00678783  
Teller ID: 1jones2210002

Payment Tendered: 9/3/2009 3:36 PM  
1910 Delinquent Tax Cost Recovery  
Document No.  
Transaction Total: \$1,370.00

\*\*\*\* DUPLICATE \*\*\*\*



# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090652 Reopening and Vacating InRem Judgment  
 Tax Key No.: 282-1107-000-7  
 Address: 3241 N 1ST ST  
 Applicant/Requester: CLAY KENDRICK  
 2009-01 in rem, Parcel: 210  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$2,444.04	\$2,444.04
Interest	\$347.37	\$370.46
Penalty	\$173.69	\$185.24
<b>TOTAL*</b>	<b>\$2,965.10</b>	<b>\$2,999.74</b>

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

WFW/slk



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090652  
3241 North 1st Street

The Department of City Development reports that the tax foreclosed property located at 3241 North 1st Street, Tax Key No. 282-1107-000-7, 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 residential structure is occupied; \$800.00 rent has been collected. Administrative costs incurred by our Department total \$540.00.

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





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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 29, 2009

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

Re: File No.       090652  
      Address       3241 N 1<sup>st</sup> 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 objection, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090652:**

[illegible]



## Legislation Details (With Text)

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**File #:** 090654      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 1346 W. Hadley St., in the 15th Aldermanic District to its former owner. (Wendy Thompson)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090654

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 1346 W. Hadley St., in the 15th Aldermanic District to its former owner. (Wendy Thompson)

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 1346 W. Hadley St., previously owned by Wendy Thompson, 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, Wendy Thompson 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, Wendy Thompson 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 1346 W. Hadley 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 342, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090654

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 9, 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.: 311-1113-100-X  
Address: 1346 W HADLEY ST  
Applicant/Requester: WENDY THOMPSON  
2009-01 Inrem File  
Parcel: 342  
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

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 1346 W. Hadley  
 TAXKEY NUMBER 311-1113-100-X  
 NAME OF APPLICANT Wendy Thompson  
 MAILING ADDRESS 1363 Martha Washington Dr.  
Wauwatosa WI 53213 (414) 579-8254  
 CITY Wauwatosa STATE WI ZIP CODE 53213 TELEPHONE NUMBER (414) 579-8254

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).

2810 N 14th - City took 2008 In Rem.

(Use reverse side, if additional space is needed)

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

YES ☒ 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

[Handwritten Signature]

DATE

Sept 3, 2008





## Payment Receipt

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

Received of: Wendy Thompson  
Tax Account No.: 311-1113-100-x  
Property Address: 1346 W Hadley 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 Vacate In Rem

Received By: Samantha Meagher

Signature: \_\_\_\_\_

Date: 9-3-09

**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

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

Date 9/3/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 311-1113-100 - X  
Property Address: 1346 1346 W HADLEY ST  
Applicant: WENDY THOMPSON

Parcel Number: 342  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\*\* DUPLICATE \*\*\*\*

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

Batch Date: 09/04/09 Receipt # 00678768  
Teller ID: ljones2210002

Payment Tendered: 9/3/2009 3:22 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

CA \$720.00  
CA \$500.00  
CA \$150.00

WAYNE F. WHITTOW  
City Treasurer

\*\*\*\* DUPLICATE \*\*\*\*



# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090654 Reopening and Vacating InRem Judgment  
 Tax Key No.: 311-1113-100-X  
 Address: 1346 W HADLEY ST  
 Applicant/Requester: WENDY THOMPSON  
 2009-01 in rem, Parcel: 342  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$5,601.88	\$5,601.88
Interest	\$1,156.21	\$1,210.88
Penalty	\$578.11	\$605.43
<b>TOTAL*</b>	<b>\$7,336.20</b>	<b>\$7,418.19</b>

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

WFW/slk



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090654  
1346 West Hadley Street

The Department of City Development reports that the tax foreclosed property located at 1346 West Hadley Street, Tax Key No. 311-1113-100-X, is not suitable for use by a public agency or community based organization. The property is located in the Lindsey Heights planning area. If the property is not returned to the former it would be marketed for home ownership.

This residential structure is occupied; 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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.        090654  
      Address        1346 W Hadley 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  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090654:**

[illegible]



## Legislation Details (With Text)

**File #:** 090628      **Version:** 1  
**Type:** Resolution      **Status:** In Committee  
**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 2853 N. Booth St, in the 3rd Aldermanic District to its former owner. (Anthony and Maria Pullara)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090628

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2853 N. Booth St, in the 3rd Aldermanic District to its former owner. (Anthony and Maria Pullara)

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 2853 N. Booth St, previously owned by Anthony and Maria Pullara, 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, Anthony and Maria Pullara 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, Anthony and Maria Pullara 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 2853 N. Booth 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 395, 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



## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/9/09

FILE NUMBER: 090628

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 2, 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.: 314-0433-000-7  
Address: 2853 N BOOTH ST  
Applicant/Requester: ANTHONY & MARIA PULLARA  
2009-01 Inrem File  
Parcel: 395  
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

## 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 2853 N. Booth Street

TAXKEY NUMBER 314-0433-000 (a/k/a 314-0433-7)

NAME OF APPLICANT Anthony Pullara and Maria C. Pullara

MAILING ADDRESS 11321 North Shore Cliff Lane

Megun  
CITY

WI  
STATE

53092  
ZIP CODE

(414) 274-9276  
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).

514 E. Lyon Street (subject of separate Request); 1516 N. Jefferson

Street; 1529-31 N. Jefferson Street

(Use reverse side, if additional space is needed)

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

YES X NO \_\_\_\_\_

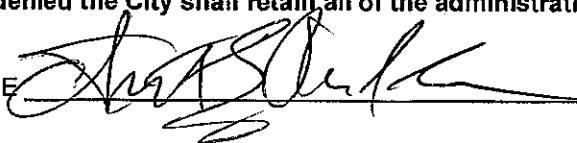
E. DEPT OF NEIGHBORHOOD SERVICES FILING:

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 \_\_\_\_\_  
(previously recorded by App. # 13495)

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



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

Received of: FRIEBERT, FINERTY & ST. JOHN S.C.  
Tax Account No.: 314-0433-7  
Property Address: 2853 N BOOTH ST  
Check Amount \$ 1370 Check No.: 4213481370

**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: 9/2/09

**Payment acknowledgement is not valid until tax payment checks have cleared all banks**



**FRIEBERT, FINERTY & ST. JOHN, S.C.**  
**ATTORNEYS AT LAW**

Two Plaza East - Suite 1250 • 330 East Kilbourn Ave. • Milwaukee, Wisconsin 53202  
Phone 414-271-0130 • Fax 414-272-8191 • www.ffsj.com

ROBERT H. FRIEBERT

JOHN D. FINERTY

THOMAS W. ST. JOHN

WILLIAM B. GUIS

BRADDEN C. BACKER

S. TODD FARRIS

TED A. WARPINSKI

MATTHEW W. O'NEILL

SHANNON A. ALLEN

JEREMY P. LEVINSON

LAWRENCE J. GLUSMAN

BRIAN C. RANDALL

CHRISTOPHER M. MEULER

SARA E. DILL\*

M. ANDREW SKWIERAWSKI

JOSEPH M. PELTZ

\*ALSO ADMITTED IN FLORIDA & ILLINOIS

September 2, 2009

**VIA MESSENGER**

Mr. Wayne F. Whittow

City Treasurer

City of Milwaukee

Room 103 – City Hall

200 East Wells Street

Milwaukee, WI 53202

**Attn: Request for Vacation**

Re: Anthony Pullara/City of Milwaukee – Request for Common Council  
Vacation of Tax Deed Judgment for 2853 North Booth Street (Tax Key  
No. 314-0433-000 (a/k/a 314-0433-7)) in the Third Aldermanic District

Dear Sir or Madam:

Please find the following materials enclosed for filing:

1. Request for Vacation of In Rem Judgment (the “Request”); and
2. Cashier’s check in the amount of \$1,370.00 for the administrative costs in processing the Request.

In addition to the mailing address for the Applicant provided on the Request, please also forward duplicate copies of any notices, staff reports or communications to me at the address printed above.

Kindly process these materials for filing and file-stamp the enclosed copy of the Request and return it to the waiting messenger along with any other receipts generated after accepting the filing fee.

With respect to the response to Section E of the Request, please be advised that a new application to record the subject property with the Department of Neighborhood Services pursuant to § 200-51-5, *Milwaukee Code of Ordinances*, has not been filed because a previous application (#13495) is on file. Please advise us immediately if another procedure is required.

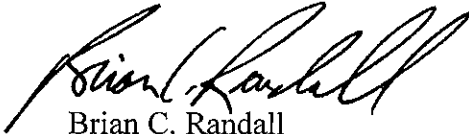
In the meantime, please do not hesitate to contact me with questions or to discuss any issues related to this filing.

Mr. Wayne F. Whittow  
September 2, 2009  
Page 2

Thank you for your attention to this matter.

Very truly yours,

FRIEBERT, FINERTY & ST. JOHN, S.C.

A handwritten signature in black ink, appearing to read "Brian C. Randall", is written over the printed name.

Brian C. Randall  
bcr@ffsj.com

BCR/ier  
Enclosures

cc: Mr. Anthony Pullara (with enclosures) – Via U.S. Mail  
John D. Finerty, Esq.

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

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

Date 9/2/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 314-0433-000 - 7  
Property Address: 2853 2853 N BOOTH ST  
Applicant: ANTHONY & MARIA PULLARA

Parcel Number: 395  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\*\*\* DUPLICATE \*\*\*\*\*

WAYNE F. WHITTON  
City Treasurer

OK 42134813 \$1,370.00

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

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

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

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

Payment Tendered: 9/2/2009 2:51 PM  
1910 Delinquent Tax Cost Recovery  
Document No. 314-0433-7  
Transaction Total: \$1,370.00

Batch Date: 09/03/09 Receipt # 00677720  
Teller ID: mgutierrez210001

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

\*\*\*\*\* DUPLICATE \*\*\*\*\*





# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090628 Reopening and Vacating InRem Judgment  
 Tax Key No.: 314-0433-000-7  
 Address: 2853 N BOOTH ST  
 Applicant/Requester: ANTHONY & MARIA PULLARA  
 2009-01 in rem, Parcel: 395  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN OCT	IF PAID IN NOV
2006-2008	\$14,754.76	\$14,754.76
Interest	\$2,819.56	\$2,965.75
Penalty	\$1,409.78	\$1,482.88
TOTAL*	\$18,984.10	\$19,203.39

\*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:

**514 E Lyon St**, Tax Key #392-1777-2 – City Acquired 7/20/09, Parcel 576 **(Resolution #090653.**

**1516 N Jefferson St**, Tax Key #392-1784-0 with delinquent 2007-2008 taxes totaling \$14,822.88. The 2007 levy is at the Kohn Law Firm for collection.

**1529-1531 N Jefferson St**, Tax Key #392-1795-0 with delinquent 2007-2008 taxes totaling \$15,100.67. The 2007 levy is at the Kohn Law Firm for collection.

WFW/slk

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](http://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.



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090628  
2853 North Booth Street

The Department of City Development reports that the tax foreclosed property located at 2853 North Booth Street, Tax Key No. 314-0433-000-7, 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 residential structure is occupied; \$695.00 rent has been collected. Administrative costs incurred by our Department total \$825.00.

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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 29, 2009

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

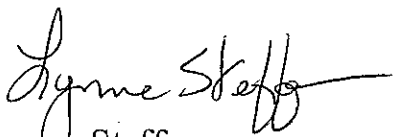
Re: File No. 090628  
Address 2853 N Booth St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. DNS has an open raze order for the rear house at this property. 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 may contact Inspector Michael Demski at 286-3559 for further information.

DNS has no objection to the return of this property, provided that the applicant pays \$50.00 in pending reinspection fees and \$169.00 for raze file charges accrued to date.

Sincerely,

  
Lynne Steffen  
Business Operations Manager

c: Michael Demski

**NOTICES SENT TO FOR FILE 090628:**

[illegible]




## Legislation Details (With Text)

---

**File #:** 090653      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 514 E. Lyon St., in the 3rd Aldermanic District to its former owner. (Anthony Pullara)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090653

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 514 E. Lyon St., in the 3rd Aldermanic District to its former owner. (Anthony Pullara)

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 514 E. Lyon St., previously owned by Anthony Pullara, 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, Anthony Pullara 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, Anthony Pullara 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 514 E. Lyon 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 576, 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



## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090653

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 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.: 392-1777-000-2  
Address: 514 514 E LYON ST  
Applicant/Requester: ANTHONY PULLARA  
2009-01 Inrem File  
Parcel: 576  
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

## 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 514 E. Lyon Street

TAXKEY NUMBER 392-1777-000 (a/k/a 392-1777-2)

NAME OF APPLICANT Anthony Pullara

MAILING ADDRESS 11321 North Shore Cliff Lane

Mequon  
CITY

WI  
STATE

53092  
ZIP CODE

(414) 274-9276  
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).

2853 N. Booth Street (subject of separate Request); 1516 N. Jefferson  
Street; 1529-31 N. Jefferson Street

(Use reverse side, if additional space is needed)

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

YES X NO \_\_\_\_\_

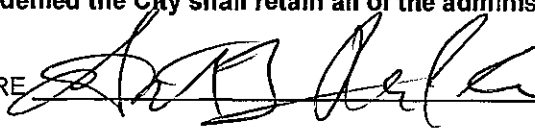
E. DEPT OF NEIGHBORHOOD SERVICES FILING:

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 N/A NO \_\_\_\_\_  
(vacant parcel exempt from ordinance)

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



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

Received of: Alyssa Konitzer in behalf of Anthony Pullara  
Tax Account No.: 392-1777-000-2  
Property Address: 514 e Lyon St.  
Check Amount \$ 1370.00 Check No.: 4213481369

**Payment Type:**

Installment Payment ☐  
Delinquent Payment ☐ Year   
Bond Payment ☐  
Current Collection Tax Payment ☐  
Duplicate Bill Fee ☐  
Other ☒ Explain Vacate In Rem

Received By: Samantha Meagher

Signature: SAM

Date: 9-3-09

**Payment acknowledgement is not valid until tax payment checks have cleared all banks**



**FRIEBERT, FINERTY & ST. JOHN, S.C.**

ATTORNEYS AT LAW

Two Plaza East - Suite 1250 • 330 East Kilbourn Ave. • Milwaukee, Wisconsin 53202

Phone 414-271-0130 • Fax 414-272-8191 • www.ffa.com

ROBERT H. FRIEBERT

JOHN D. FINERTY

THOMAS W. ST. JOHN

WILLIAM B. GUIS

BRADDER C. BACKER

S. TODD FARRIS

TED A. WARPINSKI

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SARA E. DILL\*

M. ANDREW SKWIERAWSKI

JOSEPH M. PELTZ

\*ALSO ADMITTED IN FLORIDA & ILLINOIS

September 2, 2009

**VIA MESSENGER**

Mr. Wayne F. Whittow

Treasurer

City of Milwaukee

Room 103 – City Hall

200 East Wells Street

Milwaukee, WI 53202

**Attn: Request for Vacation**

Re: Anthony Pullara/City of Milwaukee – Request for Common Council  
Vacation of Tax Deed Judgment for 514 East Lyon Street (Tax Key  
No. 392-1777-000 (a/k/a 392-1777-2)) in the Third Aldermanic District

Dear Sir or Madam:

Please find the following materials enclosed for filing:

1. Request for Vacation of In Rem Judgment (the “Request”); and
2. Cashier’s check in the amount of \$1,370.00 for the administrative costs in processing the Request.

In addition to the mailing address for the Applicant provided on the Request, please also forward duplicate copies of any notices, staff reports or communications to me at the address printed above.

Kindly process these materials for filing and file-stamp the enclosed copy of the Request and return it to the waiting messenger along with any other receipts generated after accepting the filing fee.

With respect to the response to Section E of the Request, please be advised that a new application to record the subject property with the Department of Neighborhood Services pursuant to § 200-51-5, *Milwaukee Code of Ordinances*, has not been filed because a previous application (#58572) is on file. Moreover, because the structure was demolished earlier this year, the parcel is vacant and is now exempt from the recording ordinance requirements. Please advise us immediately if another procedure is required.

In the meantime, please do not hesitate to contact me with questions or to discuss any issues related to this filing.

Mr. Wayne F. Whittow  
September 2, 2009  
Page 2

Thank you for your attention to this matter.

Very truly yours,

FRIEBERT, FINERTY & ST. JOHN, S.C.

A handwritten signature in black ink, appearing to read "Brian C. Randall". The signature is fluid and cursive, with the first name "Brian" being more prominent than the last name "Randall".

Brian C. Randall  
bcr@ffsj.com

BCR/ier  
Enclosures

cc: Mr. Anthony Pullara (with enclosures) – Via U.S. Mail  
John D. Finerty, Esq.

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

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

Date 9/3/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 392-1777-000 - 2  
Property Address: 514 514 E LYON ST  
Applicant: ANTHONY PULLARA

Parcel Number: 576  
CaseNumber: 09-CV005281

**Teller Validation**

WAYNE F. WHITTOW  
City Treasurer

CK 21348136 \$1,370.00

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

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

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

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

Transaction Total: \$1,370.00  
Document No. 392-1777-2  
1910 Delinquent Tax Cost Recovery  
Payment Tendered: 9/3/2009 3:10 PM

Batch Date: 09/04/09 Receipt # 00678744  
Teller ID: mgutierrez210001

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





# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090653 Reopening and Vacating InRem Judgment  
 Tax Key No.: 392-1777-000-2  
 Address: 514 E LYON ST  
 Applicant/Requester: ANTHONY PULLARA  
 2009-01 in rem, Parcel: 576  
 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 two months. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN OCT	IF PAID IN NOV
2006-2008	\$8,120.68	\$8,120.68
Interest	\$1,652.07	\$1,731.93
Penalty	\$826.04	\$865.96
TOTAL*	\$10,598.79	\$10,718.57

The applicant also lists ownership interest in the following properties:

**2853 N Booth St.**, Tax Key #314-0433-7 – City Acquired 7/20/09, Parcel 576 **(Resolution #090628.**

**1516 N Jefferson St.**, Tax Key #392-1784-0 with delinquent 2007-2008 taxes totaling \$14,822.88. The 2007 levy is at the Kohn Law Firm for collection.

**1529-1531 N Jefferson St.**, Tax Key #392-1795-0 with delinquent 2007-2008 taxes totaling \$15,100.67. The 2007 levy is at the Kohn Law Firm for collection.

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

WFW/slk



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 29, 2009

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

Dear Ms. Elmer:

Re: File Number 090653  
514 East Lyon Street

The Department of City Development reports that the tax foreclosed property located at 514 East Lyon Street, Tax Key No. 392-1777-000-2, is not suitable for use by a public agency or community based organization. The vacant lot is located in the Downtown planning area. If the property is not returned to the former owner the lot would be held for green space because it is 1800 s. f. in size.

This property is a vacant lot; 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



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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 29, 2009

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

Re: File No.       090653  
      Address       514 E Lyon 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 objection, provided the applicant pays \$7,871.25 in outstanding raze charges, \$50.00 in pending Reinspection fees and files a property recording application.

Sincerely,

Lynne Steffen  
Business Operations Manager

c: Michael Demski

**NOTICES SENT TO FOR FILE 090653:**

[illegible]




## Legislation Details (With Text)

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**File #:** 090630      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 4965-4967 N. Teutonia Ave., in the 1st Aldermanic District to its former owner. (Stephen Fells)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090630

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 4965-4967 N. Teutonia Ave., in the 1st Aldermanic District to its former owner. (Stephen Fells)

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 4965-4967 N. Teutonia Ave., previously owned by Stephen Fells, 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, Stephen Fells 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, Stephen Fells 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 4965-4967 N. Teutonia 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 76, 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

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/9/09

FILE NUMBER: 090630

Original Fiscal Note ☒ 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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 2, 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.: 207-0679-000-5  
Address: 4965 4967 N TEUTONIA AV  
Applicant/Requester: STEPHEN C FELS  
2009-01 Inrem File  
Parcel: 76  
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 08/31/2009.

WFW/slk

# 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 4965-67-69 N Teutonia Ave  
TAXKEY NUMBER 207-0679-000-5  
NAME OF APPLICANT Stephen C. Fellis  
MAILING ADDRESS 4967 N Teutonia Ave  
Milwaukee Wisconsin 53209 44-215-4872  
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).

None.

(Use reverse side, if additional space is needed)

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

YES X NO \_\_\_\_\_

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 Stephen C Fellis DATE X Sept 2, 09



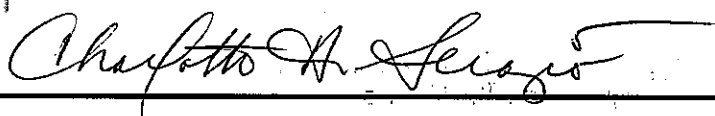
**Payment Receipt**  
Office of the City Treasurer  
City Hall, Room 103  
200 East Wells Street  
Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240

Received of: Stephen C. Fells  
Tax Account No.: 207-0679-000-5  
Property Address: 4965- 67-69 North Teutonia Avenue, Milwaukee, WI 53209  
Check Amount \$ 1370.00 Check No.: XXXXXXXXXXXX

**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: 

Date: 09/02/2009

**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

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

Date 9/2/2009

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01  
Taxkey Number: 207-0679-000 - 5  
Property Address: 4965 4967 N TEUTONIA AV  
Applicant: STEPHEN C FELS

Parcel Number: 76  
CaseNumber: 09-CV005281

**Teller Validation**

\*\*\*\*\* DUPLICATE \*\*\*\*\*

City of Milwaukee  
PAYMENT RECEIPT

Office of the City Treasurer  
City Hall, Room 103

Batch Date: 09/03/09 Receipt # 00677490  
Teller ID: ljones2210002

Payment Tendered: 9/2/2009 1:23 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

CA \$1,300.00  
CA \$60.00  
CA \$10.00

WAYNE F. WHITTOW  
City Treasurer

\*\*\*\*\* DUPLICATE \*\*\*\*\*



# 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 23, 2009

To: Milwaukee Common Council  
 Room 205, City Hall

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

Re: 090630 Reopening and Vacating InRem Judgment  
 Tax Key No.: 207-0679-000-5  
 Address: 4965 4967 N TEUTONIA AV  
 Applicant/Requester: STEPHEN C FELLIS  
 2009-01 in rem, Parcel: 76  
 Case: 09-CV005281, Acquired: 08/31/2009

---

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

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2006-2008	\$5,039.55	\$5,039.55
Interest	\$943.53	\$992.58
Penalty	\$471.76	\$496.28
<b>TOTAL*</b>	<b>\$6,454.84</b>	<b>\$6,528.41</b>

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

WFW/slk

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](http://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.



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090630  
4965-67 North Teutonia Avenue

The Department of City Development reports that the tax foreclosed property located at 4965-67 North Teutonia Avenue, Tax Key No. 207-0679-000-5, 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; 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





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

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 21, 2009

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

Re: File No.        090630  
      Address        4965-67 N Teutonia 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  
Business Operations Manager

**NOTICES SENT TO FOR FILE 090630:**

[illegible]

**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.	
<u>Retail customers:</u> Franklin, Greenfield, Hales Corners, St. Francis, West Milwaukee	
<u>Wholesale customers:</u> 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	\$.4710,704
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



## Legislation Details (With Text)

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**File #:** 090745      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/24/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to an appeal from Christine Schultz 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
9/24/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090745

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Christine Schultz for property damage. (14<sup>th</sup> Aldermanic District)

Drafter

City Atty.

rmo

9/24/09

**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. HOUEN  
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 27, 2009

Christine Schultz  
2324 South 6th Street  
Milwaukee, WI 53215

RE: Christine Schultz  
C.I. File No: 09-S-274

Dear Ms. Schultz:


We have received your claim in the amount of \$250.00, relating to damage to your property at 2719 South 10<sup>th</sup> Street when the Milwaukee Police Department (MPD) conducted a search of the premises on or about June 17, 2008.

Our investigation reveals that the MPD executed a Lawful Search Warrant which necessitated the use of forced entry. The use of force is authorized by Wisconsin Statute §968.14. The MPD served the warrant at this location related to a felon in possession of a weapon. Since the use of force was authorized by state statutes and the MPD was acting within its sphere of responsibility, 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  
1032-2009-2033:149191

Christine Schultz  
2324 South 6th Street  
Milwaukee, WI 53215  
(414) 384-7777 (work)  
(414) 364-1202 (cell)

CITY OF MILWAUKEE  
RECEIVED

2009 SEP 21 PM 2:34

OFFICE OF  
CITY ATTORNEY

September 21, 2009

City Clerk  
Att: Claims  
200 East Wells  
Room 205  
Milwaukee, WI 53202

CITY OF MILWAUKEE  
2009 SEP 21 ... 1:31  
RONALD D. LEONHARDT  
CITY CLERK

Dear City Attorney:

In response to your response file number 09-S-274 I wish to appeal your decision. Also in your letter you state that I requested \$250.00 in damages my letter states that I request \$5744.37.

I was told to put estimates in the request which I cleared stated as enclosures.

I understand that according to Wisconsin Statute 968.14 the MPD acted within it's "sphere of responsibility". Well then you can explain to me that pulling lights out of the wall, insulation out of the wall, pulling wallpaper off and completely demolishing the carpet with the debris that was flung around is in that statute.

I will assume I will get the notice of hearing by return mail.

  
Christine Schultz

Note\*\* I have enclosed a copy of the envelope which is date 9-03-09 which is clearly within my 21 day time frame.



**OFFICE OF THE CITY ATTORNEY**  
**800 City Hall**  
**200 East Wells Street**  
**Milwaukee, Wisconsin 53202-3551**

\*\*\* 3314 L 30-30-69 \*\*\*

FD-302 (Rev. 5-22-64)

[illegible]



Schultz, Christine  
2324 South 6th Street  
Milwaukee, WI 53215  
(414) 384-7777(work)  
(414) 364-1202 (cell)

CITY OF MILWAUKEE  
2009 JUL 23 PM 12:05  
RONALD D. LEONHARDT  
CITY CLERK

July 21, 2009

City Clerk  
Attn: Claims  
200 East Wells  
Room 205  
Milwaukee, WI 53202

CITY OF MILWAUKEE  
RECEIVED  
2009 JUL 23 PM 3:54  
OFFICE OF  
CITY ATTORNEY

Enclosed please find a copy of a search warrant for my rental property. I had called and was told to put a copy of the warrant and some copies of quotes for work that needs to be done after search was conducted at my property of 2719 South 10th Street, Milwaukee, WI 53215.

I have also enclosed pictures. I had to do work at this duplex already when the tenants were living there and paid labor costs of \$250.00. I do not have a receipt because I just had to get it done and at that time did not realize I could try to get it back.

I did have the tenants replace some of the light fixtures that were ripped out of the walls and I have had someone working there last week and this week to repair the damages on the walls.

Any questions please call me at the above number. I am at the work number Monday-Friday 9am-5pm any other time just use my cell.

