

NOTICE OF CLAIM
Sec. 893.80(1)(a),(b), Wis. Stats.

VIA CERTIFIED MAIL AND PERSONAL SERVICE

City Clerk, City of Milwaukee
ATTN: CLAIMS
200 E. Wells Street, Room 205
Milwaukee, WI 53202-3567

Claimant: Beltway Capital Management, LLC
Claimant's Address: 11350 McCormick Road, Executive Plaza II, Suite 902
Hunt Valley, Maryland 21031
c/o Gray & Associates, LLP, Attorney William N. Foshag
16345 W Glendale Drive
New Berlin, Wisconsin 53151
(414) 224-3490
wfoshag@gray-law.com

Date of Occurrence: April 15, 2010 - April 25, 2010
Location of Occurrence: 2355-57 North 45th Street, Milwaukee, WI 53210

Circumstances of Claim: Breach of an agreement with the City to refrain from demolition of property until after a pending foreclosure action was completed.

Prior to filing the foreclosure action Claimant had learned that the City of Milwaukee had issued a demolition and raze order on the subject property. On July 23, 2009, Claimant deposited a \$7,500.00 escrow payment, confirmed by the City of Milwaukee by letter of the same date, a copy of which is attached.

After the July 23, 2009 letter and payment, Claimant remained in contact with the City of Milwaukee and the inspector assigned to the property. On August 11, 2009, the City advised Claimant that the City is willing to work with Claimant as long as Claimant is moving forward with the foreclosure and as long as Claimant cleaned out and secured the property. Claimant cleaned out and secured the property on August 24, 2009, initiated the foreclosure action, and notified the City of same on August 31, 2009. Claimant was notified on September 11, 2009 that the City had inspected the subject property to confirm that it had been secured and cleaned out as was previously discussed.

Under the belief and understanding that the City and Claimant had an agreement, the foreclosure action continued, and Claimant ordered property inspections to be completed on a monthly basis to confirm the property remained secured and boarded as instructed by the City. On October 23, 2009 Claimant ordered that the property be winterized to prevent against damage due to freezing temperatures, and on November 30, 2009 Claimant ordered that the property be cleaned up, specifically the exterior yard where trash was being dumped by unknown parties. This pattern continued with the understanding that once the foreclosure was complete, and should Claimant then become the lawful owner of the property, that a rehabilitation agreement would then be reached.

CITY OF MILWAUKEE
2010 AUG 19 PM 1:59
RONALD D. JEFFREY
CITY CLERK

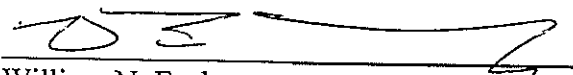
CITY OF MILWAUKEE
RECEIVED
2010 AUG 19 PM 2:45
OFFICE OF
CITY ATTORNEY

Claimant's monthly inspection records from July 2009 to April 2010 are attached. According to the inspection records as of the March 20, 2010 inspection the property remained intact. Claimant therefore allowed its counsel to proceed to sheriff's sale on April 5, 2010 and confirmation of that sale on April 19, 2010 as previously instructed. On April 26, 2010 it was discovered that the property had been demolished and all that remained was a vacant lot. Based upon online records, Claimant believes the demolition may have occurred on April 15, 2010, but prior to having received its own April 26, 2010 inspection records, Claimant had no indication from the City of Milwaukee or reason to believe that the property was to be demolished by the City in April 2010. Quite the opposite, Claimant believed that the City had agreed to hold off on the demolition until after the foreclosure process had been completed, and after Claimant had again conferred with the City Inspector assigned to the property.

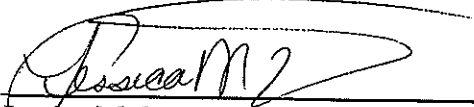
This document shall constitute proper notice of claim pursuant to the terms of **Sec. 893.80(1)(a), Wis. Stats.**, and is being duly served upon the City of Milwaukee. The claim is based upon **breach of an agreement** between the Claimant and the City to refrain from demolition of the subject property, 2355-57 North 45th Street, Milwaukee, WI 53210, until after such time as the Claimant could complete the foreclosure process and the City and the Claimant could thereafter further agree upon a rehabilitation agreement for the property.