  
Christine Schultz  
Enclosures

1. Pictures of damage
2. Home depot quote for repairs
3. Quote for carpet
4. Quote for door replacement
5. Quote for painting

**SEARCH WARRANT****CIRCUIT COURT  
FIRST JUDICIAL DISTRICT****MILWAUKEE, WISCONSIN**

STATE OF WISCONSIN     )  
                                      ) ss. In the Circuit Court of the First Judicial District of Wisconsin  
MILWAUKEE COUNTY     )

The State of Wisconsin, to any Sheriff, or any Law Enforcement officer of the State of Wisconsin:

WHEREAS, Police Officer Todd Bohlen has this day complained (by attached affidavit) to this court upon oath, showing probable cause that on Monday, June 16, 2008, located and concealed in and upon certain premises, located within the City of Milwaukee, in said County, occupied by Marcos J. Alicea, Hispanic male 03-28-1981, more particularly described as follows:

**DESCRIBE PREMISES:** 2719 S. 10<sup>th</sup> Street is the upper unit of a two story, two family duplex with attic, with white siding, blue trim and a gray asphalt shingled roof. The numbers 2719 are affixed to the east side of the residence. This premises is located in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

The search to include all storage areas accessible to Marcos J. Alicea, Hispanic Male 03-28-1981, all persons present on premises, certain goods, autos, garage, chattels and property, to-wit:

**DESCRIBE OBJECTS OF SEARCH:**

1. Firearms, ammunition
2. Documents, utility bills, keys, and other items used to show who is in control of premises
3. Firearms manuals and cases; photographic documentation.

which thing(s) (were used in the commission) or (may constitute evidence) of a crime, to-wit;

**DESCRIBE CRIME OR CRIMES:** Felon in Possession of a Firearm

committed in violation of sections 941.29(2) of the Wisconsin Statutes.

Now, THEREFORE, in the name of the State of Wisconsin, you are commanded forthwith to search the said premises and/or the said person(s) for said things, and take possession thereof, if found.

You are further commanded to return this warrant within forty-eight hours after execution before the Assistant Chief Deputy Clerk of the Circuit Court, Crime, Misdemeanor, Traffic Division, or his designee, to be dealt with according to law.

Witness, the Honorable **CEDRIC S CORNWALL**, Commissioner of the First Judicial District of Wisconsin, at Milwaukee, Wisconsin, at 11:15 A.M. on JUNE 16, 2008  
(Hour AM/PM) (Month, Day)

**"NO KNOCK" AUTHORIZED**

*Cedric S Cornwall - Authorized on 6/16/08*  
at 11:15 A.M.  
SW-FIREARMS 5-01

Branch  
Court Reporter:

Commissioner

*Cedric S Cornwall*  
**CEDRIC S CORNWALL**

FILED  
CRIMINAL DIVISION  
08 JUN 18 AM 9:08  
CLERK OF CIRCUIT COURT

CIRCUIT COURT

COUNTY OF MILWAUKEE

} ss.

Dated at Milwaukee Wis., 6-17, 2008

I hereby certify that by virtue of the within writ I searched the within named premises and found the following:

Inventories # 429949, 420742, 429744 and have same now in my  
possession subject to the disposition of the Circuit Court.



Police Officer Todd Bohlen  
City of Milwaukee Police Department  
Criminal Intelligence Division, Gangs

STATE OF WISCONSIN )  
 ) ss.  
MILWAUKEE COUNTY )

**The affiant, being first duly sworn on oath, states as follows:**

- 1) That affiant is P.O Todd Bohlen, a Police Officer currently assigned to the Milwaukee Police Department Criminal Intelligence Division, Gang Crimes Unit. In affiant's current assignment, affiant is responsible for the investigation of criminal activity by street gangs in the Milwaukee area; as a result, affiant is familiar with the membership and practices of various criminal street gangs in the Milwaukee area including the Latin Kings and other street gangs.
- 2) The affiant has worked full-time as a law enforcement officer for the past 15 years.
- 3) The affiant has received training in the investigation of unlawful possession of firearms and possession of firearms by prohibited persons; The affiant, has in the course of his experience as a law enforcement officer arrested numerous individuals for firearms related offenses including Carrying a Concealed Weapon (Wisconsin Statute Section 941.23), Possession of a Dangerous Weapon by a Child (Wisconsin Statute Section 948.60), and Possession of Weapon by Prohibited Persons (Wisconsin Statute Section 941.29); The affiant has worked with local, state and federal law enforcement agents investigating the possession, use and trafficking of controlled substances and weapons in the Milwaukee area. The affiant has participated in the execution of numerous search warrants in which weapons were seized; The affiant is familiar with the different types and calibers of firearms and ammunition commonly possessed for illegal purposes; that affiant is professionally trained in the use of firearms; The affiant has conducted investigations

involving the intentional transfer of a firearm from a non-prohibited person to a prohibited person; The affiant also has extensive experience conducting investigations related to violations of Chapter 961 of the Wisconsin Statutes including undercover purchases of controlled substances including cocaine and marijuana, working with confidential informants, conducting search warrants and numerous arrests related to possession of cocaine and marijuana. The affiant also has experience related to continuing criminal enterprise investigations and has participated in multi-jurisdictional investigations involving criminal gang activity in the State of Wisconsin.

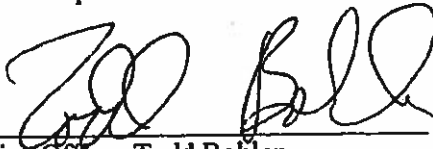
- 4) The affiant knows through personal involvement in this investigation and through information provided by an informant that a subject by the name of Marcos J. Alicea Hispanic male, 03-28-1981, hereafter "Alicea") is reported to be in possession of one black semi-automatic handgun at the location of 2719 S. 10<sup>th</sup> Street. in the City of Milwaukee, County of Milwaukee, State of Wisconsin. The affiant was informed by a confidential informant, who wishes to remain anonymous, due to the informant's intimate knowledge of Alicea that within the last 14 days the informant observed the black semi-automatic handgun in the upper unit of the two story, two family duplex at 2719 S. 10<sup>th</sup> Street. The confidential informant explained, that the confidential informant is familiar with weapons. Affiant confirmed through interrogation of the informant that the informant had a sound understanding of firearms basics and knew the difference between semi-automatic weapons, revolvers, rifles, shotguns and non-firearm weapons like compressed air guns. The informant stated that the informant observed Alicea in possession of and has access to the black semi-automatic handgun inside the residence.
- 5) The affiant believes that the informant is a credible person because the informant has given law enforcement officers information directly corroborated by the knowledge and past experience of law enforcement officers. The informant further provided the identity, location and crimes in which the suspect is involved. The informant has also provided the

affiant and other officer's information resulting in the issuance of at least five prior search warrants, which resulted in the recovery of cocaine, marijuana and several firearms, which the informant stated would be found. The affiant knows that firearms are not readily consumed and that they remain in close proximity to individuals engaged in street level drug dealing to protect themselves and the areas they control.

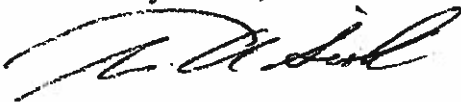
- 6) The affiant knows that 2719 S. 10<sup>th</sup> Street. is a two story, two family duplex with attic, with white siding, blue trim and a gray asphalt shingled roof. The numbers 2719 are affixed to the east side of the residence. This premises is located in the City of Milwaukee, County of Milwaukee; State of Wisconsin.
- 7) That based upon the affiant's training and experience, the affiant knows that weapons can be secreted in any part of a residence including automobiles, and storage areas related to the premises and on persons located in the residence; and that the execution of a search warrant usually results in the seizure of such items associated with firearms as cartridges, holsters, additional magazines, cleaning supplies, ammunition, and usually results in the recovery of personal property such as utility bills, canceled mail envelopes, bank statements, keys, photographs, videotapes, and other items or documents which establish the identities of persons in control of the premises and other items.
- 8) The affiant knows that Alicea is a convicted felon under Milwaukee County Circuit Court, Case number 2001CF004043 for Possession of THC (2<sup>nd</sup> Offense).
- 9) The affiant knows that the presence of firearms in the residence presents a significant risk to the safety of the officers executing the search warrant, that it is common for more than one firearm to be located in a residence and that the information presented in this affidavit forms the basis to request a no-knock warrant. Specifically, the affiant states that the informant has seen Alicea armed with the semi-automatic handgun inside the residence. Affiant believes, based on his training and experience, that in the event officers executing this search warrant were required to knock and announce their presence and intention to

execute a search warrant at 2719 S. 10<sup>th</sup> Street. upper unit that there is a substantial risk that Alicea or others inside the residence could access the firearms observed inside the residence and present a risk to those officers and others in the area. The information presented in this affidavit forms the basis to request a no-knock warrant.

- 10) The affiant, based upon his training and experience, seeks permission to search all persons on the premises because: the premises in question is a private residence and weapons and other weapon-related contraband may easily be secreted on one's person.
- 11) The affiant states that based on the above information that there is now probable cause to believe that evidence of the crime of possession of a firearm by a felon in violation of Wisconsin State Statutes 941.29(2) is at the residence described above in paragraph 6 and respectfully request permission to search said residence and persons.

  
Police Officer Todd Bohlen

Subscribed and sworn to before me  
this 16th day of June, 2008.



Notary Public, Milwaukee County, State of Wisconsin  
My commission is permanent.



## Milwaukee Police Department

429949

## PROPERTY INVENTORY

LAB#

TYPE- CIRCLE ONE

CIT.# CC#

PROPERTY OFFICER

DATE &amp; TIME RECEIVED

PAGE

E C S

OF

RESPONSIBLE LOCATION

RESPONSIBLE OFFICER

RANK

PAYROLL #

PEOPLESFT #

LOCATION

SUBMITTING OFFICER

RANK

PAYROLL #

PEOPLESFT #

LOCATION

SIGNATURE SUBMITTING OFFICER

DATE/TIME PREPARED

## PRISONER(S)/SUSPECT(S)

LAST NAME

FIRST NAME

MI

STREET ADDRESS

CITY/STATE

ZIP CODE

DATE OF BIRTH

ARREST DATE

CHARGE

LAST NAME

FIRST NAME

MI

STREET ADDRESS

CITY/STATE

ZIP CODE

DATE OF BIRTH

ARREST DATE

CHARGE

LAST NAME

FIRST NAME

MI

STREET ADDRESS

CITY/STATE

ZIP CODE

DATE OF BIRTH

ARREST DATE

CHARGE

## CLAIMANT

LAST NAME

FIRST NAME

MI

DATE OF BIRTH

STREET ADDRESS

CITY/STATE

ZIP CODE

## VICTIM

LAST NAME

FIRST NAME

MI

DATE OF BIRTH

STREET ADDRESS

CITY/STATE

ZIP CODE

## CIRCUMSTANCES

CIRCLE ONE

DNA

FEL

MISD

ORD

YES

NO

No Case  
Search warrant

OFFENSE DATE &amp; LOCATION

2719 A.S. 10th St. 6-17-08

ITEM	QUANT.	ARTICLE	SERIAL #	DNA Y/N	ITEM DESCRIPTION	\$ ONLY
1	1	White powder		N	White powdery substance in white parabol of original container Plastic baggie	
					TEST - Mark II #05 RGNT TURNED Purple	
					POS FOR Negative WEIGHT 1.52g NS 08588	
					BY Det. Hanner WITNESS I.D. BOTTEN	
2	1	Marijuana		N	Green plantlike substance in white parabol w/ original container plastic baggie	

2 TOTAL ITEMS  
ALL PAGES

DISTRICT PROPERTY OFFICER SIGNATURE

PEOPLESFT #

TOTAL MONEY → 0

APPROVING SUPERVISORS SIGNATURE

PEOPLESFT #

PP-32 Rev. 6/05

✓ **Waukees Police Department** M# / INCIDENT# IN# 420742  
**PROPERTY INVENTORY** LAB# ACE#

TYPE- CIRCLE ONE E C (S) CIT.#/ CC# PROPERTY OFFICER DATE & TIME RECEIVED PAGE 1 OF 1

RESPONSIBLE LOCATION 16

RESPONSIBLE OFFICER James Henry RANK P.O. PAYROLL # 69272 PEOPLESFT # 010248 LOCATION 09

SUBMITTING OFFICER SAME RANK PAYROLL # PEOPLESFT # LOCATION

SIGNATURE SUBMITTING OFFICER PO James Henry DATE/TIME PREPARED 6.17.08 3:28 PM

**PRISONER(S)/SUSPECT(S)**

LAST NAME ALICEA FIRST NAME MARCOS MI

STREET ADDRESS 2719 S. 10th St. CITY/STATE Milwaukee, WI ZIP CODE 53218 DATE OF BIRTH 3.28.81 ARREST DATE Pending CHARGE 10CS-TTC (2nd)

LAST NAME FIRST NAME MI

STREET ADDRESS CITY/STATE ZIP CODE DATE OF BIRTH ARREST DATE CHARGE

**CLAIMANT**

LAST NAME ALICEA FIRST NAME MARCOS MI DATE OF BIRTH 3.28.81

STREET ADDRESS 2719 S. 10th St. CITY/STATE Milwaukee, WI ZIP CODE 53218

**VICTIM**

LAST NAME FIRST NAME MI DATE OF BIRTH

STREET ADDRESS CITY/STATE ZIP CODE

**CIRCUMSTANCES**

CIRCLE ONE FEL MISD ORD DNA YES NO

SEARCH WARRANT. RECOVERED  
 During Drug investigation.

OFFENSE DATE & LOCATION 6.17.08 2719 S. 10th St

EM	QUANT.	ARTICLE	SERIAL #	DNA Y/N	ITEM DESCRIPTION	\$ ONLY
1	4	MONEY	-	N	U.S. Currency one hundred dollar bills.	\$400.00
2	8	MONEY	-	N	U.S. Currency Fifty dollar bills	\$400.00
3	89	MONEY	-	N	U.S. Currency twenty dollar bills.	\$1780.00
4	2	MONEY	-	N	U.S. Currency ten dollar bills	\$20.00

7 TOTAL ITEMS ALL PAGES DISTRICT PROPERTY OFFICER SIGNATURE APPROVING SUPERVISORS SIGNATURE PEOPLESFT # 002094 TOTAL MONEY \$2600.00 PP-32 Rev. 6/05

# Milwaukee Police Department

## PROPERTY INVENTORY

INV #

INV #

429742

LAB #

ACC #

TYPE- CIRCLE ONE

E ☒ S

CIT.# CC#

PROPERTY OFFICER

DATE & TIME RECEIVED

PAGE

OF

RESPONSIBLE LOCATION

RESPONSIBLE OFFICER

RANK

PAYROLL #

PEOPLESFT #

LOCATION

SUBMITTING OFFICER

RANK

PAYROLL #

PEOPLESFT #

LOCATION

SIGNATURE SUBMITTING OFFICER

DATE/TIME PREPARED

### PRISONER(S)/SUSPECT(S)

LAST NAME

FIRST NAME

STREET ADDRESS

CITY/STATE

ZIP CODE

DATE OF BIRTH

ARREST DATE

CHARGE

LAST NAME

FIRST NAME

STREET ADDRESS

CITY/STATE

ZIP CODE

DATE OF BIRTH

ARREST DATE

CHARGE

LAST NAME

FIRST NAME

STREET ADDRESS

CITY/STATE

ZIP CODE

DATE OF BIRTH

ARREST DATE

CHARGE

### CLAIMANT

LAST NAME

FIRST NAME

MI

DATE OF BIRTH

STREET ADDRESS

CITY/STATE

ZIP CODE

### VICTIM

LAST NAME

FIRST NAME

MI

DATE OF BIRTH

STREET ADDRESS

CITY/STATE

ZIP CODE

### CIRCUMSTANCES

CIRCLE ONE

DNA

FEL

MISD

ORD

YES

NO

SEARCH WARRANT.

OFFENSE DATE & LOCATION

6-17-08 2719 S. 10th ST.

ITEM	QUANT.	ARTICLE	SERIAL #	DNA Y/N	ITEM DESCRIPTION	\$ ONLY
1	2	SCALES	-	N	1-black, 1-MAROON Digital Gram Scales	
2	2	Baggies	-	N	OPEN boxes of BetterVall Sandwich bags	
3	6	Baggies	-	N	clear baggies w/ Corners removed	
4	1	Latex gloves	-	N	OPENED Box of medium latex gloves.	
5	1	Photo	-	N	Photo of Suspect	
6	1	CASE	-	N	DR Pepper "California" Safe	
7	5	Mail	-	N	Suspects mail	

7 - TOTAL ITEMS  
ALL PAGES

DISTRICT PROPERTY OFFICER SIGNATURE

PEOPLESFT #

TOTAL MONEY →

APPROVING SUPERVISORS SIGNATURE

PEOPLESFT #

PP-32 Rev. 6/05

QUOTE

Store 4941 SE MILWAUKEE  
150 WEST HOLT AVENUE  
MILWAUKEE, WI 53207

Phone: (414) 481-8770  
Salesperson: DP956B  
Reviewer:

QUOTE

Name		Home Phone	
STAR RESTAURANT		(414) 384-7777	
Address 2719 10TH AVE			
City MILWAUKEE			
State WI		Zip 53215	County MILWAUKEE
Work Phone			
Company Name			
Job Description			

2009-05-29 17:48

Prices Valid Thru: 05/30/2009

CUSTOMER PICKUP #1

MERCHANDISE AND SERVICE SUMMARY

We reserve the right to limit the quantities of merchandise sold to customers

REF # W09 SKU # 515-664 Customer Pickup / Will Call

STOCK MERCHANDISE TO BE PICKED UP:

REF #	SKU	QTY	UM	DESCRIPTION	TAX	PRICE EACH	EXTENSION
R01	723-291	4.00	EA	27X48 BT 1" VINYL CUT ALABASTER-LF /	Y	\$11.97	\$47.88
R02	727-994	1.00	EA	29X72 BT 1" VINYL CUT WHITE-LF /	Y	\$16.97	\$16.97
R03	155-549	1.00	EA	36X64 BALI TODAY ALUM MINI BLD-ALA /	Y	\$23.27	\$23.27
R04	462-803	2.00	EA	2.5" PERF SELECT GREEN FLAT CUT /	Y	\$8.97	\$17.94
R05	530-805	1.00	EA	8 PC PERF SELECT GREEN TRAY SET /	Y	\$12.97	\$12.97
R06	292-313	1.00	EA	GLIDDEN INT LTX FLT BASE 1-5 GAL /	Y	\$70.00	\$70.00
R07	506-972	2.00	EA	1X8-8' PREM PNE PATTERNWP 4/116 /	Y	\$6.40	\$12.80
R08	370-800	2.00	EA	READY PATCH SPACKLING/PTCH QRT /	Y	\$5.77	\$11.54
						MERCHANDISE TOTAL:	\$213.37

END OF CUSTOMER PICKUP - REF #W09

FOR WILL CALL  
MERCHANDISE PICK-UP  
PROCEED TO WILL CALL OR  
SERVICE DESK AREA  
(Pro Customers, Proceed To The Pro Desk)

INVOICE		No.	
Date			
Installer's Name <i>Mike's Carpet Service</i>		Phone <i>(414) 573-3716</i>	
Address <i>2011 A. S. 24th</i>		City <i>ML</i>	State <i>WI</i> Zip <i>53204</i>
Store Name		Phone ( )	
Address		City	State Zip
Job Site		Phone ( )	
Address		City	State Zip
TYPE	DESCRIPTION (type & amount used: yards, feet, etc.)	COST/PER	TOTAL
Carpet			
Padding	<i>21 yds Carpet upstairs</i>		
Vinyl			
VCT Tile	<i>11 Wood Stairs + Landing</i>		
Ceramic Tile			
Marble	<i>1 B.D. Rm downstairs + Lounge</i>		<i>\$ 2162.00</i>
Wood			
Repairs	<i>Paint Rm with Frieze w/ old</i>		
Stairs	<i>Carpet + padding</i>		
NOTES		Material + Labor	
		EXTRAS AMOUNT	
		Take-Up	
		Floor Prep	
		Underlayment	
		Washer	
		Dryer	
		Stove	
		Refrigerator	
		Toilet	
		Base	
		Trip Charge	
		Vinyl Base	
		Vinyl Cove	
		Carpet Cove	
		Piano	
		Furniture	
Metals			
		GRAND TOTAL	<i>\$ 2162.00</i>

KAT HOME IMPROVEMENTS, INC.  
3734 EAST GARDEN PLACE  
OAK CREEK, WISCONSIN 53154  
Ken A. Theroux - (414) 762-9137

# PROPOSAL

Page No. \_\_\_\_\_ of \_\_\_\_\_ Pages

To:

CHRIS SHULTZ  
2719 S. 10<sup>TH</sup> ST.  
MILWAUKEE

JOB NAME & NO. (2) STEEL ENTRY DOORS	
LOCATION DUPLEX	
PHONE 364-1202	DATE 5-03-09

We hereby submit specifications and estimates for:

MATERIAL AND LABOR TO REMOVE (2) DAMAGED DOORS ON BACK OF DUPLEX AND HAUL AWAY, INSTALL (2) STEEL ENTRY DOORS, (1) UPSTAIRS AND (1) DOWNSTAIRS, INSTALL NEW LOCKSETS AND DEADBOLTS, INSTALL NEW INTERIOR MOLDINGS.

#  
TOTAL - 3280.<sup>00</sup>

\*MASTERCRAFT PRE-HUNG ENTRY DOORS (PRIMED)

WE PROPOSE hereby to furnish material and labor - complete in accordance with these specifications, for the sum of:

THREE-THOUSAND-TWO-HUNDRED-EIGHTY — dollars (\$ 3280.<sup>00</sup>).

Payable as follows:

PAY IN FULL WHEN JOB IS COMPLETED

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, theft, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

NOTE: This proposal may be withdrawn by us if not accepted within 90 days.

**ACCEPTANCE OF PROPOSAL** - The 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 \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

KAT HOME IMPROVEMENTS, INC  
3734 EAST GARDEN PLACE  
OAK CREEK, WISCONSIN 53154  
Ken A. Theroux - (414) 762-9137

## PROPOSAL

To: Chris Shultz  
2719 S. 10<sup>th</sup> St  
Milwaukee, WI 53215

Painting of upstairs loft  
Duplex

We hereby submit specifications and estimates for:

MATERIAL AND LARBOR TO PAINT THE UPSTAIRS LOFT BEDROOM  
OF DUPLEX. THIS PRICE INCLUDES PAINTING OF THE WALLS AND  
CEILING.

TOTAL - \$900.00

WE PROPOSE to furnish material and labor- complete with these specifications, for the sum of:

Nine hundred dollars

\$ 900.00

Payment

PAYMENT IN FULL WHEN JOB IS COMPLETE

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

ACCEPTANCE OF PROPOSAL- the 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

\_\_\_\_\_  
Date







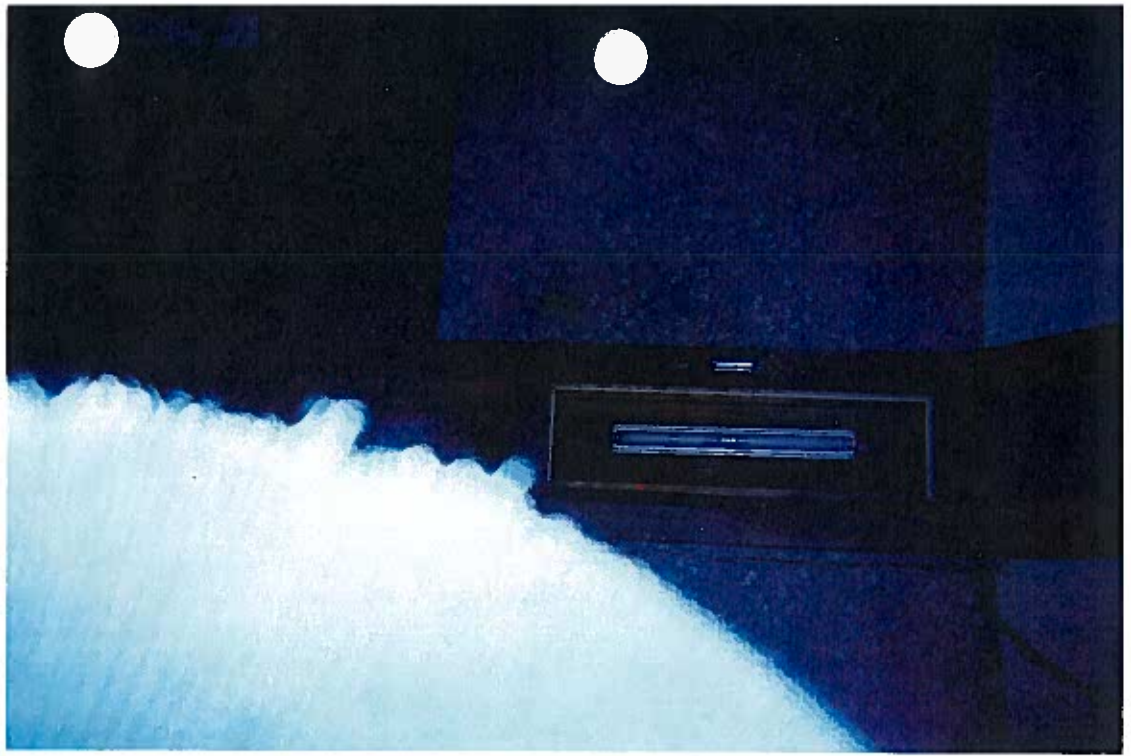












**NOTICES SENT TO FOR FILE 090745:**

[illegible]




## Legislation Details (With Text)

---

**File #:** 090683      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to an appeal from Sabrina Childs for property damage. (9th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS APPEAL

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		



Number  
090683  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR

Title  
Resolution relating to an appeal from Sabrina Childs for property damage. (9<sup>th</sup> Aldermanic District)

Drafter  
City Atty.  
smc  
9/17/09

GRANT F. LANGLEY  
City Attorney

DOLPH M. KONRAD  
JOA ULISS BURKE  
JOHN 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. BEANISH  
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. EHRLECH  
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

Sabrina Childs  
8625 North Servite Drive  
Milwaukee, WI 53223

RE: Sabrina Childs  
C.I. File No.: 09-V-155

Dear Ms. Childs:

We have received your claim in the amount of \$2,819.24, relating to damage sustained to your parked vehicle on June 15, 2009 when you allege that it was struck by a City truck which backed into it at 42<sup>nd</sup> Street and Monrovia Way.

Our investigation reveals that the Fleet Services Division Accident report completed as a result of this alleged incident notes that the damage on your vehicle is not consistent with being hit by the City truck. In addition, our driver denies backing up and causing the damage. Your witness was not in a position to see the area of impact. There is no evidence to support your belief that a City truck caused the damage. 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 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

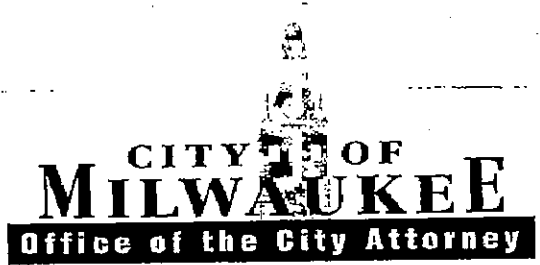
STEVEN M. CARINI  
Investigator Adjuster

SMC:ms  
1030-2009-2182:149698

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

GRANT F. LANGLEY  
City Attorney  
  
UDOLPH M. KONRAD  
NDA ULISS BURKE  
NGENT D. MOSCHELLA  
Deputy City Attorneys



THOMAS G. GARTNER  
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MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
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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

September 9, 2009

Sabrina Childs  
8625 North Servite Drive  
Milwaukee, WI 53223

*I WOULD LIKE TO APPEAL  
THIS CLAIM!  
Sabrina Childs*

RE: Sabrina Childs  
C.I. File No.: 09-V-155

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Very truly yours,

GRANT F. LANGLEY  
City Attorney

*Steven M. Carini*  
  
STEVEN M. CARINI  
Investigator Adjuster

SMC:ms  
1030-2009-2182:149698

CITY OF MILWAUKEE  
2009 SEP 15 AM 11:07  
RONALD D. LEONHART  
CITY CLERK

CITY OF MILWAUKEE  
RECEIVED

2009 AUG 19 PM 2:32

Attention: Claim

OFFICE OF  
CITY ATTORNEY

To Whom This May Concern:

I am filing a claim against the City of Milwaukee do to an accident that was caused by a current worker that struck my vehicle. The accident occurred on June 15, 2009 around 7:30 AM. My vehicle was parked on 42<sup>nd</sup> and Monrovia Way on the west side of the street when it was impelled by the inattentive driver. I also have a witness that was able to clearly observe the accident and even saw that the driver noticed he backed into my vehicle and proceeded to keep going. I am inquiring that the damages of my vehicle be taken care of. The estimates of the damages that I received from two different auto body shops range from \$2,330 - \$3210. While my car is being repaired I would like a rental car accommodated to me, so that I want be without a car.

Sabrina Childs  
8625 N. Servite Dr.  
Milwaukee, WI 53223  
(414)358-2872

Sabrina P. Childs

Complete Charges  
= 490.37

08/19/2009 10:30 AM STANDARD

Reservation: 5W4M0P

Date Taken:

By:

Origin: BRANCH

## Vehicle

Car Class: STANDARD  
Rate Quoted: \$59.99/DAY  
\$244.99/WEEK  
\$699.99/MONTH

## Specials:

Mileage Charge: NO CHARGE

Preferences:

## Authorization

Status:

Car Class:

Auth Amount:

# of Days:

Max Per Day:

Total Max Amount:

% Auth:

## Product/Services

DAMAGE WAJVER \$14.99/DAY  
PAI \$3.00/DAY  
SUPPLEMENTAL LIABILITY PROTECTION 2 \$12.95/DAY

Complete charges w/ Full coverage

820.15

Complete Charges w/ Basic Cove

690.65

## Authorization

## Pick Up/Return

Pick Up Date: 08/19/2009  
Pick Up Time: 10:30 AM  
Pick Up Group: A0044\_WISCONSIN  
Pick Up Branch: GLENDALE 4412  
5623 N GREEN BAY AVE  
GLENDALE, WI 532094406

Return Date: 08/29/2009  
Return Time: 10:30 AM  
Return Group: A0044\_WISCONSIN  
Return Branch: GLENDALE 4412  
5623 N GREEN BAY AVE  
GLENDALE, WI 532094406

Pick Up Method:

Return Method:

Pick Up Location:

Return Location:

Directions:

## Renter Information

Home:

Work:

Other:

## Bill-to

Rental Type: RETAIL  
Claim Type:  
Claim/Pol/PO/RO:  
Insured Name:

## Shop

Renters Vehicle:

## Flight Information

Airline:

Flight:

Terminal:

Arrival Date:

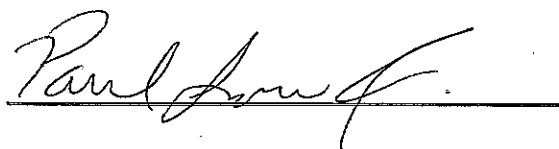
Arrival Time:

To Whom This May Concern:

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Paul Spencer Jr.  
4214 W, Monrovia Way  
Milwaukee, WI 53209  
(414)217-7745

CITY OF MILWAUKEE  
2009 JUL 16 AM 11:14  
RONALD D. LEONARDI  
CITY CLERK



CITY OF MILWAUKEE  
RECEIVED  
2009 JUL 16 PM 2:56  
OFFICE OF  
CITY ATTORNEY

POLICE # DISTRICT 4

ACCIDENT # 091660536

<input checked="" type="checkbox"/> Reportable Accident		<input type="checkbox"/> On Emergency		<input type="checkbox"/> Amended		DOT Document Number 9H0R0SN		Document Override Number			
Agency Accident Number 091660536				Police Number DISTRICT 4							
4 - Accident Date 06/15/2009			5 - Time of Accident (Military Time) 0750			6 - Total Units 02		7 - Total Injured 00		8 - Total Killed 00	
2 - County MILWAUKEE - 40			3 - Municipality MILWAUKEE - 57 CITY			11 - Accident Location NON-INTERSECTION					
14 - On Hwy No.		14 - On Street Name 42ND ST N				14 - Bus/Fmt/Rmp		15 - Est. Dist 100		15 - Hwy. Dir F SOUTH	
16 - Fr/At Hwy No.		16 - From/At Street Name KAUL AVE W				16 - Business/Frontage/Ramp					
17 - Structure Type HOUSE #		17 - Structure Number 6089		12 - Latitude				13 - Longitude			
80 - First Harmful Event PARKED MOTOR VEHICLE						93 - Manner of Collision NO COLLISION WITH MOTOR VEHICLE IN TRANSPORT					
112 - Access Control NO CONTROL		113 - Road Curvature STRAIGHT		113 - Road Terrain LEVEL/FLAT		Surface Type BLACKTOP (BITUMINOUS) - 2					
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 <input type="checkbox"/> Hit and Run		9 <input type="checkbox"/> Government Property		9 <input type="checkbox"/> Fire		9 <input type="checkbox"/> Photos Taken		9 <input type="checkbox"/> Trailer or Towed			
9 <input type="checkbox"/> Truck, Bus, or Hazardous Materials				9 <input type="checkbox"/> Load Spillage		9 <input type="checkbox"/> Construction Zone		9 <input checked="" type="checkbox"/> Names Exchanged			
101 <input type="checkbox"/> Supplemental Reports				102 <input checked="" type="checkbox"/> Witness Statements				103 <input type="checkbox"/> Measurements Taken		79 - E M S Number	

Operator/Pedestrian

Unit Status				81 - Most Harmful Event: Collision With PARKED MOTOR VEHICLE				23 - Dir Of Travel SOUTH		24 - Speed Limit 25	
36 - Operating as Classified D CLASS				37 - Endorsements				35 <input type="checkbox"/> Operating Commercial Motor Vehicle			
29 - Driver's License Number R6207265945706				30 - State WI		31 - Expiration Year 2014		34 - On Duty Accident			
25 - Operator/Pedestrian Last Name RAMOS				25 - First Name RAUL				25 - Middle Initial		25 - Suffix	
32 - Date Of Birth 12/17/1959				33 - Sex MALE							
26 - Address Street & Number 2348 S 33 ST								26 - PO Box			
27 - City MILWAUKEE				27 - State WI		27 - Zip Code 53215		28 - Telephone Number (414) 708-7201 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 <input type="checkbox"/> Medical Transport			
43 - Trapped/Extricated NOT-TRAPPED				82 - Pedestrian Location				92 - Pedestrian Action			
119 - What Driver Was Doing BACKING-MANEUVER				120 - Traffic Control NO-CONTROL				82 - No. of Citations Issued 0			
64 - 1st Statute No.		64 - 2nd Statute No.		64 - 3rd Statute No.		64 - 4th Statute No.		64 - 5th Statute No.			
122 - Driver Factors INATTENTIVE-DRIVING											
88 - Driver or Pedestrian Cond NOT OBSERVED				89 - Substance Presence UNKNOWN							
90 - Alcohol Test TEST NOT GIVEN				90 - Alcohol Content				81 - Drug Test TEST-NOT-GIVEN			

OPERATOR/PEDESTRIAN 01

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 54545		57 - Plate Type MUN	58 - State WI	59 - Exp Year	65 - Vehicle Identification Number 1GDUK34F8XFD90290
	50 - Year 1999	51 - Make GMC	52 - Model COMPRESSOR	53 - Body Style 2D	54 - Color YEL	100 - Skidmarks to Impact (Ft)
	94 - Vehicle Damage REAR					
	95 - Extent Of Damage VERY-MINOR		96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By OPERATOR	
	123 - Vehicle Factors NOT-APPLICABLE					

### Vehicle Owner

VEH OWNER 01	45 <input type="checkbox"/> 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 200 E WELLS ST		47 - PO Box		
	48 - City MILWAUKEE	48 - State WI	48 - Zip Code 53202	49 - Telephone Number (414) 286-2150 EXT.	

### Insurance

INS 01	63 - Liability Insurance Company GOVERNMENT		60 <input type="checkbox"/> 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 <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

### Operator/Pedestrian

Unit Status L - LEGALLY PARKED		81 - Most Harmful Event: Collision With MOTOR VEHICLE IN TRANSPORT		23 - Dir Of Travel	24 - Speed Limit 25
36 - Operating as Classified D CLASS	37 - Endorsements		35 <input type="checkbox"/> Operating Commercial Motor Vehicle		
28 - Driver's License Number		30 - State	31 - Expiration Year	34 - On Duty Accident	
25 - Operator/Pedestrian Last Name		25 - First Name		25 - Middle Initial	25 - Suffix
32 - Date Of Birth	33 - Sex				



OPERATOR/PEDESTRIAN 02	26 - Address Street & Number				26 - PO Box	
	27 - City		27 - State	27 - Zip Code		28 - Telephone Number
	39 - Seat Position BLANK				40 - Safety Equipment NOT-APPLICABLE-NONMOTORIST	
	38 - Injury Severity		41 - Airbag NOT APPLICABLE	42 - Ejected NOT-APPLICABLE		44 <input type="checkbox"/> Medical Transport
	43 - Trapped/Extricated NOT-APPLICABLE		92 - Pedestrian Location		92 - Pedestrian Action	
	119 - What Driver Was Doing LEGALLY-PARKED		120 - Traffic Control NO-CONTROL		62 - No. of Citations Issued 0	
	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		89 - Substance Presence			
	90 - Alcohol Test		90 - Alcohol Content		91 - Drug Test	
91 - Drugs Reported						
124 - Highway Factors NOT-APPLICABLE						

Vehicle

VEHICLE 02	21 - Unit Type AUTOMOBILE		Vehicle Type PASSENGER-CAR			22 - Total Occupants 0
	56 - License Plate Number F1672T	57 - Plate Type SES	58 - State WI	59 - Exp Year 2010	55 - Vehicle Identification Number 4T1EG22K1VU134722	
	50 - Year 1997	51 - Make TOYT	52 - Model CAMRY	53 - Body Style 4D	54 - Color BLK	100 - Skidmarks to Impact (F)
	94 - Vehicle Damage REAR DRIVER SIDE					
	95 - Extent Of Damage MINOR		96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By W MONROVIA	
	123 - Vehicle Factors NOT-APPLICABLE					

Vehicle Owner

VEH OWNER 02	45 <input type="checkbox"/> Vehicle Owner Same As Operator				
	48 - Vehicle Owner Last Name CHILDS		46 - First Name SABRINA	46 - Middle Initial F	46 - Suffix
	46 - Company Name				
	47 - Address Street & Number 7100 N PERSIDIO DR		47 - PO Box		
	48 - City MILWAUKEE		48 - State WI	48 - Zip Code 53223	49 - Telephone Number (414) 535-7717 EXT.

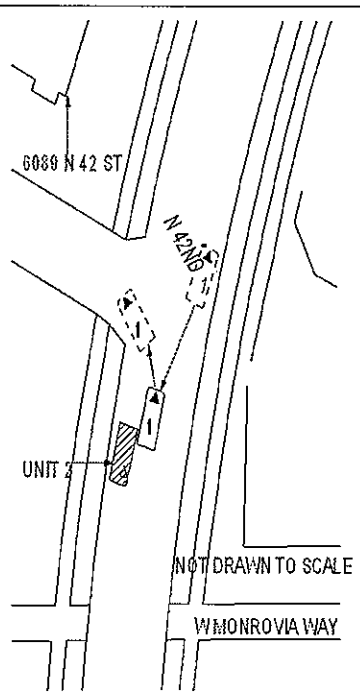
Insurance

INS 02	63 - Liability Insurance Company <b>NOT-REQUIRED</b>		60 <input type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name	61 - Policy Holder First Name	
	61 - Policy Holder Company		

**School Bus**

BUS 02	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

**Diagram and Narrative**

DIAGRAM AND NARRATIVE	105 - PHOTOS BY
	 <p>6889 N 42 ST</p> <p>N 42ND ST</p> <p>UNIT #1</p> <p>UNIT #2</p> <p>NOT DRAWN TO SCALE</p> <p>W MONROVIA WAY</p>
<p>UNIT #1 WAS BACKING IN ROADWAY, 6800 BLOCK OF N 42 ST. UNIT #1 BACKED INTO UNIT #2 WHICH WAS LEGALLY PARKED ON THE ROADWAY 6800 BLOCK OF N 42 ST. WITNESS WAS SITTING ON HER FRONT PORCH AND STATES SHE OBSERVED THE SAME AS ABOVE.</p>	

**Witness**

WITNESS 01	107 - Witness Last Name <b>PRIDE</b>	107 - First Name <b>ANGELENE</b>	107 - Middle Initial
	108 - Address Street & Number <b>4214 W MONROVIA WAY</b>	108 - PO Box	109 - Date of Birth <b>1/12/1958</b>
	110 - City <b>MILWAUKEE</b>	State <b>WI</b>	110 - Zip Code <b>53209</b>
		111 - Telephone Number <b>(414) 466-4328 EXT.</b>	

**Officer Information**

**Wisconsin Motor Vehicle  
Accident Report** MV4000e 01/2005

**9H0R0SN**

Page 5 of 5

PK2007

<b>OFFICER INFORMATION</b>	125 - Officer Last Name <b>BECKER</b>		125 - First Name <b>DAVID</b>		125 - Middle Initial		131 - Officer ID <b>06892</b>	
	129 - Law Enforcement Agency No. <b>006</b>		130 - Law Enforcement Agency Name <b>MILWAUKEE POLICE DEPARTMENT</b>					
	126 - Law Enforcement Agency Address Street & Number <b>749 WEST STATE STREET</b>							
	127 - City <b>MILWAUKEE</b>		127 - State <b>WI</b>		127 - Zip Code <b>53233</b>		128 - Telephone Number <b>(414) 933-4444 EXT.</b>	
	132 - Date Notified <b>06/15/2009</b>		133 - Time Notified (Military Time) <b>0830</b>		134 - Time Arrived (Military Time) <b>0840</b>		135 - Date Of Report <b>06/16/2009</b>	
	Agency Accident Number <b>091660536</b>		Police Number <b>DISTRICT 4</b>		19 - Special Study			
	18 - Agency Space							

ANDREW AUTOMOTIVE - BODY REPAIR CENTER  
 1621 W. LA SALLE ST.  
 MILWAUKEE, WI 53209  
 PH: 414-540-2559 FX: 414-228-7420

CD LOG NO 22762-1 DATE 06/17/09

SHOP: ANDREW AUTO BODY REPAIR INSP DATE: 06/17/09  
 ADDRESS: 1621 W. LASALLE ST. CONTACT: HEATHER GRUND  
 CITY STATE: GLENDALE, WI PHONE 1: (414)540-2559  
 ZIP: 53209- FAX: (414)228-7420

OWNER: SPENCER, PAUL CELL PHONE: (414)217-7745  
 ADDRESS: 4214 W MONROVIA WAY  
 CITY STATE: MILWAUKEE,  
 ZIP: 53209

POINT OF IMPACT: 0

LIC#: STATE: VIN: 4T1BG22K1VU134722  
 BODY COLOR: DARK GREEN 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

1997 TOYOTA CAMRY LE 4DOOR SEDAN 4CYL GASOLINE 2.2  
 CODE: Y1733B/A OPTNS A/24BDEHIJRL

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES	TWO-STAGE - INTERIOR SURFACES
ELEC REMOTE CONTROL MIRRORS	POWER DOOR LOCKS
POWER WINDOWS	ANTI-LOCK BRAKE SYSTEM
AIR CONDITIONING	AUTOMATIC TRANS
CRUISE CONTROL	U.S.A. BUILT VEHICLE

OP	GDE	MC DESCRIPTION	MFG.PART NO.	PRICE	AJ%	B%	HOURS	R
BR0289	13	PNL,REAR DOOR OUTER LT	BLEND REFINISH				1.9	4
RI0319		MLDG,REAR DOOR BELT LT	R&I ASSEMBLY				0.3	1
RI0305		HANDLE,RR DOOR OUTE LT	R&I ASSEMBLY				1.0	1
RI0358		DRIP RAIL,ROOF REAR LT	R&I ASSEMBLY				0.3	1
RI0369		BACK GLASS R & I	R&I ASSEMBLY				INC	1
EC0371		SEALANT KIT,BACK GLASS	ECONOMY PART	25.00*			INC	1
E 0372		MLDG ASSY,BACK GLASS	7557133050	72.05			INC	1

.1997 TOYOTA CAMRY LE 4DOOR SEDAN  
CD LOG NO 22762-1

E 0350	PANEL, QUARTER	LT 61602AA901	620.83	16.2 1
L 0350	PANEL, QUARTER	LT REFINISH		3.8 4
E 0397	DOOR, FUEL FILLER	LT 77350AA050	31.89	INC 1
L 0397	DOOR, FUEL FILLER	LT REFINISH		0.4 4
BR0479	LID, REAR DECK	BLEND REFINISH		1.3 4
E 0402 02	N/PLATE, DECK LID	00577AA050	52.39	0.2 1
E 0546 02	N/PLATE, DECK LID	00577AA014	46.56	0.2 1
E 0485 02	EMBLEM, DECK LID	00577AC011	64.39	0.2 1
RI0493	SPOILER, DECK LID	R&I ASSEMBLY		0.9 1
RI0533	TAILLAMP ASSEMBLY	LT R&I ASSEMBLY		INC 1
N 0566	REAR BUMPER COVER R&I	ADDNL LABOR OPERA		INC 1
I M05	RUSTPROOFING	SUBLET REPAIR	20.00*	0.3*4
SBM07	PINSTripES-TAPE	SUBLET REPAIR	30.00*+25.00	1
L M08	STONEGUARD	REFINISH	15.00*	0.3*4
L M14	CORROSION PROTECTION	REFINISH	10.00*	0.3*4
L M60	HAZARD. WSTE. REM.	REFINISH	4.00*	INC*1
L M66	COLOR, SAND & BUFF	REFINISH		0.5*4
I M68	CAULK	SUBLET REPAIR	20.00*	0.5*1
SB	RENTAL	SUBLET REPAIR	175.00*	INC*1*

<<RENTAL FOR 5 DAYS AT \$35 PER DAY

26 ITEMS

MC MESSAGE(S)

02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO  
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS				888.11
OTHER PARTS				54.00
PAINT MATERIAL				299.20
PARTS & MATERIAL TOTAL				1,241.31
TAX ON PARTS & MATERIAL @			5.600%	69.51
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	54.00	19.3	0.5	1,069.20
2-MECH/ELEC	102.00			
3-FRAME	55.00			
4-REFINISH	54.00	8.5	0.3	475.20
5-PAINT MATERIAL	34.00			
LABOR TOTAL				1,544.40
TAX ON LABOR		@	5.600%	86.49
SUBLET REPAIRS				252.50
TAX ON SUBLET		@	5.600%	14.14
TOWING				
STORAGE				

GROSS TOTAL 3,208.35

NET TOTAL 3,208.35

SHOPLINK UG202 ES CD LOG 22762-1 DATE 06/17/09 03:50:04PM R6.37 CD 05/09  
PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53209

76TH STREET BODY SHOP (HEISER)  
7800 NORTH 76TH STREET  
MILWAUKEE, WI 53223  
PHONE: (414) 357-2121 FAX: (414) 357-2133

CD LOG NO 21577-1 DATE 07/16/09

SHOP: 76TH ST BODY SHOP (HEISER) INSP DATE: 07/16/09  
ADDRESS: 7800 N. 76TH ST CONTACT: SHANNON LEPINE  
CITY STATE: MILWAUKEE, WI PHONE 1: (414) 357-2121  
ZIP: 53223- PHONE 2: (414) 586-7000  
FAX: (414) 357-2133  
OWNER: SPENCER, PAUL CELL PHONE: (414) 358-2872

POINT OF IMPACT: 0

LIC#: F1672T STATE: WI VIN: 4T1BG22K1VU134722  
BODY COLOR: BLACK MILEAGE:  
CONDITION: FAIR ACCTNG CTL#:  
PROD.DATE: 04/97 PAINT CODE:

*=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

INITIAL ESTIMATE/ VISUAL ONLY \*\*\*\*\*  
HIDDEN DAMAGE POSSIBLE \*\*\*\*\*

1997 TOYOTA CAMRY LE 4DOOR SEDAN 4CYL GASOLINE 2.2  
CODE: Y1733B/A OPTNS A/24BDEHIJRL

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES	TWO-STAGE - INTERIOR SURFACES
ELEC REMOTE CONTROL MIRRORS	POWER DOOR LOCKS
POWER WINDOWS	ANTI-LOCK BRAKE SYSTEM
AIR CONDITIONING	AUTOMATIC TRANS
CRUISE CONTROL	U.S.A. BUILT VEHICLE

OP	GDE	MC	DESCRIPTION	MFG.PART NO.	PRICE	AJ%	B%	HOURS	R
E	0372		MLDG ASSY,BACK GLASS	7557133050	72.05			INC	1
E	0350		PANEL,QUARTER	LT 61602AA901	620.83			16.2	1
L	0350	13	PANEL,QUARTER	LT REFINISH				4.9	4
E	0397		DOOR,FUEL FILLER	LT 77350AA050	31.89			INC	1

.1997 TOYOTA CAMRY LE 4DOOR SEDAN  
CD LOG NO 21577-1

L 0397	DOOR,FUEL FILLER	LT REFINISH		0.4	4
I 0413	07 PNL,WHEELHOUSE	OUTE LT REPAIR		2.0	*1
L 0413	PNL,WHEELHOUSE	OUTE LT REFINISH		0.7	4
N M14	CORROSION PROTECTION	ADDNL LABOR OPERA	*	0.3	*4*
N M60	HAZARD. WSTE. REM.	ADDNL LABOR OPERA	5.00*		1*

9 ITEMS

MC MESSAGE(S)  
07 STRUCTURAL PART AS IDENTIFIED BY I-CAR  
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS					724.77
OTHER PARTS					5.00
PAINT MATERIAL					201.60
PARTS & MATERIAL TOTAL					931.37
TAX ON PARTS & MATERIAL @				5.600%	52.16
LABOR	RATE	REPLACE HRS	REPAIR HRS		
1-SHEET METAL	52.00	16.2	2.0		946.40
2-MECH/ELEC	90.00				
3-FRAME	52.00				
4-REFINISH	52.00	6.0	0.3		327.60
5-PAINT MATERIAL	32.00				
LABOR TOTAL					1,274.00
TAX ON LABOR		@		5.600%	71.34
SUBLET REPAIRS					
TOWING					
STORAGE					

GROSS TOTAL 2,328.87

NET TOTAL 2,328.87

SHOPLINK U1836 ES CD LOG 21577-1 DATE 07/16/09 09:50:05AM R6.37 CD 06/09  
PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53223  
HOST LOG  
(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

1.5 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA.

~~Jackie Cell~~  
~~554-9807~~

Angelene Puck

4213 W. Markov Way

Chicago, Illinois 60632  
(404-4308)

Witness



**NOTICES SENT TO FOR FILE 090683:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 090691      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Albert Douglas for overpayment of property taxes and a board-up charge. (7th Aldermanic District)  
City Attorney

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

**Attachments:** City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090691

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Albert Douglas for overpayment of property taxes and a board-up charge.  
(7th Aldermanic District)

City Attorney

**Drafter**

JAS:ms

September 14, 2009

1056-2009-2497:149860

**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  
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HEIDI E. GALVÁN  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
Assistant City Attorneys

September 14, 2009

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

Re: Resolution Relating to the Claim of ALBERT DOUGLAS  
C.I. File No. 09-L-104

Dear Council Members:

We return the enclosed document which as 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, Albert Douglas, of 3072 North 34<sup>th</sup> Street, Milwaukee, WI 53210, seeks a refund on the overpayment on his 2006 property taxes and a board-up charge that has been paid for his property located at 913 West Clarke Street. The claimant seeks a refund in the amount of \$5,431.10.

Our investigation reveals that pursuant to Wis. Stat. §893.80 (1)(a), a claim must be filed within 120 days after the happening of the event giving rise to the claim. The claimant also failed to comply with the requirements elements of Wis. Stat. §§70.47 and 74.37 for contesting assessments. Based upon the untimeliness of the claim and failure to comply with the

To the Honorable Common Council  
September 14, 2009  
Page 2

noted state statutes, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:ms  
Enclosure

1056-2009-2497:149857

CITY OF MILWAUKEE  
RECEIVED

2009 SEP 11 PM 3:07

OFFICE OF  
CITY ATTORNEY

3072 N. 34<sup>th</sup> St.  
Milwaukee, WI 53210  
9/9/2009

City Clerk  
ATT: CLAIMS  
200 E. Wells St., Room 205  
Milwaukee WI 53202-3567

Dear Sirs:

On July 20<sup>th</sup> in court to my answer (appendix 1) to City tax foreclosure of my property at 913 W. Clarke I was informed that I could petition within 60 day of July 20<sup>th</sup> under section 304.5 refund of overpayment of property taxes for 2006. Also a refund of board-up fees which were already paid.

Based on my previous correspondence to the City since 2006 and contact with Mr. Johnny Farmer of the Assessor's Office tel. 414-285-3944 he adjusted 2007 value at \$28,100.00 (appendix 11) which after partial refurbishing, I 2006 assessment should be adjusted to \$ 28,100.00 or less as against \$160,000.00. Therefore I would conclude that 2006 property taxes should not be more than \$650.00. Therefore payment summary ( appendix 111) shows that I paid \$ 6,081.10. As stated before board- up fee of \$333.00 ( appendix V) was already paid. In summary, I am expecting a refund of:

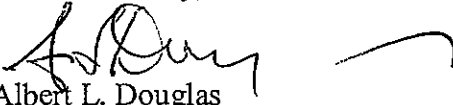
Amount paid for taxes etc 2006	\$ 6,081.10
Less: Adjusted taxes 2006 (not more than)	650.00
	-----
Amount to be refunded	\$ 5,431.10
	=====

I can be contacted at tel . 414-875-8178 and my e-mail is adouglas5@wi .rr.com.

Trusting to get this refund on or before 9/20/2009.

Thanks.

Yours faithfully,

  
Albert L. Douglas

CITY OF MILWAUKEE  
2009 SEP 11 AM 8:40  
DONALD D. LEONHARDT  
CITY CLERK

APPENDIX (

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY

IN THE MATTER OF THE FORECLOSURE  
OF TAX LIENS PURSUANT TO SEC. 75.521,  
WISCONSIN STATUTES, BY THE CITY OF  
MILWAUKEE, A MUNICIPAL CORPORATION

C  
A

JUN 15 2009

PETITION

Case No. 09-CV005281

CODE No. 30405

LIST OF Tax Liens for 2009 No.01

ANSWER TO PETITION, INJUNCTION AND COUNTER CLAIM TO CITY OF MILWAUKEE TAX LIEN

Now comes the Respondent and owner of the property with said lien, agrees to the Petitioner on all items except as follows:

1. The taxes charged for the year in question, 2006 was a gross mistake of disproportionate overcharge made by the Assessors office, and numerous attempts and communication to resolve the matter, made to the City of Milwaukee and their representatives have resulted in no response.
2. The property was boarded up and was in a state of disrepair, and no improvement was made for over 15 years, and from 2004 until it was sold in 2006, it was vacant, constantly being vandalized and depleted, during the foreclosure time. This was the period the Assessor massively increased the value as improvements. If the Assessor had visited/drive by the property, there would be absolutely no increase made for 2005 and 2006. When the property was reviewed by the ASSESSOR in 2007, finally in the presence of the Respondent, he adjusted it down from \$166,100 to \$28,100.
3. Respondent has paid over \$4,000 to date for the year 2006 and believe that, if the error is corrected it will show that the City has been unjustly overpaid to date for 2006.
4. A detail study of all properties on the block (see attached Appendix A) reveals the massive error made by the Assessors office.
5. The City of Milwaukee also failed to reveal charges that existed in 2005 for board up fees, when a title search done in June 2006 at the time of the purchase from HUD. This attachment can be presented. The charge of \$333 was then billed to me/Respondent, on the December 2006 tax bill, and to date this has not been reversed or credited to my account.

Now therefore, the Respondent prays for an injunction and a review of this matter and begs the court for a credit of overpayment of a portion of said payments made to the City of Milwaukee 2006 and a dismissal of the petition.

Dated at Milwaukee, Wisconsin, this 15<sup>th</sup> day of June, 2009

*A. Douglass*  
Albert Douglas

3072 North 34<sup>th</sup> Street, Milwaukee, WI 53210

# Appendix II

## OVERVIEW of all properties on 900 W CLARKE STREET

OWNER	Assessed Value		Property tax				Price Per		Year Bld	Type	Bedrms			
	2005	2006	2007	2008	2005	2006	2007	2008				Sq Footage	Sq Ft	
1 A L DOUGLAS (subject property)	913 W Clarke	\$ 123,000	\$ 166,100	\$ 28,100	\$ 48,800	\$ 3,028.19	\$ 3,723.09	\$ 650.00	\$ 1,047.67	1450	\$ 2.57	1900	Single Fam	5
2 Titus Jones	912-14 W Clarke	\$ 53,700	\$ 70,500	\$ 70,500	\$ 77,400	\$ 1,316.00	\$ 1,544.06	\$ 1,630.88	\$ 1,734.99	2494	\$ 0.62	1908	Duplex	6
3 Evans Wacheyne	916 W Clarke	\$ 19,100	\$ 25,800	\$ 25,800	\$ 25,800	\$ 467.00	\$ 578.00	\$ 597.00	\$ 582.00	1221	\$ 0.47	1891	Cottage	2
4 Aryan Investment	917 W Clarke	\$ 19,600	\$ 25,400	\$ 26,400	\$ 26,400	\$ 480.00	\$ 591.00	\$ 611.00	\$ 597.00	768	\$ 0.77	1900	Single Fam	2
5 Karlton Freeman	921 W Clarke	\$ 48,200	\$ 66,200	\$ 66,200	\$ 72,800	\$ 1,330.00	\$ 1,387.00	\$ 1,531.42	\$ 1,624.45	788	\$ 1.76	1900	Duplex	2
6 Lloyd Grant	924 W Clarke	\$ 35,500	\$ 52,800	\$ 52,800	\$ 58,000	\$ 870.00	\$ 1,086.00	\$ 1,221.00	\$ 1,268.77	2716	\$ 0.40	1908	Duplex	6
7 Matthew McKnight	925 W Clarke	\$ 54,900	\$ 72,400	\$ 72,500	\$ 79,600	\$ 1,345.06	\$ 1,623.00	\$ 1,674.83	\$ 1,875.00	2779	\$ 0.58	1890	Room Hous	7
8 Amanda Pierce	928 W Clarke	\$ 58,000	\$ 62,900	\$ 62,900	\$ 69,200	\$ 1,420.99	\$ 1,313.00	\$ 1,455.06	\$ 1,537.96	2228	\$ 0.59	1911	Suplex	4



M819452A F15=PRINT CITY OF MILWAUKEE - PAYMENT LEDGER 08/24/2009  
TREASURER: Wayne Whittow Ph:286-2240 City Hall Room 103

TAX KEY 323-0031-0			CLASS RES	AGENCY			
LOC 913 W CLARKE ST				MAIL			
OWNER ALBERT DOUGLAS							
913 W CLARKE ST							
MILWAUKEE, WI			53206				
2006 PAGE 1 OF 3 : 33			> ADDITIONAL COST/PAYMENTS: PRESS F17				
AIE P	DATE	BATCH	COUNTY	CITY	INTEREST	PENALTY	TOTAL
6			881.82	3077.80			
	> 12/04/06 999						100.00
		02/02/07 004	100.00				
6	L >	02/06/07					
6	6 >	03/05/07 003	781.82	203.40	9.85	4.93	1000.00
6	L >	03/07/07					
6	L >	03/07/07					
6	L >	06/06/07					
6	L >	08/07/07					
6	L >	11/06/07					
6	L >	03/06/08					
6	6 >	04/07/08 005		20.41	3.06	1.53	25.00
4K	> 04/14/08 994						1,125.00

SUMMARY

2/2/07	100 -	
3/5/07	1000 -	
4/2/07	25	1,125 -

M819452A F15=PRINT CITY OF MILWAUKEE - PAYMENT LEDGER 08/24/2009  
TREASURER: Wayne Whittow Ph:286-2240 City Hall Room 103

TAX KEY 323-0031-0 CLASS RES AGENCY

LOC 913 W CLARKE ST  
OWNER ALBERT DOUGLAS  
913 W CLARKE ST  
MILWAUKEE, WI

MAIL

53206

2006 PAGE 2 OF 3 : 33

> ADDITIONAL COST/PAYMENTS: PRESS F17

AIE P	DATE	BATCH	COUNTY	CITY	INTEREST	PENALTY	TOTAL
6			881.82	3077.80			
5K	>	05/05/08	994				
6 5K6	>	05/05/08	003	20.41	3.06	1.53	25.00
6 5K6	>	06/06/08	003	19.92	3.39	1.69	25.00
6 5K6	>	08/01/08	003	787.40	141.73	70.87	1000.00
6 5K6	>	11/14/08	003	150.38	33.08	16.54	200.00
6 5K6	>	12/08/08	994				
4R	>	12/08/08	994				
F 4RF	>	12/08/08	994				
6 4R6	>	01/12/09	004	586.71	140.81	70.40	797.92
F 4RF	>	01/20/09	994				
6 4R6	>	03/02/09	006	145.45	36.36	18.19	200.00
6 4R6	>	03/16/09	004	319.25	83.01	41.50	443.76

*2,690.76*

M819452A F15=PRINT

CITY OF MILWAUKEE - PAYMENT LEDGER

08/24/2009

TREASURER: Wayne Whittow Ph:286-2240 City Hall Room 103

TAX KEY 323-0031-0

CLASS RES

AGENCY

LOC 913 W CLARKE ST

OWNER ALBERT DOUGLAS

MAIL

913 W CLARKE ST

MILWAUKEE, WI

53206

\_ 2006 PAGE 3 OF 3 : 33

> ADDITIONAL COST/PAYMENTS: PRESS F17

AIE P	DATE	BATCH	COUNTY	CITY	INTEREST	PENALTY	TOTAL
6			881.82	3077.80			
6	> 04/08/09	990					135.00-?
5R	> 04/20/09	994					
6 5R6	> 05/15/09	006		116.20	32.54	16.26	300.00
6 5R6	> 06/04/09	005		422.54	118.31	59.15	600.00
6 5R6	> 06/15/09	002		278.75	80.84	40.41	400.00
6 5R6	> 06/17/09	006		6.98	2.02	1.01	10.01
F 5RF	> 06/18/09	994					
	> 07/23/09	994					
F F	> 07/23/09	994					1,775.87

M819452A F15=PRINT CITY OF MILWAUKEE - PAYMENT LEDGER 08/24/2009  
TREASURER: Wayne Whittow Ph:286-2240 City Hall Room 103

TAX KEY 323-0031-0 CLASS RES AGENCY  
LOC 913 W CLARKE ST FINAL DELQN  
OWNER ALBERT DOUGLAS MAIL

913 W CLARKE ST		53206		> ADDITIONAL COST/PAYMENTS: PRESS F17			
MILWAUKEE, WI							
2007 PAGE 1 OF 2 : 15							
AIE P	DATE	BATCH	COUNTY	CITY	INTEREST	PENALTY	TOTAL
82			133.07	430.46			
> 12/01/07 999						63.00	
02/04/08 003		19.90		43.10		61.16	
3	3	03/03/08 003	18.12	43.04			62.05
3	3	04/07/08 005	19.01	43.04			62.05
3	3	05/05/08 003	19.01	43.04			62.67
31	3	06/06/08 003	19.63	43.04			61.43
31	3	07/07/08 007	18.39	43.04			62.05
33	3	08/01/08 003	19.01	43.04			
8	L >	09/08/08					
8	L >	11/06/08					
24R	>	01/20/09 994					
F24RF	>	01/20/09 994					

434.41

M819452A F15=PRINT CITY OF MILWAUKEE - PAYMENT LEDGER 08/24/2009  
TREASURER: Wayne Whittow Ph:286-2240 City Hall Room 103

TAX KEY 323-0031-0 CLASS RES AGENCY  
LOC 913 W CLARKE ST FINAL DELQN  
OWNER ALBERT DOUGLAS MAIL  
913 W CLARKE ST  
MILWAUKEE, WI 53206

2007 PAGE 2 OF 2 : 15 > ADDITIONAL COST/PAYMENTS: PRESS F17

AIE P	DATE	BATCH	COUNTY	CITY	INTEREST	PENALTY	TOTAL
82			133.07	430.46			
8 4R8 >	03/16/09	004		129.12	18.08	9.04	156.24
2 >	03/23/09	994					
F2 F >	03/23/09	994					<i>156.24</i>

819452A F15=PRINT

CITY OF MILWAUKEE - PAYMENT LEDGER

08/24/2009

TREASURER: Wayne Whittow Ph:286-2240 City Hall Room 103

AX KEY 323-0031-0		CLASS RES		AGENCY	
LOC 913 W CLARKE ST					
OWNER ALBERT DOUGLAS				MAIL	
913 W CLARKE ST					
MILWAUKEE, WI		53206			
2008 PAGE 1 OF 1 : 11				> ADDITIONAL COST/PAYMENTS: PRESS F17	
AIE P	DATE	BATCH	COUNTY	CITY	INTEREST PENALTY TOTAL
6			235.13	1012.62	
	> 12/05/08 999				
	01/12/09	004	33.59	166.49	200.08
4R	> 01/20/09 994				
F 4RF	> 01/20/09 994				
6 4RL	> 02/06/09				
6 4RL	> 04/07/09				
5R	> 04/20/09 994				
F 5RF	> 06/18/09 994				
	> 07/23/09 994				
F F	> 07/23/09 994				
6 L	> 08/06/09				

Richard Schmitt  
286-8810  
appendix I  
06/04/09

M819462A F15=PRINT CITY OF MILWAUKEE - TAX SEARCH  
TREASURER: Wayne Whittow Ph:286-2240 City Hall Room 103

TAX KEY 323-0031-0 CLASS RES PLAT PAGE 323-23  
LOC 913 W CLARKE ST DATE LAST PAID 05/15/2009  
OWN ALBERT DOUGLAS 2006 ASSESSED VALUE AND NET TAXES  
913 W CLARKE ST CITY 2817.98  
MILWAUKEE, WI 53206 SPECIAL 333.00  
REF KEY LAND 1700 COUNTY 905.31  
IMPROVE 164400 CREDITS 96.67-  
TOTAL 166100 TOTAL 3959.62  
NO BONDS  
XREF ENFORC ACCT STATUS RE DELINQUENT  
STATUS ACTION TKN 200901000  
PAGE 1 OF 1 : 3 > ADDITIONAL INFORMATION: PRESS F17 TOTAL IF PAID  
YEAR COUNTY CITY INTEREST PENALTY COST&FEES 06 30 2009  
2008 > 201.54 846.13 52.39 26.19 1126.25  
2007 >  
2006 > 708.27 205.40 102.70 1016.37  
SUMMARY 201.54 1554.40 257.79 128.89 2142.62

**NOTICES SENT TO FOR FILE 090691:**

[illegible]





## Legislation Details (With Text)

---

**File #:** 090637      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Odis Lovett for personal injuries. (4th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

**Attachments:** City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090637

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Odis Lovett for personal injuries. (4th Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:beg

August 7, 2009

1058-2009-1753:148793

**GRANT F. LANGLEY**  
City Attorney

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



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BRUCE D. SCHRIMPF  
SUSAN D. BICKERT  
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EDWARD M. EHRLICH  
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JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
Assistant City Attorneys

September 2, 2009

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

Re: Resolution relating to the claim of Odis Lovett  
By his attorney, Andrew Shaw  
C.I. File No. 09-L-57

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, Odis Lovett, 1310 North 19<sup>th</sup> Street, Milwaukee, WI 53205, by his attorney, Andrew Shaw, P.O. Box 18353, Milwaukee, WI 53218 allege that on February 21, 2009, Mr. Lovett slipped and fell on ice that was in the cross walk area on West Potawatomi Circle from the parking garage to the casino. They claim damages in the amount of \$750,000.00.

Our investigation reveals that the Department of Public Works-Sanitation Section was engaged in a general ice control operation at the time of this alleged incident. This operation turned into a full snow plowing operation later in the day. The Sanitation Section records reflect that this roadway was salted at least once before Mr. Lovett's alleged fall. The records also did not note any icy conditions prior to or after this incident.

To the Hon. Common Council  
September 2, 2009  
Page 2

Since the City followed standard procedures and it did not have any notice of this alleged hazard, it cannot be held liable and we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:beg  
Enclosure  
1058-2009-1753:148792

**SHAW LAW OFFICES  
P.O. BOX 18353  
MILWAUKEE, WI 53218  
414 535-9626**

June 19, 2009

City Clerk  
ATTN: CLAIMS  
200 E. Wells St., Rm. 205  
Room 105  
Milwaukee, WI 53202

CITY OF MILWAUKEE  
2009 JUN 19 PM 3:51  
RONALD D. LEONHART  
CITY CLERK

Dear Clerk:

Please find and file the original "Notice of Injury And Claim For Damages" and three copies for claimant Odis Lovett.

The Claims are made against the following official:

James P. Purko  
Director of Operations Division  
City of Milwaukee  
Department of Public Works

Should you have any questions, please call me.

CITY OF MILWAUKEE  
RECEIVED  
2009 JUN 22 PM 4:38  
OFFICE OF  
CITY ATTORNEY

Yours truly,



Andrew Shaw

cc. Odis Lovett  
file

**NOTICE OF INJURY AND CLAIM FOR DAMAGES**

TO:

City Clerk  
ATTN: CLAIMS  
200 E. Wells St., Rm. 205  
Room 105  
Milwaukee, WI 53202

CITY OF MILWAUKEE  
2009 JUN 19 PM 3:51  
RONALD D. LEONHART  
CITY CLERK

**PLEASE TAKE NOTICE** that the following claim for damages is made pursuant to §  
893.80(1)(a), Stats.

**Claimant's Name:** Odis Lovett

**Claimant's Address:** 1310 North, 19<sup>th</sup> Street, Milwaukee, Wisconsin 53205

**Phone for Claimant:** 414 535-9626 (c/o Attorney Andrew Shaw of Shaw Law Offices)

**Date of Accident/Loss:** February 21, 2009

**Claims Against The Following People:** James P. Purko  
Director of Operations Division  
City of Milwaukee  
Department of Public Works

CITY OF MILWAUKEE  
RECEIVED  
2009 JUN 22 PM 4:38  
OFFICE OF  
CITY ATTORNEY

**Facts of Accident/Loss**

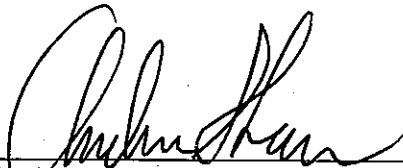
On the morning of February 21, 2009 at approximately 9:00 a.m. (Potawatomi Casino made an incident report with the specific time), Odis Lovett was walking a crosswalk on the street of W. Potawatomi Circle from the parking garage to the Potawatomi Casino, Milwaukee Wisconsin, when he slipped on ice and fell causing his leg to break. This crosswalk is located by Potawatomi Casino and is heavily used by casino patrons who go from the parking garage to the casino. Winter precipitation dripping off the heated skywalk located directly above the crosswalk created an "artificial" condition of ice on the crosswalk. This "artificial" condition of ice combined

with the natural condition of snow negligently created the condition that caused Odis Lovett's injury. Potawatomi Casino made an incident report regarding Odis Lovett's fall caused by the ice on the crosswalk. This claim is filed so that Odis Lovett does not waive his rights.

Odis Lovett demands the following itemized relief sought:

Past, current, and future medical bills	\$250,000.00
Pain and suffering	\$500,000.00

Dated this 19th day of June, 2009.

  
\_\_\_\_\_  
Andrew Shaw  
Attorney for Odis Lovett  
State Bar No.: 01018100

Mailing address:  
Shaw Law Offices  
P.O. Box 18353  
Milwaukee, WI 53218  
414 535-9626

Street address:  
Shaw Law Offices  
6815 W. Capitol, Suite 115  
Milwaukee, WI 53216

**NOTICES SENT TO FOR FILE 090637:**

[illegible]





## Legislation Details (With Text)

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**File #:** 090622      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Dora J. Wilkins/Thomas for property damage. (9th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

**Attachments:** City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090622

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Dora J. Wilkins/Thomas for property damage. (9th Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:ms

August 31, 2009

1044-2009-547:149435

**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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KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
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THOMAS D. MILLER  
HEIDI E. GALVÁN  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
Assistant City Attorneys

August 31, 2009

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

Re: Resolution relating to the claim of Dora J. Wilkins/Thomas  
C.I. File No. 09-L-23

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, Dora J. Wilkins/Thomas, 6747 North 75<sup>th</sup> Street, Milwaukee, WI 53223 alleges that on January 5, 2009 her vehicle was towed, after it was involved in an accident, and subsequently recycled improperly. She claims damages in the amount of \$8,000.00.

Our investigation reveals that her vehicle was properly towed after the accident for safekeeping. The tow lot followed applicable regulations for the notice and subsequent recycling of the vehicle. The City followed proper procedure. 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  
1044-2009-547:149433

To Whom it May Concern

I Dora J. Wilkins / Thomas  
would like My reimbursement of 8,000  
Dollars or more Because My car was  
in an Accident Jan 5, 09 on 18th Silver Spring

I was hurt so bad They had  
to pry the door open to get me out  
also The fireman called The (parametic)  
to take me to Fredert hosp.

The City of Mil had my car tolled  
on 38 Lincoln an said My husband couldn't  
use our AAA card

My Insurance adjuster was angry  
Because of how The destroy my vehicle  
so I lost

The officer watson has not filed  
my report yet as of 1-27-09 which I  
think he should have been filed  
so he said he was out sick. I also  
was out for 5 days bruse up with  
Black an Blue Marks

I know she didn't yield to on  
coming traffic an she was on her  
cell phone an ran The red light  
an hit me while I was proceeding  
west on Silverspring

my car plates were on my car  
an here is The Vehicle ID. #  
1G6KD54Y41U194197 also

CITY OF MILWAUKEE

2009 JAN 27 PM 5:00

LEONIA  
CITY CLERK

CITY OF MILWAUKEE  
RECEIVED

2009 JAN 28 PM 4:05

OFFICE OF  
CITY ATTORNEY

My Phone number is 414 627 3049  
my home is 414 358 1712 My Address  
is 6747 N. 75th St Milwaukee Wis  
53223 so This is my Statement  
1-27-09

Thank you & May  
God Bless you

Dora J. Wilkins/Thomas

# WISCONSIN CERTIFICATE OF TITLE

Vehicle Identification Number <b>1G6KD54Y41U194197</b>		Year <b>2001</b>	Make <b>CADILLAC</b>		
Title Number <b>083190445067-1</b>	Issue Date <b>11/14/2008</b>	Chassis Type <b>AUTO</b>	Odometer Reading <b>191826</b>	Odometer Status <b>ACTUAL</b>	Odometer Date <b>10/14/2008</b>
Product Number <b>33011082884</b>	Body Style <b>4DR SEDAN</b>	Color <b>SILVER/ALUMINUM</b>	Fleet No.		

**Titled Owner(s)**  
**THOMAS DORA J**  
**6747 N 75TH ST**  
**MILWAUKEE, WI 53223**

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.

1G6KD54Y41U194197

**Lien Holder(s)**  
**NONE**

**Additional Vehicle Detail**

**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  
 P.O. Box 7949, Madison, WI 53707-7949

**QUESTIONS**  
 Contact the Division of Motor Vehicles at:  
 414-266-1000, 800-266-1466, 800-924-3570  
[www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)

7-1-6854126

T055 5/2004

**KEEP IN SAFE PLACE**

**DO NOT KEEP IN VEHICLE**

This document void without watermark. Fold to light to view.

Any alteration, correction, fluid, or erasure voids this title.

**NOTICES SENT TO FOR FILE 090622:**

[illegible]



## 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, Letter from Roy's Plumbing Service, Inc., 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		
9/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		



**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

**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**  
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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 17<sup>th</sup> 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 17<sup>th</sup> 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.

To the Hon. Common Council  
July 15, 2009  
Page 2

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 17<sup>th</sup> st Milwaukee wisconsin 414-263-3599

I am 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 camera inspection. They told me that the sewer lateral was not properly aligned to the sewer main.At first 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. I am inclosing a copy of the contract and billing .The Bill 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 14<sup>th</sup> and 15<sup>th</sup> 2009

CITY OF MILWAUKEE  
2009 JUN 15 AM 8:31  
RONALD D. LEONARD  
CITY CLERK

~~CITY OF MILWAUKEE  
2009 JUN 17 PM 5:42  
RONALD D. LEONARD  
CITY CLERK~~

CITY OF MILWAUKEE  
RECEIVED  
2009 JUN 18 AM 1:59  
OFFICE OF  
CITY ATTORNEY

*Emma Nash* 263-3599



11030 W. Lincoln Ave.  
Milwaukee, WI 53227

Milwaukee: (414) 541-4477  
Waukesha: (262) 548-3660  
Ozaukee: (262) 375-5576  
Washington: (262) 255-3031

161728  
INVOICE

INVOICE DATE 3-10-09	PHONE	P.O. #	START TIME 9:50
CUSTOMER NAME EMMA NASH			FINISH TIME 12:45
JOB ADDRESS (STREET, ZIP) 2218 N. 17 <sup>TH</sup> ST.			
BILLING ADDRESS (IF DIFFERENT) (STREET, CITY, ZIP)			
SERVICE PERFORMED Worked on sewer through c/o in stank. Hit hard at <del>2085</del> <sup>80-85</sup> FT. mud found on whip and on plunger when plunging House trap. Recommend line be lanted then call plumber to make necessary repairs. Condemn and (grease) other pieces of string + traps pulled out of sewer. Owner <sup>was</sup> made aware of possible problem in sewer when it was last serviced By R.R.			PRICE 185.00
Added 2 hours (60.00 Discont)			100.00
TRUCK # 9	SUBTOTAL \$ 285.00		
SERVICE REPRESENTATIVE JPZ	TAX \$		
WARRANTY (IF APPLICABLE) N/A	TOTAL \$ 285.00		

RETAIN RECEIPT FOR WARRANTY PURPOSES.  
\$20.00 CHARGE FOR RETURNED CHECKS. PAYMENT IS  
DUE WITHIN 30 DAYS. SERVICE CHARGE OF 1 1/2% PER  
MONTH (18% APR) ON ALL INVOICES OVER 30 DAYS OLD.

Date: 3.10.09 Signature:

☐ VISA/MAST/DISCOVER

☐ CHECK

☒ CASH

☐ CHARGE

# 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 <b>Emma Nash</b>	PHONE <b>2633599</b>	DATE <b>4/4/09</b>
STREET <b>2218 N. 17th St</b>	JOB NAME	
CITY, STATE AND ZIP CODE <b>Milwaukee WI 53205</b>	JOB LOCATION <b>2218 N. 17th St</b>	
	JOB PHONE <b>2633599</b>	DATE OF PLAN <b>4/4/09</b>

We hereby submit specifications for:

Roy's plumbing to Relocate Sanitary Sewer in street and Locate Break in Sanitary Sewer Between House and MAIN Sewer in Street  
TO Break UP concrete in street TO Dig UP Ground and Repair Sanitary Street MAIN Connection and Make Necessary Connection TO put House Sanitary 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 \$4,000.00

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 and 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.

Date of acceptance:

**4-4-09**

Signature

*[Signature]*

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 WI *****32206	Vehicle License WI	Written By KEITH L
Job Number/Location 2218 N 17TH ST	Job Phone	PD Number/Birthdate	Checked In By JAUREZ W
Date and Time Out 03/07/2009 12:25 pm	Date and Time Due In 03/07/2009 4:25 pm	Date and Time In 03/07/2009 3:45 pm	Rented Period 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	Grease 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

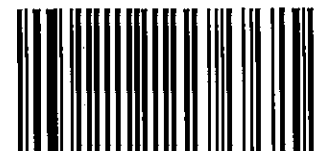
Rental Subtotal 52.00  
(excluding Optional Damage Protection)

## 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



APR-09-2009 02:06 AM

APR-08-2009 07:28 FROM: MILW CO HSG

414 223 1815

TO: 92647444

P. 1  
P. 001/003

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 ☒ SW ☐ IC ☐ ABT ☐

Roy's Plumbing  
Po. Box 091003  
WI 53209

M)

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 17th st

Home Phone: 263-3592

Owner: Emma Nash

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

BID ACCEPTANCE #

DATE 4/9/09  
EMR09010/01

PROJECT CONTACT PERSON:

Kent Mealins 289-8246

☒ 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

WORK ACCEPTED BY OWNER/  
PAYMENT APPROVED

REQUEST CHECK

DATE 4/20/2009

DATE 4-20-09

DATE



Owner: Emma Nash**SCOPE OF WORK:  
SEWER LATERAL REPAIR**Roots 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, 8 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 affecting 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.

\_\_\_\_\_  
 \$ \_\_\_\_\_  
 \_\_\_\_\_  
 \$ \_\_\_\_\_

*Quincy 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.

*Emme Nash*  
 Owner

4-9-09  
 Date

(County Use Only)

Insurance certificate on file

RNV  
 Initials

4-9-09  
 Date

112scopa  
 03/25/08

Page of

Address <b>2218 N 17th</b>	
Plumber's Name <b>Ray Nelson</b>	
Use of bldg - be specific <b>Residential</b>	Cost of Job <b>\$1000</b>
Signature - Licensed Master Plbr <i>Ray Nelson</i>	Telephone <b>2642812</b>
Owner <b>Emma Nash</b>	Telephone <b>2635599</b>
Bond No. <b>1</b> 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 ☒ Repair/Replace

250 ☐ Sealing

260 ☐ Well Operation

Work Includes laying a \_\_\_\_\_ inch sanitary sewer pipe from \_\_\_\_\_

Work Includes laying a \_\_\_\_\_ inch storm sewer pipe from \_\_\_\_\_

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: \_\_\_\_\_

Application Tips

**Milwaukee**  
DEVELOPMENT CENTER  
P.O. BOX 324  
Milwaukee, WI 53201-0324  
809 N. Broadway - 1st Fl  
414-286-8211/fax 414-286-0251

## PLUMBING PERMIT

DATE

**4/19/09**

This permit will expire if no plumbing work is performed in a six month period. No refund on canceled permits.

Approved Back Flow Prev	Laundry Trays
Area or Deck Drains	Manholes
Back Flow Preventers	Plumbing Survey
Bar Sinks	Pot Sinks
Bath Tubs	Press Reduce Valves
Beer Taps	Prep Sinks
Beverages Dispensers	Pumps
Carbonators	Receptors
Case Drains	Roof Drains
Catch Basins	Service/Top Sink
Chiller/Coaling Tower	Shampoo Basins
Clothes Washer	Shower Stalls
Coffee Makers	Sinks
Conductors	Soap Dispenser
Dish Washers	Storm Inlets
Drinking Fountains	Sump Pumps
Ejector Pumps	Trench Drains
Floor Drains	Urinals
Food Waste Disposers	Wash Basins
Gang Shower Heads	Water Closets
Hose Fountains	Water Heaters
Ice Compartments	Water Storage Tanks
Ice Makers	Water Treat Devices
Interceptors	

Remarks:

**Repair sanitary street in 1st and 2nd Street**

**Repair Sewer**

USE GROUP

☐ One Family

☒ Two Family

☐ Commercial

☐ Other

8201427 PLUMBING  
APR 14/2009 03:52 PM  
1-0105853/Pathan/455.00  
2218 N 17TH ST

Branch	Size
Tap No.	Curb
	Lot Line
	On Lot
Meter Size	Units
EXCAVATION PERMIT	
CONNECTION PERMIT	
200708-0325	
Deferred Sewer Charge Due? <input type="checkbox"/> Yes <input type="checkbox"/> 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 <input type="checkbox"/> Yes <input type="checkbox"/> No	Issue a Connection Charge <input type="checkbox"/> Yes <input type="checkbox"/> No
Quarter Section Number _____	
Info By: _____	Date _____
TOTAL PERMIT FEE \$ <b>5800</b>	
See Milwaukee Building Code for Fee Schedule	
PREPARED BY: _____	
Original Charges	Additional Charges
Additional Charges	Additional Charges



096391

## ROY'S PLUMBING SERVICE, INC.

1830 West Hampton Avenue  
MILWAUKEE, WISCONSIN 53209  
(414) 264-2812  
FAX (414) 264-7444

September 28, 2009

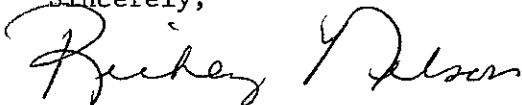
Ms. Emma Nash  
2218 North 17th Street  
Milwaukee, Wisconsin 53205

Dear Ms. Nash:

Roy's Plumbing, Inc. checked and snaked the sanitary sewer from the cast iron soil stack from the cleanout in the soil stack to the center of street main sewer. We found from the house to the street the main sewer was not connected properly. The wye connection on the main sewer where the hole was drilled in the main sewer was not lined up with the wye connection that connects to 2218 North 17th Street. The house sewer lateral connection was off about three to four inches which caused the main sewer drain line to constantly clog up with paper and other debris.

We snaked the sewer line about two hours until we finally got the water to go down then we ran the camera out to the main sewer. After approval from Mrs. Nash, we secured a permit and signed a contract with her and Milwaukee County Home Improvement. We then cut street, dug up ground and made repair on the connection to the main sewer and backfilled the trench back in place. This job was completed April 17, 2009.

Sincerely,



Rickey Nelson  
President

RN:ez

**NOTICES SENT TO FOR FILE 090391:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 090611      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Makisha Cooper for property damage. (7th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

**Attachments:** City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090611

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Makisha Cooper for property damage. (7th Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:beg

9/2/09

1029-2009-1887:148353



**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**  
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**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**DANIELLE M. BERGNER**  
Assistant City Attorneys

September 1, 2009

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

Re: Resolution relating to the claim of Makisha Cooper  
C.I. File No. 09-L-63

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, Makisha Cooper, 2420 West Chambers Street, Milwaukee, WI 53206 alleges that on June 18, 2009 she sustained damages when there was a sewer back-up at her home. She claims damages in the amount of \$9,250.00

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of rain during this time, the City experienced flows that exceeded the capacity of the sewer system. The ISD received a backwater complaint for this address on June 19, 2009. Ms. Cooper still had water in her

To the Hon. Common Council  
September 1, 2009  
Page 2

basement, but the City sewer main was found to be in proper working order. Since the city was not negligent, it would not be liable, 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  
1029-2009-1887:148351

CITY OF MILWAUKEE

July 3rd 2009

On June 28th - 2009 my basement got flooded it was so bad. that night it was raining & storming. I stay at 2420 W Chambers on the end house by the alley. brand new beautiful Habitat for Humanity home. We just move in on April 2, 2009. I was devastated. When I went in my basement for my work uniforms at 4:00 A.M Friday morning. My basement had awful smell. It smell like sewage. the basement was a finish basement just marvelous. And everything I own was down there. The floor was high as my knees and black & slippery. When I went to open my brand new washer & dryer it was full of sewage everything in the dryer was damage. So I called in to work until that Wednesday June 24th 2009 because of all the cleaning & throwing away all of my furniture. my drywall its damage and starting to mildew. So much that I lost out on. First my Hot water tank (NO Hot)

water for my kids. my furnace, 3 piece  
furniture set for \$1000, 52 in Tv \$3500,  
radio \$250, washer \$500 dryer \$400, Computer \$2500,  
(xp Dell) refrigerator \$600, AB exercise machine  
\$150, Air Conditioner \$200, 19 in Tv \$150,  
over 20 comforter sets adults & kids so  
many clothes, toys, pictures, Big floor rug,  
Important papers & receipts. The only  
thing I was able to save was my girls  
3 bikes which they was so happy. ME & my  
family lost out on so much I work <sup>as</sup> <sup>hard</sup>  
hard to get. Its like starting all over  
again. Laundry is one of my <sup>house</sup> <sup>duty</sup>  
duty so now on I will keep <sup>that</sup> <sup>up</sup>  
up. So for the future I will not keep  
nothing important down there like I did.  
So I'm asking Can Someone please help  
me and my family out I have 3 little  
girls ages: 2, 4, 8 years old. I don't  
make that much money. I just receive  
my dream which was my New Home.  
I've been crying so hard. I had no  
Sewish insurance. I got it now on  
my basement now. So Can Someone please →

help me & my family out with something.

Sincerely  
Makisha Cooper

CITY OF MILWAUKEE  
RECEIVED

2009 JUL -7 PM 3:44

OFFICE OF  
CITY ATTORNEY

CITY OF MILWAUKEE  
2009 JUL -7 PM 2:50  
RONALD D. LECHMAN  
CITY CLERK

































**NOTICES SENT TO FOR FILE 090611:**

[illegible]





## Legislation Details (With Text)

---

**File #:** 090612      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Sandra Tomlinson 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
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090612

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Sandra Tomlinson for property damage. (2nd Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:beg

July 27, 2009

1029-2009-1886:148360

**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  
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THOMAS D. MILLER  
HEIDI E. GALVÁN  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
Assistant City Attorneys

September 1, 2009

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

Re: Resolution relating to the claim of Sandra Tomlinson  
C.I. File No. 09-L-64

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, Sandra Tomlinson, 4214 North 71<sup>st</sup> Street, Milwaukee, WI 53216 alleges that on June 18, 2009 she sustained damages when there was a sewer back-up at her home. She claims damages in the amount of \$13,300.00

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of rain during this time, the City experienced flows that exceeded the capacity of the sewer system. The ISD received a backwater complaint for this address on June 19, 2009. The investigator found the City sewer main to be in proper working order on that date. City records also indicate that the main had last been cleaned in March 2008 and that only light dirt was found in the cleaning process.

To the Hon. Common Council  
September 1, 2009  
Page 2

There is no evidence, therefore, that the City was negligent. It would not, therefore, be liable and we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:beg  
Enclosure  
1029-2009-1886:148356

7/6/09

To whom it may Concern

On Thursday June 18, 2009  
there was sewage backup that destroyed  
my rec room I lost most of my furniture  
that was down there, about 8:00 p.m. a  
City work came to my home and said that  
the sewage was all clear, Next day on  
June 19, 2009 at 7:00 A.M. was clearing ~~that~~  
the sewage problem.

- 1) 2 pieces sofa love seat
- 2) 53" Hitachi TV water damage's  
Remove carpeting, tiles flooring  
Washer & Dryer  
damage bathroom tiles

Address 4214 North 71st Street  
Milwaukee, Wis 53216

Sincerely yours

Sandra Tomlinson

CITY OF MILWAUKEE

2009 JUL -7 AM 11:46

RONALD D. LEONHARDT  
CITY CLERK

CITY OF MILWAUKEE  
RECEIVED  
2009 JUL -7 PM 3:41  
OFFICE OF  
CITY ATTORNEY

OFFICE OF THE CITY CLERK  
Milwaukee Wisconsin

# INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed on the reverse side of this instruction sheet. Generally the statute requires the claimant to submit to the City Clerk:

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 damages are sought, a specific sum must be stated.

(The above information may be combined in a single document.)

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours as well as the claimant's e-mail address, if any.
3. As detailed a description of the incident as possible, including the date, time and place.

All information should be submitted to:

City Clerk  
ATTN: CLAIMS  
200 E. Wells St., Room 205  
Milwaukee, WI 53202-3567

## ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Milwaukee for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully, or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.



893.80 Claims against governmental bodies or officers, agents or employees; notice of Injury; limitation of damages and suits. (1) Except as provided in subs. (1 g), (1 in), (1 p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch.. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employee of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employee under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employee; and

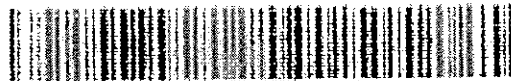
(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.

THE HOME DEPOT 4912  
4155 NORTH FORT WASHINGTON ROAD  
MILWAUKEE, WI 53212 (414)263-1291

4912 00001 52595 05/07/06  
SALE 11 HG634S 01:21 PM



070798185197 KSPHIS 10.1	
2 @ 4.27	8.54
070798180059 ALXPNTCAULK	
3 @ 1.25	3.87
00199493741 49X96MOONLIG	12.49
765096849703 STOPULTRAMPL	
4 @ 4.48	17.92
765096849635 QTRNDULTMPL	
4 @ 3.98	15.92
765096849597 BASEULTMPL	8.98
043168486972 40NFANWRVL	
2 @ 3.97	7.94
	SUBTOTAL 75.66
	SALES TAX 4.24
	TOTAL \$79.90
	CASH 80.00
	CHANGE DUE 0.10



4912 01 52595 05/07/2006 3873

NOW HIRING SPRING SEASON ASSOCIATES  
PT/FT APPLY TODAY IN-STORE OR ON-LINE  
AT: STORECAREERS.HOMEDEPOT.COM/HOURLY

ENTER FOR A CHANCE  
TO WIN A \$5,000  
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Your Opinion Counts! We would like to  
hear about your shopping experience.  
Enter to win a \$5,000 Home Depot Gift  
Card by completing a brief survey about  
your store visit at:

[www.HomeDepotOpinion.com](http://www.HomeDepotOpinion.com)

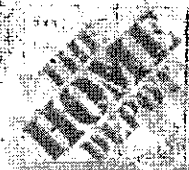
You will need the following to enter  
on-line:

User ID:  
110391 105480

Password:  
6257 105479

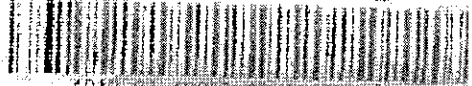
THE HOME DEPOT 4912  
4155 NORTH FORT WASHINGTON ROAD  
MILWAUKEE, WI 53212 (414)263-1291

4912 00001 48098 05/07/06  
SALE 11 HG634S 01:21 PM



070798185197 KSPHIS 10.1	
2 @ 4.27	8.54
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3 @ 1.25	3.87
00199493741 49X96MOONLIG	12.49
765096849703 STOPULTRAMPL	
4 @ 4.48	17.92
765096849635 QTRNDULTMPL	
4 @ 3.98	15.92
765096849597 BASEULTMPL	8.98
043168486972 40NFANWRVL	
2 @ 3.97	7.94
	SUBTOTAL 75.66
	SALES TAX 4.24
	TOTAL \$79.90
	CASH 80.00
	CHANGE DUE 0.10

SUBTOTAL 75.66  
SALES TAX 4.24  
TOTAL \$79.90  
CASH 80.00  
CHANGE DUE 0.10



4912 01 48098 05/07/2006 3881

NOW HIRING SPRING SEASON ASSOCIATES  
PT/FT APPLY TODAY IN-STORE OR ON-LINE  
AT: STORECAREERS.HOMEDEPOT.COM/HOURLY

ENTER FOR A CHANCE  
TO WIN A \$5,000  
HOME DEPOT GIFT  
CARD!

Your Opinion Counts! We would like to  
hear about your shopping experience.  
Enter to win a \$5,000 Home Depot Gift  
Card by completing a brief survey about  
your store visit at:

[www.HomeDepotOpinion.com](http://www.HomeDepotOpinion.com)

You will need the following to enter  
on-line:

User ID:  
101397 96486



# SEARS

Division: 007

Stock #: 34720

Original Price:

\$1299.00

Outlet Price:

\$899.00

12/14/43

11/17/43

# MILWAUKEE WASH MACHINE INC.

8214 W. Appleton Ave. • Milwaukee, WI 53218

Phone (414) 462-8210 • Fax: (414) 462-8510

Since 1932

PARTS - SALES - SERVICE - ALL MAKES

Washers • Dryers • Dishwashers • Vacuum Cleaners

Disposers • Ranges • Refrigerators

Factory Authorized Service

WHIRLPOOL

KITCHENAID

ROPER

## HOURS

M-F 8:00 A.M. - 5:00 P.M.

SAT 10:00 A.M. - 4:00 P.M.

NAME Sandra Tomlinson

ADDRESS 4214 N 7th St

Phone mil 332 16

DATE 12-26-05

Make

TERMS: C.O.D.

Customer's Complaint # 491-0967

① New W.P. Guard		
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Parts installed by us on this job are guaranteed against normal service failure for a period of one year. The above charges and guarantee cover this specific repair job only.

Customer's Signature Sandra Tomlinson

No. 174038

Signature 1226...4

Total	
Tax	
Total	

883.87

Thank You

# SLOANE'S FURNITURE CO., INC.

GOOD FURNITURE  
REASONABLY PRICED

20% CHARGE FOR  
RESELECTION

SPECIAL ORDERS NOT  
SUBJECT TO CANCELLATION

Phone 344-6000 • 1425 North 12th Street

No. 02442

Milwaukee, WI 53205

12-30-05

M

CASH

Phone

When

\$5.00 Service Charge and no goods held unless  
additional deposit made every 30 days.

**DEFINITELY NO  
CASH REFUNDS**

2 have gold set	
LAMPS	
\$900.00	
Tip drivers \$ for set up	
FREE DELIVERY AVAILABLE	
50% DEPOSIT ON SPECIAL ORDERS	
3-4 WEEKS ADVANCE NOTICE ON SPECIAL ORDERS	
Upholstering fabrics are not guaranteed by mill. Seller not responsible for wear, tear or fading. All complaints must be made by purchaser within 5 days after receipt of merchandise.	
ALL SALES FINAL	

# Colder's

333 S. Highway 100  
West Allis WI 53214

Sale 63070308  
Acct 01-TOM-83070308

05:55 PM  
11/03/96

Sold to:  
TOMLINSON, SANDRA

4214 N 71ST ST  
MILWAUKEE WI 53216

(414)438-0445 ( ) (MILWAUKEE)

Order is scheduled for PICK-UP on 11/03/96

Sold by: BRIAN S. (453)

Notes:

39705010 FIER	253-20	REFL IN-STOCK	4.12
39705011 THT BHTBE	253-90	REFL IN-STOCK	5.05
39705012	253-20	REFL IN-STOCK	7.77

Store Hours:  
M-F 10 - 9  
Sat 9 - 8  
Sun 11 - 5:30

Merchandise 509.95  
Stadium Tax .65  
County Tax  
Sales Tax  
Total Sale

0V307034 Receipt (CA)

For Service or Repairs, please call our Customer  
Care department at (414)944-1072  
All other inquiries, please call (414)476-3510.

Special orders are not subject to cancellation, return, or  
exchange. There is a 30% restocking fee on returned  
merchandise. This order is subject to approval  
management.

I have been presented with, read, and understand  
Colder's, Inc. Pick-up/Delivery Guidelines, and  
obligations and responsibilities to this order.

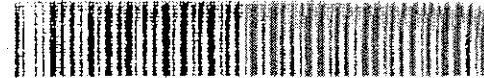
THE HOME DEPOT 492  
4100 NORTH 124TH STREET  
WAXWATUSA, WI 53222 (414)353-5471

SALE

01 DEC 06 06:37



765096849642 0/SCNRULNPL	4.1
765096849703 STOPULTRAMPL	4.2
765096849697 BASEULTHAPLE	6.3
081999433741 48X96MOGNLIC	
4 @ 12.49	49.6
SUBTOTAL	68.4
SALES TAX	3.8
TOTAL	\$72.2
XXXXXXXXXXXX3316 MASTERCARD	72.2
Auth CODE 0071247399534T	7



4923 99 30397 04/10/2006 0911

NOW HIRING SPRING SEASON ASSOCIATES  
PT/FT APPLY TODAY IN-STORE OR ON-LINE  
AT: STORES/WWW.HOMEDEPOT.COM/JOBS

ENTER FOR A CHANCE  
TO WIN A \$5,000  
HOME DEPOT GIFT  
CARD!

Your Opinion Counts! We would like  
to hear about your shopping experience.  
Enter to win a \$5,000 Home Depot Gift  
Card by completing a brief survey about  
your store visit at:

www.HomeDepotOpinion.com

You will need the following to enter:

User ID

**NOTICES SENT TO FOR FILE 090612:**

[illegible]



## Legislation Details (With Text)

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**File #:** 090638      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Rhonda Clemons for property damage. (7th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

**Attachments:** City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090638

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Rhonda Clemons for property damage. (7th Aldermanic District)

**Requestor**

City Attorney

**Drafter**

Jas:beg

August 7, 2009

1029-2009-1925:148805

**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**  
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**HEIDI E. GALVÁN**  
**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**DANIELLE M. BERGNER**  
Assistant City Attorneys

September 2, 2009

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

Re: Resolution relating to the claim Rhonda Clemons  
C.I. File No. 09-L-70

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, Rhonda Clemons, 2842 North 48<sup>th</sup> Street, Milwaukee, WI 53210-1754 alleges that on June 18, 2009 at approximately 10:30-11:00 p.m. she sustained damage to her vehicle when it became submerged in water at West Fond du Lac Avenue and West Locust Street. She claims damages in the amount of \$7,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of the rain during this time, the City experienced flows that exceeded the capacity of the sewer system. On June 19, 2009 at 2:00 a.m. the ISD received a call of surface flooding for the location of North 31<sup>st</sup> and West Fond du Lac Avenue. Their crew responded, removed debris from the surface of



To the Hon. Common Council  
September 2, 2009  
Page 2

the catch basin and restored it to working condition. After this claim was filed, the ISD checked the basin and found it to be in proper order. 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  
1029-2009-1925:148804

July 7, 2009

City Clerk  
ATTN: Claims  
200 East Wells Street Room 205  
Milwaukee, Wisconsin 53202-3567

CITY OF MILWAUKEE  
2009 JUL 10 AM 8:28  
RONALD D. LEONHARDT  
CITY CLERK

Re: Rhonda Clemons, Claimant  
2841 North 48<sup>th</sup> Street  
Milwaukee, Wisconsin 53210-1754-1754  
Cell # 414-678-8187  
Email: cemonsrhonda@rocketmail.com  
Date of Accident: June 18<sup>th</sup>, 2009  
Time of Accident: 10:30 pm – 11:00 pm  
Location of Accident: Locust and Fond du Lac Ave

CITY OF MILWAUKEE  
RECEIVED  
2009 JUL 10 PM 4:08  
OFFICE OF  
CITY ATTORNEY

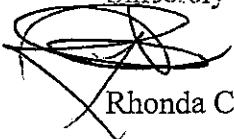
Dear Sir/Madam:

Attached please find a detail document and Itemized cost for the repair regarding the above mentioned matter. My car was flooding due to the water back up of flood waters on June 18<sup>th</sup>, 2009. I believe the City of Milwaukee is responsible for the water damage to my car and request payments for repair.

Please advise if you need additional information.

Thank you for your anticipation cooperation

Sincerely

  
Rhonda Clemons

3060418

174665

# RUSS DARROW KIA MITSUBISHI, LLC

1901 N. Mayfair Rd.  
Wauwatosa, WI 53226  
Phone: (414) 778-5700  
Fax: (414) 479-2080

RHONDA CLEMONS  
2842 N 48TH ST  
MILWAUKEE, WI 53210-1754  
HOME:414-306-0418 BUS:414-345-4600

\*INVOICE\*

DUPLICATE 1  
PAGE 1



SERVICE ADVISOR: 227 JIM DANFORTH

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
BLUE	05	KIA OPTIMA	KNAGD126055409990	CH8CHLD	80000/80000	T273	
IN SVC DATE	PROD. DATE	WARR. EXP	PROMISED	PO NO	RATE	PAYMENT	INV. DATE
01JAN05 IS			17:00 22JUN09			CASH	29JUN09
DATE OF REPAIR		DATE OFFERED BACK		OPTIONS: DLR:03581 ENG:2.4_Liter			
19JUN09		29JUN09					

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A C/R TOWED IN, HAS FLOOD DAMAGE.

CAUSE: WATER LINE AT TOP OF DASH, WNGINE DOES NOT TURN OVER.

500 VEHICLE HAS FLOOD DAMAGE. WATER LINE IS TOP  
OF DASH.

999 ISPK

(N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE A: 0.00

VEHICLE NEEDS COMPLEATE CARPETS, PADS SEAT TRIM ALL ELECTRICAL  
COMPONENTS INCL AUDIO&ANTENNA. WIRE HARNESS CONNECTOR CLEAN FOR  
CORROSION. ENGINE TARE DOWN TO EST FOR REPAIRS. WITHOUT ENGINE EST EST  
TO REPAIRS CAN EXCEED \$4000.00 PLUS ENGINE REPAIRS. AVERAGE WHOLSALE  
VALUE OF RUNNING CAR APROX \$3000.00 RUNNING UNABLE TO GET MILEAGE AND  
DASH DOES NOT TURN ON WILL NEED MAJOR ELECTRICAL REPAIRS, COMPUTERS,  
RELAYS AND OTHER PARTS FOUNT IF VEHICLE TORN DOWN MAJOR CLEANING  
\$500.00 TO START. BRAKES AND TRANSMISSION MAY ALSO HAVE WATER DAMAGE.  
EST TO REPAIR EXCEDES VALUE OF VEHICLE. OWNER DECLINED FULL INSPECTION  
AT THIS TIME. POWER WINDOWS DO NOT OPERATE POSS SWITCHES AND  
MOTORS.NEEDED.

\*\*\*\*\*  
B PERFORM MULTI-POINT INSPECTION REPORT CARD

99P PERFORM MULTI-POINT INSPECTION REPORT CARD

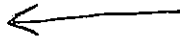
999 ISPK

(N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00

\*\*\*\*\*

NOTE: ENGINE AND TRANSMISSION  
MAY HAVE MAJOR WATER DAMEAGE,  
UNABLE TO START OR DRIVE  
VEHICLE OWNER HAD VEHICLE  
TOWED. IF ENGINE AND OR TRANS  
NEED REPLACEMENT EST CAN BE  
OVER \$7000.00 TO START. YOUR  
SERVICE ADVISOR JIM DANFORTH



**THANK YOU!**  
Service Department Hours

Monday - Friday  
7:00 A.M. - 6:00 P.M.

Saturday  
8:00 A.M. - 12:00 P.M.

CALL FOR APPOINTMENT  
(414) 778-5700



MATERIAL: ALL PARTS NEW UNLESS  
SPECIFIED. U=USED R=REBUILT  
C=RECONDITIONED Y=RECYCLED

STATEMENT OF DISCLAIMER: The  
factory warranty constitutes all of the  
warranties with respect to the sale of  
this item/items. The Seller hereby  
expressly disclaims all warranties either  
express or implied, including any implied  
warranty of merchantability or fitness  
for a particular purpose. Seller neither  
assumes nor authorizes any other person  
to assume for it any liability in  
connection with the sale of this  
item/items.

CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	0.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
ENVIRONMENTAL / SUPPLIES	0.00
TOTAL CHARGES	0.00
LESS INSURANCE	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

Motor vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code,  
administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture,  
P.O. Box 8911, Madison, Wisconsin 53708-8911.

CUSTOMER COPY

**NOTICES SENT TO FOR FILE 090638:**

[illegible]





## Legislation Details (With Text)

---

**File #:** 090645      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Dakin Emerson for property damage. (6th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

**Attachments:** City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090645

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Dakin Emerson for property damage. (6th Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:ms

September 9, 2009

1029-2009-2136:149712

**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**  
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**HEIDI E. GALVÁN**  
**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**DANIELLE M. BERGNER**  
Assistant City Attorneys

September 9, 2009

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

Re: Resolution Relating to the Claim of Dakin Emerson  
C.I. File No. 09-L-85

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, Dakin Emerson, 2046 North 2nd Street, Milwaukee, WI 53212, alleges that on June 19, 2009, he sustained damages when a City sewer backed up into the basement of his residence. He claims damages in the amount of \$27,503.61. The Assessor's Office information notes that he is not the owner of record of this property.

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 18-19, 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 Mr. Emerson's claim and found it to be in proper working



Honorable Common Council  
September 9, 2009  
Page 2

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:ms  
Enclosure  
1029-2009-2136:149709

Due to the City of Milwaukee's Sewer Back up on Friday morning June 19TH, 2009, a list has been compiled below of a damages as a direct result.

I .Dakin Emerson, At 2046 N 2ND St. Milwaukee, am requesting payment for said damages as well for arduous and revolting clean up efforts.

I hope to make this a fast and easy process for both sides, for the exception of the 43.62 \$ power converter listed below, I can't afford to replace any of the objects below without a settlement.

To that end I am not requesting payment for, worthless things, old blankets, and other such items. I am not making a claim for pain and suffering, emotional distress, or any other such nonsense. I just want my stuff fixed.

Thanks for your time, Dakin Emerson.

Destroyed Theatre Room & Adjacent Storage room    Cost or Repair : 16,530.00 \$  
See attached estimate for details.

Damaged vintage 1920's couch.    Cost of Repair : 3,500.00 \$  
See attached estimate for details.

Destroyed Samsung 54" high definition projection television.    Cost : 1,800.00 \$

Damaged Guitar , 1959 Gretsch Country Club.    Cost of Repair : 1,400.00 \$  
See attached estimate for details.

Destroyed power converter for HP printer.    Cost of Replacement 43.62 \$

Destroyed Conair hair dryer.    Cost of Replacement 29.99 \$

Destroyed Large Sacred Buddhist Book    Cost of Replacement : 150.00 \$

81 hours of cleaning up raw sewage and whole piles of feces .Billed at 50.00 \$ pr.hr.  
Cost : 4,050.00

Total Bill : 27,503.61

My Contact information

Address 2046 N 2ND St. Milwaukee WI 53212

EMAIL dakin1313@yahoo.com

Phone # 414-263-2275.

Dakin Emerson 7/29/09

OFFICE OF  
CITY ATTORNEY

2009 AUG -4 PM 1:31

CITY OF MILWAUKEE  
2009 AUG -3 PM 2:43  
RONALD D. LEONARDI  
CITY CLERK

Laurentia Woodworks, LLC

2036 N. 2nd St.

Milwaukee, WI 53212

# Estimate

Date	Estimate #
7/28/2009	208

Name / Address
Dakin Emerson 2046 N 2nd Street Milwaukee, WI 53212

Project

Description	Qty	Rate	Total
Demolition of floor and water damaged materials	80	50.00	4,000.00
Reconstruction of Floor system with treated lumber and 3/4 decking	100	50.00	5,000.00
Install of hardwood maple flooring	500	6.00	3,000.00
Finish trim	40	50.00	2,000.00
Replace damaged drywall	55	50.00	2,750.00
Application of Germicidal Bleach	24	50.00	1,200.00
		<b>Total</b>	<b>\$17,950.00</b>

Customer Signature \_\_\_\_\_

# RESIDENTIAL RESTORATION CONTRACT

This form complies with professional standards in effect

**BURKHAM BUILT,LLC**  
217 W Reservoir Ave.  
Milwaukee, WI 53212  
(414) 736- 6383

THIS CONTRACT IS  
ENTERED INTO THIS DATE

7-6-09

<b>BUYER/ OWNER</b>	NAME Dakin Emerson	
	RESIDENCE ADDRESS: 2046 N. 2 <sup>nd</sup> St. Milwaukee, WI 53212	PHONE: 414 263 2275
	PLACE OF BUSINESS (IF ANY)	PHONE:

**DESCRIPTION OF THE PROJECT** (including materials and equipment to be used or installed): Contractor will furnish labor, materials and equipment to construct in a good workmanlike manner (Describe Labor, Materials and Equipment to be furnished):

- (1.) Complete Demo of hardwood flooring and floor framing system in west basement bedroom.  
Also a removal of the bottom 2 feet of drywall around perimeter of room.
- (2.) A heavy wiping of germicidal bleach onto bottom plate of wall and bottom of studs of wall  
(note) if any wet insulation is found it will be removed and replaced with new insulation
- (3.) Rebuilding of floor framing system with treated lumber sheeted with ¾ inch ply
- (4.) Installing (below- ground grade) engineered prefinished hardwood maple (natural style finish)
- (5.) Install ¾ inch quarter round as a base trim around room
- (6.) Replace drywall around room and apply a smooth finish
- (7.) Complete Demo of flooring system in middle basement storage room which is comprised of 2x framing and 2x4 decking boards
- (8.) Complete replacement of middle room floor framing with treated lumber and installation of 2x4 flooring
- (9.) A thorough spray down of both of the shallow crawl spaces under the floors systems will be performed with a water mixed with germicidal bleach solution (note) this will kill any life form off of the old sewage residue (note) contract includes removal of waste material from job site

Work performed at: 2046 n. 2<sup>ND</sup> St. Milwaukee, WI 53212

**TIME FOR COMPLETION:** The work to be performed by Contractor pursuant to this Agreement shall be commenced within \_\_\_\_ ( ) days from this date or approximately on (Date:) A.S.A.P and shall be substantially completed within \_\_\_\_ ( ) days or approximately on (Date:): \_\_\_\_\_. Commencement of work shall be defined as (Briefly Describe Type of Work Representing Commencement): Transfer of tools onto property

**PAYMENT:** Owner agrees to pay Contractor a total cash price of \$16,530.00. Down payment (if any) \$ 5,176.00.

Payment schedule as follows: \$11,354.00 on satisfied completion of all tasks as stated above

Upon satisfactory payment being made for any portion of the work performed, the Contractor shall, prior to any further payment being made furnish to the Owner, a receipt for that portion of the work for which payment has been made.

**FINANCING:**

**MONTHLY PAYMENTS.** Owner agrees to pay Contractor \$ \_\_\_\_\_ by way of monthly and payments as described below. The first monthly payment of \$ \_\_\_\_\_ will be paid by Owner on \_\_\_\_\_. Thereafter, Owner will make payments of \$ \_\_\_\_\_ per month until the payments made, including the lump-sum payments described below, if any, total \$ \_\_\_\_\_. The final payment will be \$ \_\_\_\_\_, at which point the total payments will satisfy the agreed to underlying obligation of \$ \_\_\_\_\_. The monthly payments will be due on the \_\_\_\_\_ of each month.

There shall be no pre-payment penalties associated with this Agreement.

If a monthly installment is not made when due (or the next business day where the 28<sup>th</sup> falls on a Saturday or Sunday), Contractor will provide written notice of default to Owner. If the missed payment is not made within ten (10) days following Owner's receipt of the written notice, Owner will be in "monthly payment default" in which case Owner agrees that Contractor will be entitled to accelerate and recover the entire debt plus interest from the date of this Agreement at a rate of 14% per annum on the outstanding debt. If Owner defaults on its obligations as set forth herein, Owner agrees that Contractor will also be entitled to recover from Owner all expenses, costs and reasonable attorney fees incurred in enforcing the terms of this Agreement.

**ALLOWANCES:** The following items or specific prices as indicated are included in the contract price as allowances. The contract price shall be adjusted upward/downward based upon actual amounts rather than estimated amounts herein.

**TERMS AND CONDITIONS:** The Terms and Conditions attached are expressly incorporated into this Agreement.

You, the Owner, may cancel this transaction by written notice at any time prior to midnight of the third business day after the date of this transaction, but not after the commencement of the work. Cancellation by the buyer after the right to rescind has passed shall be deemed a material breach of this agreement and entitles Contractor to damages.

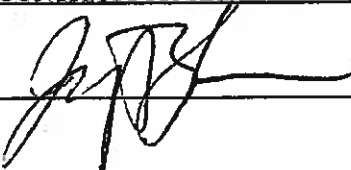
Jeremy Burkham

APPROVED: OWNER/BUYER SIGNATURE      DATE:

CONTRACTOR/SELLER SIGNATURE

X

APPROVED: OWNER/BUYER SIGNATURE      DATE:

 7-6-09

X

# 154250-354 TRIT 08/09



PACKING#:

CSO: WFU49801

P.O. NUMBER:

**SHIP TO:**

ERMERSON, DAKIN  
ERMERSON, DAKIN  
2046 N SECOND ST.

MILWAUKEE, WI 53212  
US

ITEM	DESCRIPTION	Box QTY	Order QTY
0957-2105	PWR-SPLY-AC-DC ADAPTER 50W RO	1	1



0957-2105

Country of Origin

PWR-SPLY-AC-DC ADAPTER 50W RO

QTY: 1

Each



# Iannelli's Custom Shoppe

625 N. Broadway  
Milwaukee, WI 53202  
414-272-0543 fax 414-272-0544

Invoice No.

*EST.*

## Customer

Name Daakin Emerson  
Address 2046 N. 2nd Street  
City Milwaukee State WI. ZIP 53212  
Phone 414 263-2275

Date 7/14/2009  
Order No. \_\_\_\_\_  
Rep \_\_\_\_\_  
FOB \_\_\_\_\_

Qty	Description	Unit Price	TOTAL
	<b>ESTIMATE</b>  One 3-Cushion Sofa , Complete Restoration, All New Materials. Labor \$2,900.00 to \$3,500.00 .  15 Yds. Of 54" Wide Plain or Small Print Fabric is Required for the above Sofa.  <i>Please pay invoice upon recelpt</i>		

## Payment Details

- ☐ Cash  
☐ Check  
☐

SubTotal	\$0.00
Pickup & Delivery	
Taxes State	
<b>TOTAL</b>	<b>\$0.00</b>

E-mail us  
[Iannellisupholstery@yahoo.com](mailto:Iannellisupholstery@yahoo.com)

Established in 1952



# FURNITURE MEDIC®

Dakin Emerson  
2046 N 2ND St.  
Milwaukee WI 53212  
[dakin1313@yahoo.com](mailto:dakin1313@yahoo.com)

Dakin,

Thank you for the opportunity to estimate the work to be done to your sofa. I have broken down the work to be done so you can choose which parts of the restoration you would prefer to have done.

## Red Velvet Sofa

Restore wood frame	\$ 430.00
Upholstery (labor)	\$1,100.00
Supplies foam, cording ect	\$ 120.00
Springs re-tie	\$ 95.00
Material 16-17 yards	Additional

If you have any questions please do not hesitate to contact me at 262-436-2200.

Sincerely,

Tara Kramer  
Furniture Medic

*Note to City of Milwaukee  
the estimate doesn't include  
cost of cushions or fabric*



**Phone (414) 265-4343  
2473 N. Weil Street  
Milwaukee, Wisconsin 53212  
[www.rauenguitars.com](http://www.rauenguitars.com)**

Phone No. 414-263-2275 Date 7-8 2009  
Name Dakin Emerson  
Address 2046 N 2ND ST.  
City Milwaukee State WI Zip 53212

DESCRIPTION	AMOUNT
Gretsch	
Repair damaged finish and binding as result of water damage. Also sand de laminating to top & back Estimated time 8 to 12 months	1400.00
Tax	
Subtotal	
Shipping & handling	
Total	

**Will not be responsible for the condition of instrument after it leaves shop  
or for instruments not picked up within 30 days of completion**

Note to City.  
Only one estimate is included  
on Gutter, as there is no one within  
500 miles with Mr. Raven's expertise and reputation.



Floor completely warped and buckled.







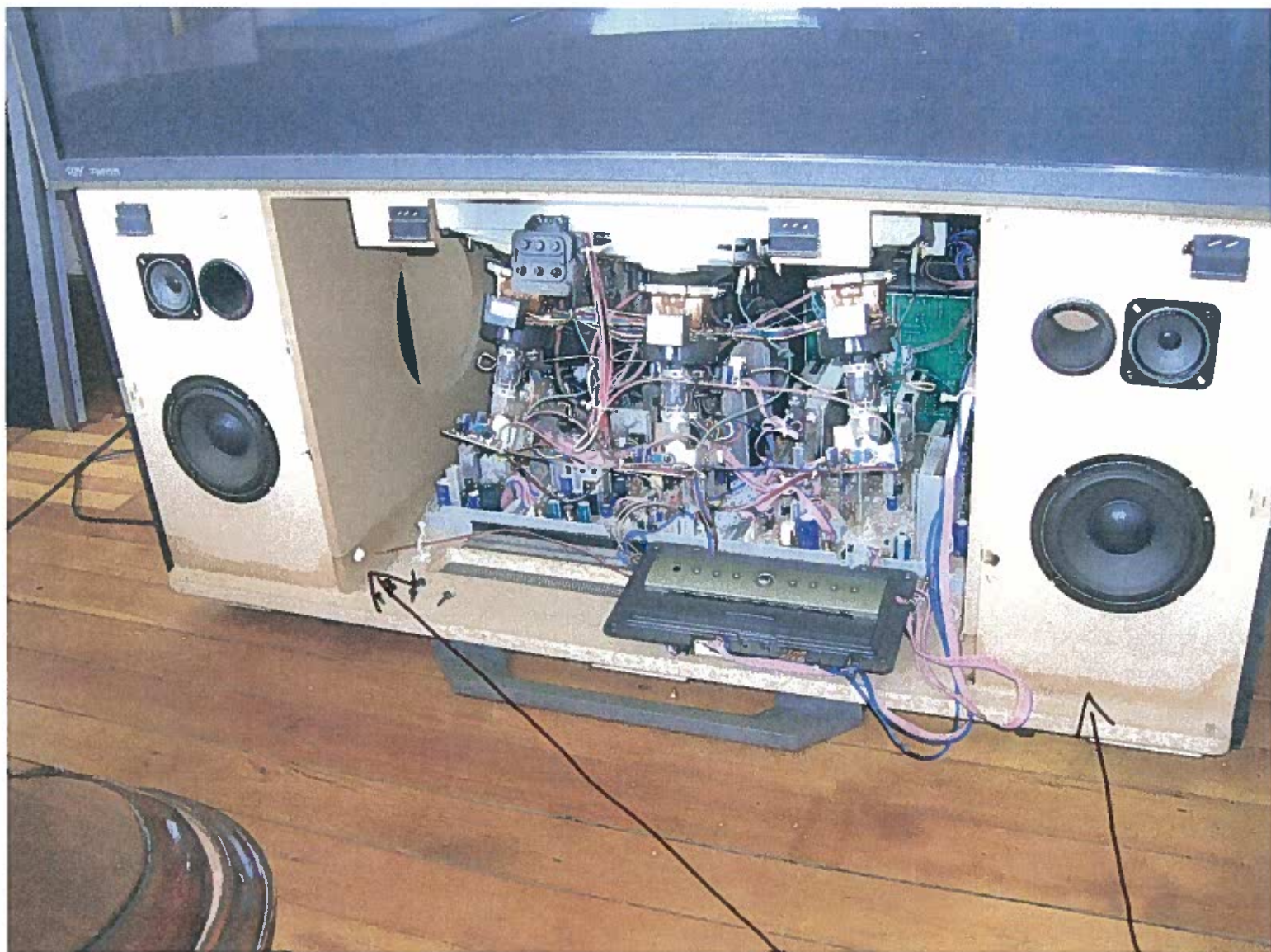
Bottom of couch was soaked, causing old  
Fashioned spring ties to break and bottom berlap  
cover to give way



Storage room Floor and raw earth under, were  
Staturated with Sewage.







Notice watermarks

**NOTICES SENT TO FOR FILE 090645:**

[illegible]





## Legislation Details (With Text)

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**File #:** 090635      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Atty. Daniel Stevens on behalf of Frank Fuchsberger 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
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090635

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Atty. Daniel Stevens on behalf of Frank Fuchsberger for property damage. (2nd Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:beg

August 7, 2009

1029-2009-2027:148801

**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  
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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 2, 2009

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

Re: Resolution relating to the claim of Frank Fuchsberger  
Through his attorney, Law Office of Daniel W. Stevens  
C.I. File No. 09-L-76

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, Frank Fuchsberger, 3952 North 62<sup>nd</sup> 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 or about 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 \$30,000.00.

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. Fuchberger's claim and found it to be

To the Hon. Common Council  
September 2, 2009  
Page 2

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  
1029-2009-2027:148800

**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

*7/21-09  
1:50 PM  
[Signature]*

CITY OF MILWAUKEE  
09 JUL 21 PM 1:48  
RONALD D. LEONHARDT  
CITY CLERK

**CLAIMANT:**

Frank Fuchsberger  
3952 North 62<sup>nd</sup> Street  
Milwaukee, WI 53216

CITY OF MILWAUKEE  
RECEIVED  
2009 JUL 22 AM 9:32  
OFFICE OF THE CITY ATTORNEY

**NOTICE** is hereby given pursuant to Wis. Stats. § 893.80 that **FRANK FUCHSBERGER** 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 Dineen Park located at 63<sup>rd</sup> and Melvina.

The Claimant respectfully states as follows:

1. The Claimant, **FRANK FUCHSBERGER**, is an adult residing at 3952 North 62<sup>nd</sup> 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 Thousand and 00/100 (\$30,000.00) Dollars.

**WHEREFORE**, claimant, whose name and address are stated above, claims relief against the City of Milwaukee for the sum of Thirty Thousand and 00/100 (\$30,000.00) Dollars.

Dated this 10<sup>th</sup> 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 090635:**

[illegible]







## Legislation Details (With Text)

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**File #:** 090636      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Atty. Daniel Stevens on behalf of Stili Klikizos 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
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090636

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Atty. Daniel Stevens on behalf of Stili Klikizos for property damage.  
(2nd Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:beg

August 7, 2009

1029-2009-2026:148799

**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**  
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**PATRICIA A. FRICKER**  
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**HEIDI E. GALVÁN**  
**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**DANIELLE M. BERGNER**  
Assistant City Attorneys

September 2, 2009

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

Re: Resolution relating to the claim of Stili Klikizos  
Through his attorney, Law Office of Daniel W. Stevens  
C.I. File No. 09-L-75

Dear Council Members:

We return the enclosed document which as 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, Stili Klikizos, 3911 North 62<sup>nd</sup> 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 or about June 18, 2009 Stili Klikizos sustained damages when a sewer maintained by the City at or near Dineen Park backed up into the 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 Stili Klikizos claim and found it to be

To the Hon. Common Council  
September 2, 2009  
Page 2

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  
1029-2009-2026:148795

**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

7-21-09  
1:50 PM  


CITY OF MILWAUKEE  
09 JUL 21 PM 1:48  
RONALD D. LEONHARDT  
CITY CLERK

**CLAIMANT:**

Stili Klikizos  
3941 North 62<sup>nd</sup> Street  
Milwaukee, WI 53216

**NOTICE** is hereby given pursuant to Wis. Stats. § 893.80 that STILI KLIKIZOS 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 Dineen Park located at 63<sup>rd</sup> and Melvina.

The Claimant respectfully states as follows:

1. The Claimant, STILI KLIKIZOS, is an adult residing 3941 North 62<sup>nd</sup> Street, Milwaukee, Wisconsin 53216.
2. That the attorney representing the Claimant is Daniel W. Stevenson 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.

CITY OF MILWAUKEE  
RECEIVED  
2009 JUL 22 AM 9:32  
OFFICE OF THE  
CITY ATTORNEY

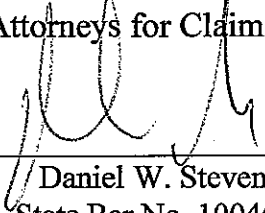
**WHEREFORE**, claimant, whose name and address are stated above, claims relief against the City of Milwaukee for the sum of Twenty-Two Thousand and 00/100 (\$22,000.00) Dollars.

Dated this 16<sup>th</sup> 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 090636:**

[illegible]







## Legislation Details (With Text)

---

**File #:** 090657      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of attorney Daniel W. Stevens on behalf of Oscar and Gloria Bond 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
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090657

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of attorney Daniel W. Stevens on behalf of Oscar and Gloria Bond for property damage. (2nd Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:beg

August 19, 2009

1029-2009-2081:149130

**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**  
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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 10, 2009

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

Re: Resolution relating to the claim of Oscar & Gloria Bond  
Through his attorney, Law Office of Daniel W. Stevens  
C.I. File No. 09-L-81

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, Oscar and Gloria Bond, 3940 North 62nd 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 or about 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 \$50,000.00.

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 18-19, 2009 flooding, the City experienced flows that exceeded the capacity of the sewer systems. The ISD checked the City main sewer as a result of Mr. and Mrs. Bond's claim

To the Hon. Common Council  
September 10, 2009  
Page 2

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

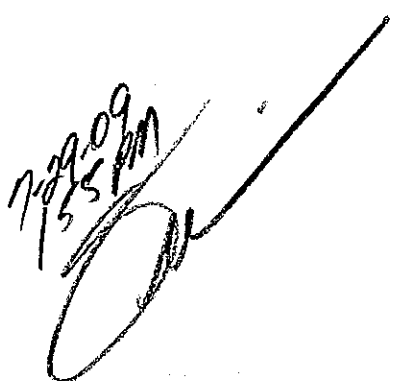
JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:beg  
Enclosure  
1029-2009-2081:149128

**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

*7/29/09  
7:55 PM*  


CITY OF MILWAUKEE  
09 JUL 29 PM 1:54  
RONALD D. LEONHARDT  
CITY CLERK

**CLAIMANTS:**

Oscar D. and Gloria I. Bond  
3940 North 62<sup>nd</sup> Street  
Milwaukee, WI 53216

**NOTICE** is hereby given pursuant to Wis. Stats. § 893.80 that OSCAR and GLORIA BOND 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 63<sup>rd</sup> and Melvina.

CITY OF MILWAUKEE  
RECEIVED  
2009 JUL 29 PM 2:31  
OFFICE OF  
CITY ATTORNEY

The Claimants respectfully states as follows:

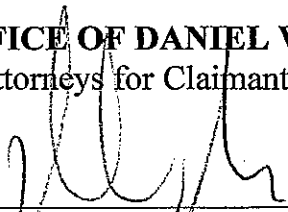
1. The Claimants, OSCAR and GLORIA BOND, are adults residing at 3940 North 62<sup>nd</sup> Street, Milwaukee, Wisconsin 53216.
2. That the attorney representing the Claimants is Daniel W. Stevens, Esq. whose address is 14380 West Capitol Drive, Brookfield, Wisconsin 53005.
3. The Claimants have suffered 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 27th 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 090657:**

[illegible]






## Legislation Details (With Text)

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**File #:** 090659      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of attorney Daniel W. Stevens on behalf of Wade Christopher for property damage. (7th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

**Attachments:** City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090659

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of attorney Daniel W. Stevens on behalf of Wade Christopher for property damage. (7th Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:beg

August 13, 2009

1029-2009-2025:148957

**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

Resolution relating to the claim of Wade Christopher  
Through his attorney, Law Office of Daniel W. Stevens  
C.I. File No. 09-L-74

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, Wade Christopher, 4117 North Sherman Boulevard, 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 or about June 18, 2009 he sustained damages when a sewer maintained by the City backed up into his property located at 3500 North Sherman Boulevard. They claim damages in the amount of \$100,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of the rain on June 18-19, 2009, the City experienced flows that exceeded the capacity of the sewer systems. The ISD checked the City main sewer as a result of Mr. Christopher's claim and found it to be in

To the Hon. Common Council  
September 10, 2009  
Page 2

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  
1029-2009-2025:148956

**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

7/21/09  
1:50 PM  
*[Signature]*

2009 JUL 22 AM 9:32  
CITY OF MILWAUKEE  
RECEIVED  
OFFICE OF  
CITY ATTORNEY

**CLAIMANT:**

Wade E. Christopher  
3500 North Sherman Boulevard  
Milwaukee, WI 53216

09 JUL 21 PM 1:48  
CITY OF MILWAUKEE  
RONALD D. LEONHARDT  
CITY CLERK

**NOTICE** is hereby given pursuant to Wis. Stats. § 893.80 that WADE E. CHRISTOPHER 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.

The Claimant respectfully states as follows:

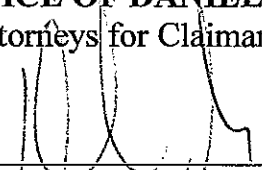
1. The Claimant, WADE E. CHRISTOPHER, is an adult residing at 4117 North Sherman Boulevard, Milwaukee, Wisconsin 53216.
2. That the attorney representing the Claimant is Daniel W. Stevens, Esq. whose address is 14380 West Capitol Drive, Brookfield, Wisconsin 53005.
3. The Claimant has suffered money losses as a result of flood damage to personal property, interior damage, damage to air conditioners, and damage to elevator for the City of Milwaukee in the amount of One Hundred Thousand and 00/100 (\$100,000.00) Dollars.

**WHEREFORE**, claimant, whose name and address are stated above, claims relief against the City of Milwaukee for the sum of One Hundred Thousand and 00/100 (\$100,000.00) Dollars.

Dated this 10<sup>th</sup> 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 090659:**

[illegible]






## Legislation Details (With Text)

---

**File #:** 090729      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution opposing the move of the Department of Health Services' public assistance offices from the Marcia P. Coggs Human Services Center at 1220 W. Vliet St. to 2151 N. Dr. Martin Luther King Dr.

**Sponsors:** ALD. COGGS

**Indexes:** PUBLIC BUILDINGS

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

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

..Number

..Version  
ORIGINAL

..Reference

..Sponsor  
ALD. COGGS

..Title

Substitute resolution opposing the move of the Department of Health Services' public assistance offices from the Marcia P. Coggs Human Services Center at 1220 W. Vliet St. to 2151 N. Dr. Martin Luther King Dr.

..Analysis

This resolution opposes the State of Wisconsin's proposal to move the Department of Health Services' public assistance offices from the Marcia P. Coggs Human Services Center at 1220 W. Vliet St. to 2151 N. Dr. Martin Luther King Dr.

..Body

Whereas, The State of Wisconsin has proposed to relocate the Department of Health Services' public assistance offices from the Marcia P. Coggs Human Services Center at 1220 W. Vliet St. to 2151 N. Dr. Martin Luther King Dr.; and

Whereas, Relocating the public assistance offices to the Bronzeville area conflicts with the vision for the emerging Bronzeville cultural and commercial district being developed along King Drive, as described in the Milwaukee Northeast Side Comprehensive Plan and the Bronzeville Redevelopment Plan; and

Whereas, The City has invested heavily in redevelopment of the Bronzeville area, including the establishment of the Historic King Drive Business Improvement District, the Bronzeville Target Investment District, the Brooks Targeted Investment Neighborhood and the Historic King Drive Main Street; and

Whereas, The Bronzeville parking study shows a current deficiency of parking in the area, and the addition of Department of Health Services staff and clients will increase disruption to nearby business and residential areas; and

Whereas, Neighborhood groups in the area affected by the relocation, including those from the Halyard Park, Brewers Hill and Harambee neighborhoods, have voiced opposition to the move, and residents that attended a public meeting on September 3, 2009 likewise voiced opposition; and

Whereas, Moreover, Milwaukee County spent \$12 million in 2004 to remodel the Marcia P. Coggs Human Services Center and the vacancy in the building caused by this move could cost the county up to \$1.2 million next year unless new tenants can be found for the space; and

Whereas, The existing Vliet St. location has housed welfare and other aid programs for nearly 40 years and Milwaukee residents are familiar with the location and services; and

Whereas, The state's decision to relocate the public assistance office and issue a 25-year lease for the new site signals that the state's temporary takeover of county programs will become permanent; and

Whereas, Milwaukee County submitted a lower bid for the office space at the Coggs Center than did the property owners for the King Drive location; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council opposes the State of Wisconsin's proposal to relocate the Department of Health Services' public assistance offices from the Marcia P. Coggs Human Services Center at 1220 W. Vliet St. to 2151 N. Dr. Martin Luther King Dr.

..Requestor

..Drafter  
LRB09385-2  
RTW  
9/22/09

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/23/09

FILE NUMBER: 090729

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution opposing the move of the Department of Health Services' public assistance offices from the Marcia P. Coggs Human Services Center at 1220 W. Vliet St. to 2151 N. Dr. Martin Luther King Dr.

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.  
☒ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 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 090729:**

[illegible]



## Legislation Details (With Text)

**File #:** 090275      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 6/16/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution relating to the spending of federal economic recovery monies to maximize the creation of American jobs restoring economic growth.

**Sponsors:** ALD. ZIELINSKI, ALD. WADE

**Indexes:** AMERICAN RECOVERY AND REINVESTMENT ACT, ECONOMIC DEVELOPMENT, FEDERAL GRANTS, JOBS

**Attachments:** Fiscal Note, Proposed Substitute A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/16/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/13/2009	1	CITY CLERK	DRAFT SUBMITTED		
7/14/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/14/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/15/2009	1	CITY CLERK	Sponsor added		
7/20/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
9/30/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090275

**Version**

SUBSTITUTE 1

**Reference****Sponsor**

ALD. ZIELINSKI and WADE

**Title**

Substitute resolution relating to the spending of federal economic recovery monies to maximize the creation of American jobs restoring economic growth.

**Analysis**

This resolution affirms that the City of Milwaukee will work to maximize the creation of American jobs and restoring economic growth by spending federal economic recovery plan funds on products and services that both create jobs and keep Americans employed.

**Body**

Whereas, The economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult economic environment; and

Whereas, Those same Americans are the taxpayers that provide the revenue needed for operating essential government services; and

Whereas, Congress approved and President Obama signed into law a taxpayer-sponsored economic recovery package that will provide billions of dollars to help economically devastated cities and states immediately provide jobs to millions of out-of-work Americans through infrastructure rebuilding, green energy projects and other projects that will require manufactured components; and

Whereas, Taxpayer dollars should be spent to maximize the creation of American jobs and restoring the economic vitality of the nation; and

Whereas, Any domestically-produced products that are purchased with economic recovery plan monies will immediately help struggling American families and help stabilize the economy; and

Whereas, Any economic recovery plan spending should, to every extent possible, include a commitment from the City of Milwaukee to buy materials, goods and services for projects from companies that are produced within the United States, thus employing the very workers that pay the taxes for the economic recovery plan spending in the first place; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee shall work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and keep Americans employed; and, be it

Further Resolved, That the City of Milwaukee commits to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any economic recovery monies provided to the City of Milwaukee by American taxpayers; and, be it

Further Resolved, That the City of Milwaukee is committed to publish any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of the nation's economic

recovery program.

**Requestor**

**Drafter**

LRB09263-2

MET

6/22/09



## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 06/05/09

FILE NUMBER: 090275

☒ X Substitute ☐

SUBJECT: Substitute resolution relating to the spending of federal economic recovery monies to maximize creation of American jobs restoring economic growth.

B) SUBMITTED BY (Name/title/dept./ext.): Rhonda U. Kelsey, City Purchasing Director, DOA-Business Operations Division

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: ☐ 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

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

While an exact figure cannot be provided, it is safe to say that there could be a fiscal impact in a situation where a bidder that provides non-USA products submits a bid that is lower than a bidder that submits a bid with only USA products. See reverse side of fiscal note for additional comments.

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

This estimate is based on an anticipated employee start date in early July 2009.

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☒ X

See comments below:

I am supportive of the intent of the resolution, but have concerns about the fact that the “Buy American” resolution is far broader than the “Buy American” requirements under the ARRA Act. In addition, it is important to note that the federal government is still in the process of developing implementation and enforcement guidelines. Therefore, there are no specific regulations that will provide various units of government with the tools that are necessary to effectively and efficiently enforce these requirements.

In short, the aforementioned resolution is very vague and unclear. For instance, is it acceptable if the product contains a certain percentage of USA made products or should the products be 100% USA made products; and does the assembly point matter or simply the manufacturing location?

..Number  
090275  
..Version  
PROPOSED SUBSTITUTE A  
..Reference

..Sponsor  
ALD. ZIELINSKI AND WADE  
..Title

Substitute resolution relating to the spending of federal economic recovery monies to maximize the creation of American jobs restoring economic growth.

..Analysis

This resolution affirms that the City of Milwaukee will work to maximize the creation of American jobs and restoring economic growth by spending federal economic recovery plan funds on products that both create jobs and keep Americans employed.

..Body

Whereas, The economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult economic environment; and

Whereas, Those same Americans are the taxpayers that provide the revenue needed for operating essential government services; and

Whereas, Congress approved and President Obama signed into law a taxpayer-sponsored economic recovery package that will provide billions of dollars to help economically devastated cities and states immediately provide jobs to millions of out-of-work Americans through infrastructure rebuilding, green energy projects and other projects that will require manufactured components; and

Whereas, Taxpayer dollars should be spent to maximize the creation of American jobs and restoring the economic vitality of the nation; and

Whereas, Any domestically-produced products that are purchased with economic recovery plan monies will immediately help struggling American families and help stabilize the economy; and

Whereas, Any economic recovery plan spending should, to every extent possible, include a commitment from the City of Milwaukee to buy materials for projects from companies that are produced within the United States, thus employing the very workers that pay the taxes for the economic recovery plan spending in the first place; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee shall work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products that both create jobs and keep Americans employed; and, be it

Further Resolved, That the City of Milwaukee commits to complying with Section 1605 of the American Recovery and Reinvestment Act of 2009 and to purchase iron, steel,

and manufactured products produced in the United States for public works projects undertaken pursuant to the Act, in accordance with the terms of the Act; and, be it

Further Resolved, That the City of Milwaukee is committed to publish on the City's website any requests made by the City to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products that will maximize the success of the nation's economic recovery program.

..Requestor

..Drafter  
LRB09263-3  
MET  
9/23/09

**NOTICES SENT TO FOR FILE 090275:**

[illegible]



## Legislation Details (With Text)

**File #:** 090707 **Version:** 0  
**Type:** Resolution **Status:** In Committee  
**File created:** 9/22/2009 **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 10-05-09.pdf, AB-404.pdf, SB-276.pdf, LRB-3150\_3.pdf, LRB-3133\_2.pdf, RE AB-404 Relating to prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens. M. Nicolini.txt, RE AB-404 Relating to prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens. J. Mantes.txt, RE AB-404 Relating to prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens. C. Lewis.txt, RE SB-276 Relating to requiring governmental bodies of school districts and certain political subdivisions to post meeting notices and minutes on their Web sites. R. Leonhardt.txt

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

090707

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relative to legislative bills.

**Drafter**

IRD

Mo

9/22/09

# **LEGISLATIVE HEARING CALENDAR**

**Positions to be taken by the City of Milwaukee on the following bills will be discussed by the**

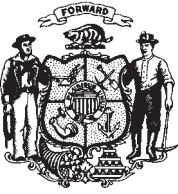
## **COMMITTEE ON JUDICIARY-LEGISLATION**

**MONDAY, OCTOBER 5, 2009 AT 3:00 PM**

**Room 301-B City Hall**

- |            |  |
|------------|--|
| AB-404     | Prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens. |
| SB-276     | Requiring governmental bodies of school districts and certain political subdivisions to post meeting notices and minutes on their Websites.      |
| LRB-3150/3 | Privatization of certain municipal water utilities.  |
| LRB-3133/2 | Prohibiting privatization of certain municipal water utilities.  |





## 2009 ASSEMBLY BILL 404

August 31, 2009 – Introduced by Representatives ROTH, MONTGOMERY, NYGREN, PRIDEMORE and TOWNSEND, cosponsored by Senator OLSEN. Referred to Committee on Energy and Utilities.

1     **AN ACT to repeal** 66.0809 (5) (b) 1. and 2. and 66.0809 (5) (c) and (d); and **to**  
2     **renumber and amend** 66.0809 (5) (b) (intro.) of the statutes; **relating to:**  
3     prohibiting municipal electric or water utilities from collecting certain utility  
4     arrearages from owners of rental properties as property liens.

---

### ***Analysis by the Legislative Reference Bureau***

Under current law, a municipal utility may collect arrearages for utility service provided to lots or parcels of real estate by providing, on October 15, a written notice of payment due to the owner or occupant of the real estate. The notice must specify the amount of the arrearage and any penalty and must state the following: 1) that, if payment is not received by November 1, an additional penalty will be assessed; and 2) that, if payment is not received by November 15, the arrearage amount and any penalties will become a lien on the property that will be collected as a tax on the property.

Also under current law, if a municipal utility provides electric or water service to a rental dwelling unit, the municipal utility may use the arrearage collection procedure described above only if the municipal utility follows certain additional procedures for notifying both the owner and the tenant about any payments that are past due. In addition, the municipal utility may use the arrearage collection procedure only if the owner of the rental property provides the municipal utility with written notification of the name and address of the owner, as well as of the tenant who is responsible for paying for the service. Also, if requested by the municipal

# ASSEMBLY BILL 404

utility, the owner must provide the municipal utility with a copy of the rental or lease agreement in which the tenant assumes responsibility for payment of utility charges.

This bill prohibits a municipal utility that provides electric or water service to a rental dwelling unit from using the arrearage collection procedure described above, but only if the owner has provided the municipal utility with written notification of the name and address of the owner, as well as of the tenant who is responsible for paying for the service. A municipal utility may also request a copy of the rental or lease agreement in which the tenant assumes responsibility for payment of utility charges. However, after the owner has provided written notice of the owner's and tenant's names and addresses, the municipal utility may not use the arrearage collection procedure.

For further information see the **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.** 66.0809 (5) (b) (intro.) of the statutes is renumbered 66.0809 (5) (b) and amended to read:

66.0809 (5) (b) If this subsection applies, a municipal public utility may not use sub. (3) to collect arrearages incurred after the owner of a rental dwelling unit has provided the utility with written notice under par. (a) ~~only if the municipality complies with at least one of the following: 2. and 3.~~

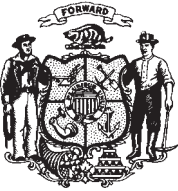
**SECTION 2.** 66.0809 (5) (b) 1. and 2. of the statutes are repealed.

**SECTION 3.** 66.0809 (5) (c) and (d) of the statutes are repealed.

#### SECTION 4. Initial applicability.

(1) This act first applies to arrearages incurred on the effective date of this subsection.

**(END)**



## 2009 SENATE BILL 276

August 26, 2009 – Introduced by Senators KREITLOW, PLAILE, TAYLOR and HANSEN, cosponsored by Representatives ROYS, SMITH, KERKMAN, MASON, BERCEAU, POPE-ROBERTS, DANOU, SPANBAUER and BIES. Referred to Committee on Rural Issues, Biofuels, and Information Technology.

- 1     **AN ACT** *to create* 66.0145 of the statutes; **relating to:** requiring governmental
- 2             bodies of school districts and certain political subdivisions to post meeting
- 3             notices and minutes on their Web sites.

---

### ***Analysis by the Legislative Reference Bureau***

Currently, under the open meetings law, with certain exceptions, meetings of state and local governmental bodies must be preceded by public notice, must be held in places that are reasonably accessible to the public, and must be open to the public at all times, although such meetings may convene in closed session for the purpose of considering certain matters specified by law.

A public notice of a meeting of a governmental body must contain the time, date, place, and subject matter of the meeting and must be given at least 24 hours before the start of the meeting, although shorter notice, but never less than two hours, may be given under limited circumstances. The notice must be given to news media that have filed a request to receive such a notice and the notice must appear in the governmental body's official newspaper or, if none exists, in a news medium likely to give notice in the area.

Under this bill, a governmental body of a city, village, town, or county (political subdivision), or school district, that has a Web site is required to post a public notice of a meeting that is subject to the open meetings law on that political subdivision's or school district's Web site and also must post any minutes of the meeting that relate to business conducted during an open session of the meeting. The bill also allows a town that could otherwise comply with current law notice requirements by posting

**SENATE BILL 276**

the notice in at least three places to meet the requirements by posting at the town hall and one other public place if the notice is also posted on the town's Web site. The bill defines "governmental body" to include any formally constituted subunit of the governing body of a political subdivision or school district.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 66.0145 of the statutes is created to read:

**66.0145 Posting of public meeting notice, minutes. (1)** In this section:

(a) "Governmental body" means the governing body of a political subdivision or school district or any formally constituted subunit of the governing body.

(b) "Meeting" has the meaning given in s. 19.82 (2).

(c) "Political subdivision" means a city, village, town, or county.

(d) "Public notice" means a public notice, as that term is used in s. 19.84, that sets forth the time, date, place, and subject matter of a meeting of a governmental body of the political subdivision or school district.

**(2)** If a political subdivision or school district has a Web site, it shall post on its Web site all of the following:

(a) The public notice for every meeting of a governmental body of the political subdivision or school district, consistent with the notice requirements in s. 19.84 (3).

(b) As soon as possible after the conclusion of the meeting for which the public notice was posted, the minutes that relate to that meeting, but only to the extent that the minutes reflect any business conducted during the open session of the meeting.

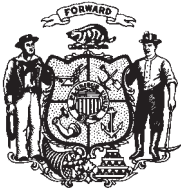
**(3)** With regard to a town, if the public notice requirements in s. 19.84 (3) may be met by posting the notice in at least 3 public places, the town may comply with such a posting requirement by posting the public notice in 2 places, one of which shall be the town hall, if the town also posts the public notice on its Web site.

**SENATE BILL 276**

## 1 SECTION 2. Initial applicability.

2           (1) This act first applies to a meeting that is held on the day after the date on  
3           which this subsection takes effect.

4 (END)



## 2009 BILL

1 AN ACT *to amend* 66.0817 (intro.); and *to create* 66.0818 of the statutes;  
2 **relating to:** privatization of certain municipal water utilities.

---

### ***Analysis by the Legislative Reference Bureau***

Under current law, a city, village, or town (municipality) that owns or operates a public utility is allowed to sell or lease the utility only if the municipality follows specified procedures, including obtaining the approval of the Public Service Commission. This bill prohibits a first class city that owns or operates a water utility from selling or leasing the utility to a private person, or otherwise arranging for a private person to operate the utility, unless the requirements under current law are satisfied and the senate approves the sale, lease, or other arrangement. The bill does not affect current law regarding a sale or lease to a person that is not a private person.

For further information see the ***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:***

3 **SECTION 1.** 66.0817 (intro.) of the statutes is amended to read:  
4 **66.0817 Sale or lease of municipal public utility plant.** (intro.) A Except  
5 as provided in s. 66.0818, a town, village or city may sell or lease any complete public  
6 utility plant owned by it in the following manner:

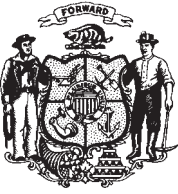
# BILL

**SECTION 2.** 66.0818 of the statutes is created to read:

**66.0818 Privatization of certain municipal water utilities prohibited.**

A 1st class city that owns or operates a municipal public utility that furnishes water may not sell or lease the public utility to, or otherwise arrange for operation of the public utility by, a private person unless the requirements of s. 66.0817 are satisfied and the senate, by a majority vote of those members present and voting, approves the sale, lease, or other arrangement.

**(END)**



## 2009 BILL

- 1 AN ACT *to amend* 66.0817 (intro.); and *to create* 66.0818 of the statutes;  
2 **relating to:** prohibiting privatization of certain municipal water utilities.
- 

### ***Analysis by the Legislative Reference Bureau***

Under current law, a city, village, or town (municipality) that owns or operates a public utility is allowed to sell or lease the utility only if the municipality follows specified procedures, including obtaining the approval of the Public Service Commission. This bill prohibits a first class city that owns or operates a water utility from selling or leasing the utility to an individual or business entity, or otherwise arranging for an individual or business entity to operate the utility. The bill defines “business entity” as any organization or enterprise operated for profit, including a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation, limited liability company, or association. The bill does not affect current law regarding a sale or lease to a person that is not an individual or business entity.

For further information see the ***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:***

- 3 **SECTION 1.** 66.0817 (intro.) of the statutes is amended to read:



# BILL

**66.0817 Sale or lease of municipal public utility plant.** (intro.) ~~A- Except~~  
as provided in s. 66.0818, a town, village or city may sell or lease any complete public  
utility plant owned by it in the following manner:

**SECTION 2.** 66.0818 of the statutes is created to read:

**66.0818 Privatization of certain municipal water utilities prohibited.**

A 1st class city that owns or operates a municipal public utility that furnishes water may not sell or lease the public utility to, or otherwise arrange for operation of the public utility by, an individual or a business entity, as defined in s. 13.62 (5).

**(END)**

From: Mantes, Jeffrey  
Sent: Thursday, September 03, 2009 1:38 PM  
To: Intergovernmental; Nicolini, Mark; Lewis, Carrie  
Cc: Gonda, Jennifer  
Subject: RE: AB-404 Relating to: prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens.

I would suspect we would oppose this bill. If I read it correctly, as long as the owner has ID themselves and has provided us with the tenant's contact information ( which may or may not be correct..especially if an outstanding bill is determined after the tenant has vacated/fled the property) We would have to go after the tenant and not be able to place a lien on the property. This would result in additional costs to try to track down the tenant, probable litigation costs, probable loss of revenue as many of these bills would end up non collectable.

Perhaps the bill should make the owner responsible for the water bill and they should simply charge enough rent to cover average usage.

By copy I am asking staff to comment further

Jeff

Jeffrey J Mantes  
Commissioner of Public Works  
City of Milwaukee  
Room 501 Municipal Building  
841 N Broadway  
Milwaukee, WI 53202  
414-286-3301  
jeffrey.mantes@milwaukee.gov

NOTE NEW E-MAIL ADDRESS jeffrey.mantes@milwaukee.gov

-----Original Message-----

From: Intergovernmental  
Sent: Thursday, September 03, 2009 1:10 PM  
To: Nicolini, Mark; Mantes, Jeffrey; Lewis, Carrie  
Cc: Gonda, Jennifer  
Subject: AB-404 Relating to: prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens.

<http://www.legis.state.wi.us/2009/data/AB-404.pdf>

AB-404 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: Lewis, Carrie  
Sent: Monday, September 14, 2009 3:03 PM  
To: Mantes, Jeffrey; Intergovernmental; Nicolini, Mark  
Cc: Gonda, Jennifer; Smith, Earl; Daniels, Laura  
Subject: RE: AB-404 Relating to: prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens.

This bill should be strongly opposed. It would be a NIGHTMARE.

Mr. Nicolini is correct, water service should continue to be provided to a property, not to a person (tenant), and the property owner should continue to be responsible for the water payment via the property tax if they do not pay timely. This should remain in the purview of a landlord-tenant matter. (It is my understanding that this bill is strongly supported by landlords...)

Should it be implemented, costs to MWW would include the uncollectibles (which I would anticipate being in the many millions of dollars, perhaps even in the tens of millions) but less obvious costs such as:

- increased personnel and time to get and verify tenant identification and credit information, as associated recordkeeping efforts,
- upgraded security on computer systems and MWW web site which would contain personally identifying information about individuals,
- increased personnel and time to pursue delinquent account holders and turn off water service to delinquent properties

Let me know if you need more information. This is REALLY BIG.

Carrie  
X2801

-----Original Message-----

From: Mantes, Jeffrey  
Sent: Thursday, September 03, 2009 1:38 PM  
To: Intergovernmental; Nicolini, Mark; Lewis, Carrie  
Cc: Gonda, Jennifer  
Subject: RE: AB-404 Relating to: prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens.

I would suspect we would oppose this bill. If I read it correctly, as long as the owner has ID themselves and has provided us with the tenant's contact information ( which may or may not be correct..especially if an outstanding bill is determined after the tenant has vacated/fled the property) We would have to go after the tenant and not be able to place a lien on the property. This would result in additional costs to try to track down the tenant, probable litigation costs, probable loss of revenue as many of these bills would end up non collectable.

Perhaps the bill should make the owner responsible for the water bill and they should simply charge enough rent to cover average usage.

By copy I am asking staff to comment further

Jeff

Jeffrey J Mantes  
Commissioner of Public Works  
City of Milwaukee  
Room 501 Municipal Building  
841 N Broadway  
Milwaukee, WI 53202  
414-286-3301  
jeffrey.mantes@milwaukee.gov

NOTE NEW E-MAIL ADDRESS jeffrey.mantes@milwaukee.gov

-----Original Message-----

From: Intergovernmental  
Sent: Thursday, September 03, 2009 1:10 PM  
To: Nicolini, Mark; Mantes, Jeffrey; Lewis, Carrie  
Cc: Gonda, Jennifer  
Subject: AB-404 Relating to: prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens.

<http://www.legis.state.wi.us/2009/data/AB-404.pdf>

AB-404 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: Nicolini, Mark  
Sent: Thursday, September 03, 2009 1:28 PM  
To: Intergovernmental; Mantes, Jeffrey; Lewis, Carrie  
Cc: Gonda, Jennifer; Daniels, Laura  
Subject: RE: AB-404 Relating to: prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens.

I believe we should oppose the bill. Water service is to a property, not a tenant. The water utility should not be involved in landlord-tenant relationships about paying for water.

I defer to Carrie Lewis as the "lead person" of formulating the City's position.

Mark

-----Original Message-----

From: Intergovernmental  
Sent: Thursday, September 03, 2009 1:10 PM  
To: Nicolini, Mark; Mantes, Jeffrey; Lewis, Carrie  
Cc: Gonda, Jennifer  
Subject: AB-404 Relating to: prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens.

<http://www.legis.state.wi.us/2009/data/AB-404.pdf>

AB-404 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: Leonhardt, Ronald  
Sent: Friday, September 04, 2009 8:25 AM  
To: Intergovernmental  
Cc: Wood, Brenda; Owczarski, Jim  
Subject: RE: SB-276 Relating to: requiring governmental bodies of school districts and certain political subdivisions to post meeting notices and minutes on their Web sites.

-----Original Message-----

From: Intergovernmental  
Sent: Thursday, September 03, 2009 1:34 PM  
To: Leonhardt, Ronald  
Cc: Wood, Brenda  
Subject: SB-276 Relating to: requiring governmental bodies of school districts and certain political subdivisions to post meeting notices and minutes on their Web sites.

<http://www.legis.state.wi.us/2009/data/SB-276.pdf>

SB-276 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: Oppose, as drafted.

Specific reason for this position: Permitting towns to substitute Internet posting for one of their three obligatory posting locations is a good one and should be extended to cities and villages. Requiring that minutes of all "governmental bodies" be posted to the internet would create a significant, unfunded burden on various agencies of the City of Milwaukee. While all the agendas and minutes of the Common Council, its standing committees, and a handful of other bodies staffed by the office of the Common Council - City Clerk are already out on the web, there are dozens of other, smaller bodies that do not do so at present. The largest group of these are the Business Improvement Districts (BIDs) (of which there are now over three dozen), none of whom do this at present or necessarily have the capacity to do so. There are also internal bodies, created for particular purposes by public officials including the Mayor, which meet for short periods of time. They often struggle to meet the minimum requirements of posting notice, much less preparing and posting minutes to the Internet.

In smaller municipalities throughout the state, the office of the City Clerk is a "clearinghouse" of sorts for handling such matters. Often, the Clerk's office provides staff to these bodies. This is not the case in the City of Milwaukee and there is no requirement at present that any of the bodies to which I refer



provide the office of the Clerk their minutes. As a result, there is no present way for it to undertake this responsibility on behalf of these other agencies.

Estimated fiscal cost or revenue: Uncertain, but it would vary depending on the method of complying with this bill chosen by the Common Council. It probably would not require the hiring of new staff, but it would certainly impose a substantial new burden on existing staff, both within and without City government. Many BID boards, for example, are staffed by private sector individuals.

The information you provide will be helpful to the Judiciary and Legislation Committee in formulating the City's position.

Thank you.



## Legislation Details (With Text)

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**File #:** 090718      **Version:** 0

**Type:** Appointment      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Reappointment of Donald Fraker to the Administrative Review Appeals Board by the Mayor. (3rd Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:**

**Attachments:** Reappointment Letter, Attendance Record

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		

**Number**

090718

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Reappointment of Donald Fraker to the Administrative Review Appeals Board by the Mayor. (3rd Aldermanic District)

**Drafter**

Mayor

TB

9/22/09

September 22, 2009

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

Honorable Members of the Common Council:

I am pleased to reappoint Mr. Donald Fraker, 3061 North Shepard Avenue, Milwaukee, Wisconsin, 53211, to the Administrative Review Appeals Board. This reappointment is pursuant to Section 320-11 of the Milwaukee Code of Ordinances. Mr. Fraker'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,

A handwritten signature in cursive script that reads "Tom Barrett". The signature is written in black ink and is positioned above the printed name and title.

Tom Barrett  
Mayor



City Hall, Room 205  
200 E. Wells Street  
Milwaukee, WI 53202  
(414) 286-2221



**Office of the City Clerk**

---

Re: Common Council File Number  
Reappointment of Donald Fraker

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

- Number of meetings held: 11
- Number of meetings attended: 7
- Number of excused absences: 4
- Number of unexcused absences: 0

Please return this information to Linda Elmer Staff Assistant, City Clerk's Office, Room 205, City Hall.

Very truly yours,

RONALD D. LEONHARDT  
City Clerk

---



## Legislation Details (With Text)

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**File #:** 090719      **Version:** 0

**Type:** Appointment      **Status:** In Committee

**File created:** 9/22/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Reappointment of Jennifer Havas to the Administrative Review Appeals Board by the Mayor. (10th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** ADMINISTRATIVE REVIEW APPEALS BOARD, APPOINTMENTS

**Attachments:** Reappointment Letter, Attendance Record

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		

**Number**

090719

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Reappointment of Jennifer Havas to the Administrative Review Appeals Board by the Mayor. (10th Aldermanic District)

**Drafter**

Mayor

TB

9/22/09

September 22, 2009

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

Honorable Members of the Common Council:

I am pleased to reappoint Ms. Jennifer Havas, 1608 North 51<sup>st</sup> Street, Milwaukee, Wisconsin, 53208, to the Administrative Review Appeals Board. This reappointment is pursuant to Section 320-11 of the Milwaukee Code of Ordinances. Ms. Havas' term will commence upon taking of the oath of office.

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

Respectfully submitted,

A handwritten signature in black ink that reads "Tom Barrett". The signature is written in a cursive style with a large, sweeping initial "T".

Tom Barrett  
Mayor





City Hall, Room 205  
200 E. Wells Street  
Milwaukee, WI 53202  
(414) 286-2221



**Office of the City Clerk**

Re: Common Council File Number  
Reappointment of Jennifer Havas

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

- Number of meetings held: 11
- Number of meetings attended: 9
- Number of excused absences: 2
- Number of unexcused absences: 0

Please return this information to Linda Elmer Staff Assistant, City Clerk's Office, Room 205, City Hall.

Very truly yours,

RONALD D. LEONHARDT  
City Clerk



## Legislation Details (With Text)

---

**File #:** 090746      **Version:** 0

**Type:** Appointment      **Status:** In Committee

**File created:** 9/24/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Reappointment of Robert Shelledy to the Ethics Board by the Mayor.

**Sponsors:** THE CHAIR

**Indexes:** APPOINTMENTS, ETHICS BOARD

**Attachments:** Reappointment Letter, Attendance Information

Date	Ver.	Action By	Action	Result	Tally
9/24/2009	0	COMMON COUNCIL	ASSIGNED TO		

---

**File #:** 090746 **Version:** 0

---

**Number**

090746

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Reappointment of Robert Shelledy to the Ethics Board by the Mayor.

**Requestor**

**Drafter**

Mayor

tb

9/25/09

September 23, 2009

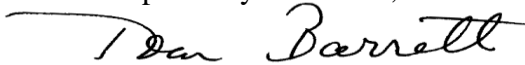
To the Honorable, the Common Council  
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to reappoint Mr. Robert Shelledy, Archdiocese of Milwaukee, P.O. Box 3087, Milwaukee, Wisconsin, 53201, to represent the Interfaith Council of Milwaukee on the Ethics Board. This reappointment is pursuant to Section 303-15 of the Milwaukee Code of Ordinances. Mr. Shelledy'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,

A handwritten signature in black ink, reading "Tom Barrett". The signature is written in a cursive style with a long horizontal line extending from the left.

Tom Barrett  
Mayor



City Hall, Room 205  
200 E. Wells Street  
Milwaukee, WI 53202  
(414) 286-2221



**Office of the City Clerk**

---

Re: Common Council File Number 090746

Reappointment of Robert Shelledy to the Ethics Board

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 and Legislation Committee meeting of October 5, 2009.

- Number of meetings held:   3
- Number of meetings attended:   2
- Number of excused absences:   1
- Number of unexcused absences:   0

Please return this information to Linda Elmer Staff Assistant, City Clerk's Office, Room 205, City Hall.

Very truly yours,

RONALD D. LEONHARDT  
City Clerk

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## Legislation Details (With Text)

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**File #:** 090371      **Version:** 0

**Type:** Appointment      **Status:** In Committee

**File created:** 7/7/2009      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Appointment of Eric Von to the Board of Review by the Mayor. (10th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** APPOINTMENTS, BOARD OF REVIEW

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

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/9/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/20/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0

**Number**

090371

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Appointment of Eric Von to the Board of Review by the Mayor. (10<sup>th</sup> Aldermanic District)

**Drafter**

Mayor

TB

7/7/09



July 7, 2009

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

Honorable Members of the Common Council:

I am pleased to appoint Mr. Eric Von, 4721 West Washington Boulevard, Milwaukee, Wisconsin, 53208, 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. Mr. Von'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,

A handwritten signature in black ink that reads "Tom Barrett". The signature is written in a cursive, flowing style with a long horizontal line extending from the start of the name.

Tom Barrett  
Mayor

**Eric Von**

**PROFESSIONAL EXPERIENCE:**

**Talk Show Host – *The Eric Von Show***

1290 WMCS AM Radio

Milwaukee, WI

April 2004-February 2009

Planned, produced and hosted daily, four-hour radio talk show; engaged guests and listeners in conversation on topics of local, national and international interest and impact.

**Co-Campaign Director**

Tom Barrett for Mayor Campaign

Milwaukee, WI

February 2003-April 2004

Developed strategy; speechwriter; coordinated media relations

**Public Information Officer**

Arizona Game and Fish Department

Phoenix, AZ

June 2001-February 2003

Wrote and disseminated press releases and articles for the Wildlife News publication

Planned and coordinated public events for diverse audiences

Wrote scripts and hosted PSAs and safety videos for agency

Served on the strategic planning team that re-wrote the state's fishing and hunting regulations

**Talk Show Host/Operations Mgr.**

1290 WMCS AM Radio

Milwaukee, WI

September 1991-March 2001

Planned, produced and hosted radio talk show. Coordinated efforts of the station's programming, sales, engineering and administrative departments to ensure that day to day objectives were met.

**Panelist – *Interchange***

Milwaukee Public TV

Milwaukee, WI

September 1993-Jan 1999

**Host – *Black Nouveau***

Milwaukee Public TV

Milwaukee, WI

September 1997-April 1999

**Special Assignment Reporter**

WISN-12 TV

Milwaukee, WI

January 1999-March 2001

**Columnist** – Shepherd Express Newspaper

Milwaukee, WI

November 1994-August 1996

**Business Manager/Announcer**

Radio One Inc.

Washington, DC

August 1987-August 1991

**EDUCATION:**

**Howard University**

Bachelor of Science Business Administration

Washington, DC

1980

**AFFILIATIONS:**

Charter Member Milwaukee Black Public Relations Society

Milwaukee Press Club Board

My Home Your Home Board

Milwaukee Fatherhood Initiative Board

Major League Mentoring Advisory Board

**REFERENCES:** Available upon request

**NOTICES SENT TO FOR FILE 090371:**

[illegible]



## 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		
9/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0

**Number**

080487

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to an appeal from John Zanger for property damage. (2<sup>nd</sup> Aldermanic District)

**Drafter**

CC-CC

dkf

8/6/09

**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

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 60<sup>th</sup> 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  
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

Dear City Clerk:

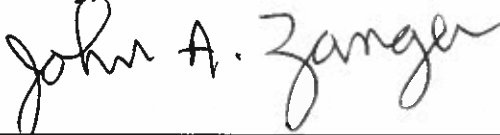
The purpose of this letter is to appeal the decision on my claim, which was made in the city's letter of July 7, 2009; a copy of which is attached and request a hearing.

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 established 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.

Sincerely,



JOHN ZANGER  
3616 NORTH 62<sup>ND</sup> STREET  
MILWAUKEE WI 53216  
414-873-4254  
zangerb@aol.com

CITY OF MILWAUKEE  
RECEIVED  
2009 JUL 29 PM 2:32  
CITY ATTORNEY  
2009 JUL 28 AM 11:12  
RECEIVED  
CITY OF MILWAUKEE  
CITY CLERK





ANTICIPATED DELIVERY DATE: 04/17/2009 20 03  
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	
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	
	<input type="checkbox"/> <input type="checkbox"/>	N/A
	<input type="checkbox"/> <input type="checkbox"/>	N/A
	<input type="checkbox"/> <input type="checkbox"/>	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		YES	NO
(A) That I am 18 years of age or older	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(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 <u>N/A</u> miles/kilometers reflects its actual mileage.	<input type="checkbox"/>	<input type="checkbox"/>
(B) That I have full power, right and lawful authority to dispose of the trade-in	<input type="checkbox"/>	<input type="checkbox"/>	(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.	<input type="checkbox"/>	<input type="checkbox"/>
(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.	<input type="checkbox"/>	<input type="checkbox"/>	(I) That the trade-in has not previously been a salvage vehicle, manufacturer buyback, or subject to any other title brands.	<input type="checkbox"/>	<input type="checkbox"/>
(D) That the trade-in does not have a cracked or defective head, block, powertrain, or frame (including supportive portion of unibody).	<input type="checkbox"/>	<input type="checkbox"/>	(J) That the trade-in has not previously been flood or water damaged.	<input type="checkbox"/>	<input type="checkbox"/>
(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.	<input type="checkbox"/>	<input type="checkbox"/>	(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.	<input type="checkbox"/>	<input type="checkbox"/>
(F) That the engine and transmission of the trade-in have not been changed from manufacturer's original equipment specifications.	<input type="checkbox"/>	<input type="checkbox"/>	(L) That the only holder(s) of a security interest or lien in the trade-in ("Lienholders") is (are) shown below.	<input type="checkbox"/>	<input type="checkbox"/>

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)

*John A. Zanger*

ACCEPTED BY DEALER OR AUTHORIZED AGENT

AUTHORIZED SIGNATURE

FORM NO. WISC-1

DATE  
SIGNED

04/17/2009

TIME  
SIGNED

6:55 P.M.

DATE  
SIGNED

04/17/2009

TIME  
SIGNED

6:55 P.M.

The Reynolds and Reynolds Company

TO ORDER: www.reysource.com; 1-800-344-0996; fax 1-800-531-9055

May 13, 2009

City Clerk of Milwaukee  
ATT: CLAIMS  
200 East Wells Street, Room 205  
Milwaukee, WI 53202-3567

CITY OF MILWAUKEE

MAY 27

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 60<sup>th</sup> 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.

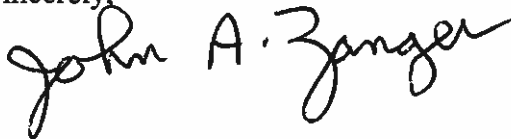
The damage to my car is shown in the attached photographs and includes a broken window, a pushed in driver door, a flat tire, a marked tire and scratch marks along the driver's side.

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 ZANGER  
3616 NORTH 62<sup>ND</sup> STREET  
MILWAUKEE WI 53216

414-873-4254

zangerb@aol.com

CITY OF MILWAUKEE  
RECEIVED  
MAY 28 3:54  
CITY ATTORNEY

CITY OF MILWAUKEE  
2009 MAY 27 PM 3:47  
RONALD D. LEGNARD  
CITY CLERK

POLICE # DISTRICT 7

ACCIDENT # 091240574

<input checked="" type="checkbox"/> Reportable Accident		<input type="checkbox"/> On Emergency		<input type="checkbox"/> 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/Fm/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			
<input type="checkbox"/> Hit and Run		<input type="checkbox"/> Government Property		<input type="checkbox"/> Fire		<input checked="" type="checkbox"/> Photos Taken		<input type="checkbox"/> Trailer or Towed	
<input checked="" type="checkbox"/> Truck, Bus, or Hazardous Materials			<input type="checkbox"/> Load Spillage		<input type="checkbox"/> Construction Zone			<input type="checkbox"/> Names Exchanged	
101 <input checked="" type="checkbox"/> Supplemental Reports			102 <input type="checkbox"/> Witness Statements			103 <input type="checkbox"/> Measurements Taken		79 - E M S Number	

GENERAL INFORMATION

Operator/Pedestrian

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 <input checked="" type="checkbox"/> 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 <input type="checkbox"/> 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		

OPERATOR/PEDESTRIAN 01

91 - Drugs Reported
124 - Highway Factors <b>NOT-APPLICABLE</b>

**Vehicle**

<b>VEHICLE 01</b>	21 - Unit Type <b>TRUCK</b>	Vehicle Type <b>UTILITY-TRUCK</b>				22 - Total Occupants <b>2</b>
	56 - License Plate Number <b>64082</b>	57 - Plate Type <b>MUN</b>	58 - State <b>WI</b>	59 - Exp Year	55 - Vehicle Identification Number <b>2FZACHBS44AM26506</b>	
	50 - Year <b>2004</b>	51 - Make <b>STLG</b>	52 - Model <b>ACTERRA</b>	53 - Body Style	54 - Color <b>YEL</b>	100 - Skidmarks to Impact (Ft)
	94 - Vehicle Damage <b>FRONT, FRONT PASSENGER SIDE</b>					
	95 - Extent Of Damage <b>MINOR</b>	96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By <b>OPERATOR</b>		
	123 - Vehicle Factors <b>NOT-APPLICABLE</b>					

**Vehicle Owner**

<b>VEH OWNER 01</b>	45 <input type="checkbox"/> Vehicle Owner Same As Operator				
	46 - Vehicle Owner Last Name	46 - First Name	46 - Middle Initial	46 - Suffix	
	48 - Company Name <b>CITY OF MILWAUKEE</b>				
	47 - Address Street & Number <b>2142 W CANAL ST</b>		47 - PO Box		
	48 - City <b>MILWAUKEE</b>	48 - State <b>WI</b>	48 - Zip Code <b>53233</b>	49 - Telephone Number <b>(414) 286-2150 EXT.</b>	

**Insurance**

<b>INS 01</b>	63 - Liability Insurance Company <b>GOVERNMENT</b>	60 <input type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name	61 - Policy Holder First Name
	61 - Policy Holder Company	

**School Bus**

<b>BUS 01</b>	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

**Operator/Pedestrian**

Unit Status		81 - Most Harmful Event: Collision With <b>MOTOR VEHICLE IN TRANSPORT</b>		23 - Dir Of Travel <b>SOUTH</b>	24 - Speed Limit <b>30</b>
36 - Operating as Classified <b>D CLASS</b>	37 - Endorsements		35 <input type="checkbox"/> Operating Commercial Motor Vehicle		
29 - Driver's License Number <b>Z5264614817102</b>	30 - State <b>WI</b>	31 - Expiration Year <b>2015</b>	34 - On Duty Accident		
25 - Operator/Pedestrian Last Name <b>ZANGER</b>		25 - First Name <b>JOHN</b>		25 - Middle Initial <b>A</b>	25 - Suffix
32 - Date Of Birth <b>05/11/1948</b>	33 - Sex <b>MALE</b>				

PK2007

OPERATOR/PEDESTRIAN 02

26 - Address Street & Number <b>3616 N 62ND ST</b>				26 - PO Box	
27 - City <b>MILWAUKEE</b>		27 - State <b>WI</b>	27 - Zip Code <b>53216</b>	28 - Telephone Number <b>(414) 873-4254 EXT.</b>	
39 - Seat Position <b>FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR)</b>				40 - Safety Equipment <b>SHOULDER-BELT-AND-LAP-BELT-USED</b>	
38 - Injury Severity <b>N - NO APPARENT INJURY</b>		41 - Airbag <b>NON-DEPLOYED</b>	42 - Ejected <b>NOT-EJECTED</b>	44 <input type="checkbox"/> Medical Transport	
43 - Trapped/Extricated <b>NOT-TRAPPED</b>		92 - Pedestrian Location		92 - Pedestrian Action	
119 - What Driver Was Doing <b>GOING-STRAIGHT</b>		120 - Traffic Control <b>NO-CONTROL</b>		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 <b>NOT-APPLICABLE</b>					
88 - Driver or Pedestrian Cond <b>APPEARED NORMAL</b>		89 - Substance Presence <b>NEITHER-ALCOHOL-NOR-DRUGS-PRESENT</b>			
90 - Alcohol Test <b>TEST NOT GIVEN</b>		90 - Alcohol Content		91 - Drug Test <b>TEST-NOT-GIVEN</b>	
91 - Drugs Reported					
124 - Highway Factors <b>NOT-APPLICABLE</b>					

**Vehicle**

VEHICLE 02

21 - Unit Type <b>AUTOMOBILE</b>		Vehicle Type <b>PASSENGER-CAR</b>			22 - Total Occupants <b>1</b>
56 - License Plate Number <b>634N8G</b>	57 - Plate Type <b>AUT</b>	58 - State <b>WI</b>	59 - Exp Year <b>2009</b>	55 - Vehicle Identification Number <b>1FALP6242RH190786</b>	
50 - Year <b>1994</b>	51 - Make <b>FORD</b>	52 - Model <b>THUNDERBIR</b>	53 - Body Style <b>2D</b>	54 - Color <b>GRN</b>	100 - Skidmarks to Impact (Ft)
94 - Vehicle Damage <b>REAR DRIVER SIDE, MIDDLE DRIVER SIDE</b>					
95 - Extent Of Damage <b>MODERATE</b>		96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By <b>OPERATOR</b>	
123 - Vehicle Factors <b>NOT-APPLICABLE</b>					

**Vehicle Owner**

VEH OWNER 02

45 <input checked="" type="checkbox"/> Vehicle Owner Same As Operator					
46 - Vehicle Owner Last Name <b>ZANGER</b>		46 - First Name <b>JOHN</b>	46 - Middle Initial <b>A</b>	46 - Suffix	
46 - Company Name					
47 - Address Street & Number <b>3616 N 62ND ST</b>			47 - PO Box		
48 - City <b>MILWAUKEE</b>		48 - State <b>WI</b>	48 - Zip Code <b>53216</b>	49 - Telephone Number <b>(414) 873-4254 EXT.</b>	

**Insurance**

INS 02	63 - Liability Insurance Company <b>BADGER-MUTUAL-INS-CO</b>		60 <input checked="" type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name <b>ZANGER</b>		61 - Policy Holder First Name <b>JOHN</b>
	61 - Policy Holder Company		

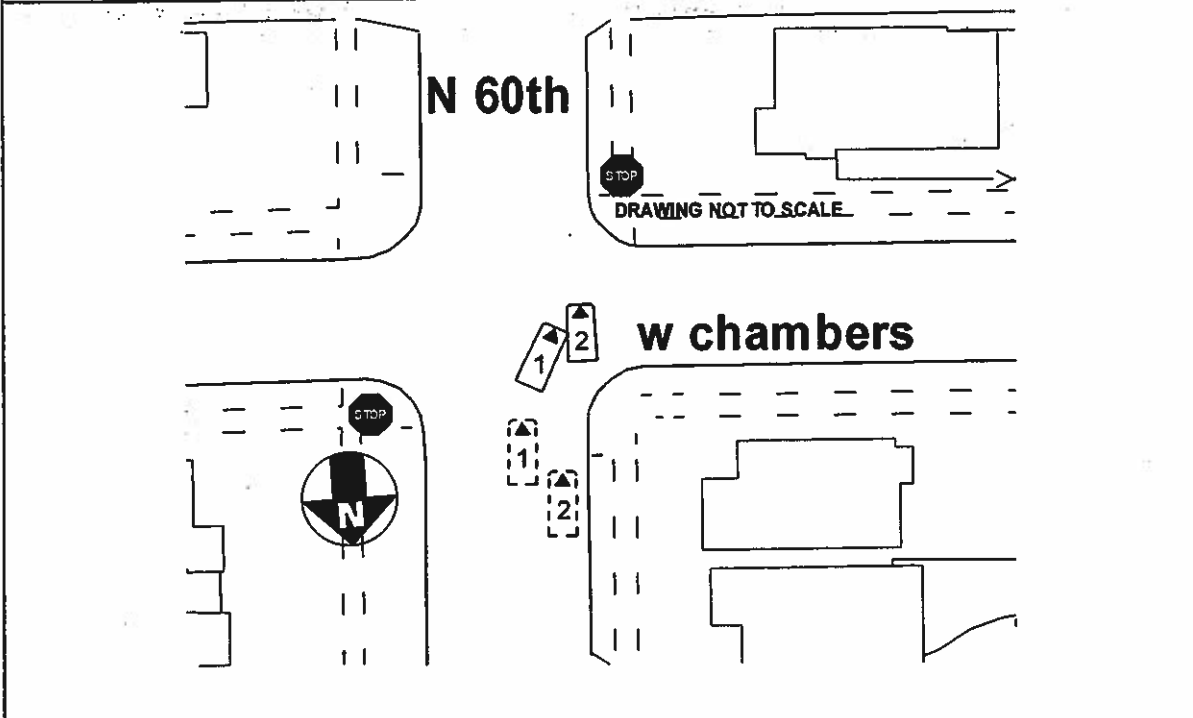
**School Bus**

BUS 02	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

**Occupant**

OCCUPANT 01	<input type="checkbox"/> Address Same As Operator				
	65 - Unit No <b>01</b>	66 - Occupant Last Name <b>SPITZER</b>	68 - First Name <b>TAMMY</b>	66 - Middle Initial <b>R</b>	66 - Suffix
	68 - Address Street & Number <b>2142 W CANAL ST</b>		68 - PO Box		
	68 - City <b>MILWAUKEE</b>		68 - State <b>WI</b>	68 - Zip Code <b>53233</b>	
	67 - Date of Birth <b>08/02/1979</b>		69 - Sex <b>FEMALE</b>		
	71 - Seat Position <b>FRONT-SEAT-RIGHT-SIDE-(TRAIN ENGINEER)</b>		72 - Safety Equipment <b>SHOULDER-BELT-AND-LAP-BELT-USED</b>		
	70 - Injury Severity <b>N - NO APPARENT INJURY</b>	73 - Airbag <b>NON-DEPLOYED</b>	75 - Ejected <b>NOT-EJECTED</b>	77 <input type="checkbox"/> Medical Transport	
	76 - Trapped/Extricated <b>NOT-TRAPPED</b>	76 - Agency Space			

**Diagram and Narrative**

DIAGRAM AND NARRATIVE	105 - PHOTOS BY <b>PO CRAWLEY</b>
	
<p>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.</p>	

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 <b>SUAREZ</b>		125 - First Name <b>JORGE</b>		125 - Middle Initial <b>O</b>		131 - Officer ID <b>08513</b>	
	129 - Law Enforcement Agency No. <b>006</b>		130 - Law Enforcement Agency Name <b>MILWAUKEE POLICE DEPARTMENT</b>					
	128 - Law Enforcement Agency Address Street & Number <b>749 WEST STATE STREET</b>							
	127 - City <b>MILWAUKEE</b>		127 - State <b>WI</b>		127 - Zip Code <b>53233</b>		128 - Telephone Number <b>(414) 933-4444 EXT.</b>	
	132 - Date Notified <b>05/04/2009</b>		133 - Time Notified (Military Time) <b>0928</b>		134 - Time Arrived (Military Time) <b>0943</b>		135 - Date Of Report <b>05/04/2009</b>	
	Agency Accident Number <b>091240574</b>		Police Number <b>DISTRICT 7</b>		19 - Special Study			
	18 - Agency Space <b>3000 N 60TH ST</b>							

### Truck and Bus

TRUCK/BUS 01	136 A truck or truck combination > 10,000 lbs GVWR/GCWR <input checked="" type="checkbox"/>				136 Any vehicle displaying a hazardous materials placard <input type="checkbox"/>			
	136 A vehicle designed to carry 9 or more people, including the driver <input type="checkbox"/>							
	136 Fatal Injury <input type="checkbox"/>		136 Medical Transport <input type="checkbox"/>		136 Towed <input checked="" type="checkbox"/>			
	Unit Number <b>01</b>							
	137 - Hazardous Materials Class Numbers							
	137 - Hazardous Materials "UN" Nos.				Hazardous Material Placard Displayed <input type="checkbox"/>		Hazardous Cargo Was Released <input type="checkbox"/>	
	137 - Name Of Hazardous Materials In this Load				137 - Name Of Hazardous Materials Released			
	138 Interstate Carrier <input type="checkbox"/>		140 - US DOT No.		140 - ICC MC No.		LC No.	
	141 - Source							
	139 - Carrier Name <b>CITY OF MILWAUKEE</b>							
	142 - Carrier Address <b>2142 W CANAL ST</b>				City <b>MILWAUKEE</b>		State <b>WI</b>	
	Zip Code <b>53233</b>							
143 - GVWR (Lbs) <b>19,900</b>		144 - Total No. of Axles <b>2</b>		145 - Vehicle Configuration <b>TRUCK/TRACTOR</b>			147 - Cargo Body Type <b>DUMP</b>	
146 - First Event <b>BLANK</b>				146 - Second Event <b>BLANK</b>				
146 - Third Event <b>BLANK</b>				146 - Fourth Event <b>BLANK</b>				















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  
ADDRESS: 5710 WEST NATIONAL AVENUE  
CITY STATE: WEST ALLIS, WI  
ZIP: 53214-

INSP DATE: 05/04/09  
CONTACT: TIM QUINN  
PHONE 1: (414) 476-9687  
FAX: (414) 476-4816

OWNER: ZANGNER, JOHN  
ADDRESS: 3616 N. 62ND  
CITY STATE: MILWAUKEE, WI  
ZIP: 53216

HOME PHONE: (414) 873-4234

POINT OF IMPACT: 7

LIC#: BODY COLOR: BLUE  
CONDITION:

STATE:

VIN: 1FALP6242RH190786  
MILEAGE:  
ACCTNG CTL#:

\*=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
EU0207			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
RI0369			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  
CD 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 TINT	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#: FA  
PROD.DATE: 04/94 PAINT CODE:

*=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  
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
---	---	---	-----	---	-----	-----	---	---	---	---
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 TINT	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
BR0103	13		FENDER, FRONT						
RI0161	02		TRACK ASSEMBLY, POWER	LT BLEND REFINISH				2.1	4
EU0207			DOOR ASSEMBLY, FRONT	R&I ASSEMBLY				1.5	1
0207			DOOR SHELL, FRONT	LT SALVAGE PART	375.00*+25.00			3.4	1
RI0312	#		MLDG, FRONT DOOR LOW	LT REFINISH				4.1	4
			# = 01, 02	LT R&I ASSEMBLY				0.6	1
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				
RI0369		BACK GLASS R & I		R&I ASSEMBLY				INC 1
E 0271		MLDG, BACK GLASS UPPER		E9SZ6342430A9G	45.17			2.3 1
E 0277		MLDG, BACK GLASS LOWER		E9SZ6342404A9G	55.60			INC 1
EU0389	02	PANEL, QUARTER	LT	SALVAGE PART	300.00**	25.00		INC 1
L 0389		PANEL, QUARTER	LT	REFINISH				15.0 1
I 0405	07	PNL, QUARTER INNER	LT	REPAIR				5.2 4
L 0405		PNL, QUARTER INNER	LT	REFINISH				5.0*1
EU0393	#	PNL, WHEELHOUSE INNE	LT	R&I ASSEMBLY				0.7 4
		# = 02, 07						5.0*1
L 0393		PNL, WHEELHOUSE INNE	LT	REFINISH				
EU0395		GLASS, QUARTER TINT	LT	SALVAGE PART	110.00**	25.00		0.6 4
E 0399	#	PNL, INNER QTR TRIM	LT	F4SZ6352019AE7	429.40			INC 1
		# = 01, 02						INC 1
E 0488	#	PNL, QTR TRIM LOWER	LT	F4SZ6331077BBS	122.68			INC 1
		# = 01, 02						
I 0566		COVER, REAR BUMPER		REPAIR				
L 0566		COVER, REAR BUMPER		REFINISH				2.0*1
E M03		FLEX ADDITIVE		NEW PART	6.00*			3.4 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*			4
L M66		COLOR, SAND & BUFF		REFINISH				1
E		L SEAT BELT REAR		NEW PART	214.78*			1.0*4
N		HEADLINER R @ I		ADDNL LABOR OPERA				1*
N		PULL L SIDE UNIT BODY		ADDNL LABOR OPERA				2.5*1*
								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					
OTHER PARTS					892.63
LINE ITEM MARKUP					785.00
PAINT MATERIAL					196.25+
PARTS & MATERIAL TOTAL					579.20
TAX ON PARTS & MATERIAL @					2,453.08
				5.600%	137.37
LABOR					
1-SHEET METAL	RATE	REPLACE HRS	REPAIR HRS		
2-MECH/ELEC	52.00	27.8	9.5		1,939.60
3-FRAME	75.00				
4-REFINISH	65.00		8.0		520.00
5-PAINT MATERIAL	52.00	18.1			941.20
	32.00				
LABOR TOTAL					
TAX ON LABOR					3,400.80
SUBLET REPAIRS		@		5.600%	190.44
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:**

[illegible]

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