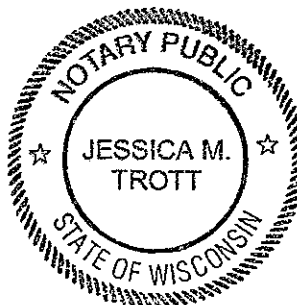
A claim setting forth an **itemized statement of the relief** sought, required by **Sec. 893.80(1)(b), Wis. Stats.** is as follows:

Loss of Claimant's July 23, 2009 Escrow Payment (see attached).....	\$7,500.00
Attorney's Fees associated with the foreclosure action.....	\$2,477.50
Costs associated with the foreclosure action.....	\$1,382.50
Monthly Property Inspections July 2009 to April 2010 (see attached).....	\$145.00
Costs associated with securing, boarding, cleaning up debris at the..... property (see attached)	\$3,225.00
Cost estimate associated with raze to be added to tax roll (see attached).....	\$7,550.00
Lost value of property if repaired (estimate liquidation "quick" sale value..... \$33,750.00, based on 65% of attached broker's estimate \$55,000.00 repaired value) versus current tax \$15,500.00 value of vacant lot (tax bills attached)	\$20,250.00
<u>TOTAL CLAIM</u>	<u>\$42,500.00</u>


William N. Foshag
State Bar No. 1020417

Subscribed and sworn to before me
this 6th day of August, 2010.


Jessica M. Trott, Notary Public,
State of Wisconsin, Waukesha County
My commission expires: 08/07/2011





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

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

2355 N 45TH S
Jul 23, 2009/1:24P
01-269443/H/\$7500.0

INTENT TO AGREE

July 23, 2009

To Whom it May Concern:

RE: 2355-57 N 45 St
Raze order NO. 6989901

The Department of Neighborhood Services hereby accepts the \$7,500 escrow payment and hereby agrees to stay enforcement of raze order at 2355-57 N 45 Street for 90 days to allow the owner to negotiate a restoration agreement for above-mentioned raze order.

Very Truly yours,

Ronald Roberts, Manager
Condemnation Division

=====

CITY OF MILWAUKEE
DEPT OF NEIGHBORHOOD SERVICES
841 N BROADWAY, Room 105

Reg-Receipt:01-0269443 C:Jul 23 2009
Cashier:H 1:24pm A:Jul 23 2009

=====

0650 RAZING-DEMO DEPOSITS	\$7500.00
2355 N 45TH ST	
=====	
TOTAL DUE:	\$7500.00
=====	
RECEIVED FROM:	
BANK OF AMERICA, BELTWAY CAPITAL LLC	
Check	\$7500.00
=====	
TOTAL TENDERED:	\$7500.00
=====	
CHANGE DUE:	\$0.00
=====	



Cashier's Check

No. 3476717

Not to be cashed for the cash, the check is to be cashed at the bank of America, N.A. or any branch thereof, and within 90 days of the date of issue, subject to prior deposit. This check should be negotiated within 90 days.

Date: 03/11/2009

3476717

Banking Center
HUNT VALLEY

5018083 00606 003476717

BELOW: CREDIT INC.
Reimbursement (Purchased By)

\$ **7500.00**

Pay **SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00 CENTS**

To:
The
Order
Of
CITY OF WILMINGTON
**2355-2357 N. 15TH ST **

Bank of America, N.A.
San Antonio, Texas

VOID AFTER 90 DAYS

[Signature]
Authorized Signature

⑈3476717⑈ ⑆114000019⑆ 001641001015⑈

THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK. THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK.

**NATIONAL FIELD NFR...
REPRESENTATIVES**

 1000 1470, 01/01/2009, 1470 05/73
 Phone: (603) 543-1000
 Fax: (603) 543-1818

Vacancy Report	
BSI FINANCIAL SERVICES, INC DAMION BROWN 2355 - 2357 N 45TH ST MILWAUKEE, WI 53210	ATTN: Orderdesk Loan #: 94-129624-16 Loan Type: CONV-UN Insp Type: PI Insp Chg: \$15.00 Inv#: 5073009
Occupancy Information	Property Condition
Occ: VAC For Sale: NO Occupied By: How Verified: VISUAL	Condition: POOR Prop Type: DUPLEX Construction: FRAME Neighborhood: DECLINING House Color: BROWN WHITE # of Stories: 2 STORY Est Value: 50-75K
Vacancy Information	Damage / Hazards
Elect On: No Gas On: No Water On: No Pers. Prop: No Pool On-Site: No Pool Secure: Prop Secure: Yes Ht of Grass: 6 IN	<i>Checked only if noted</i> Storm: Neglect: Flood: Vandalism: Yes Fire: Yes Roof Leak: Freeze: Env Haz: Other: FTV Date: 1/12/2009
Interview Information	
Interviewee: Home Phone: Work Phone: Reason Del: Attitude: Income Type: Income Amt:	Tenant Name: Rent Paid To: Tenant Phone: Oblig Type: Oblig Name: Oblig Bal: Oblig Pmt:
Inspection Information	
Date Insp: 7/16/2009 Returned: Reps Initials: MS-WI Wint'd: Sec'd:	Comments: NO SECURING COMPLETED- FIRE DAMAGE- BOARDED - OPEN WORK ORDER TO REMOVE GREEN BOARD & INSTALLING SECURITY DOOR. PROVIDE ESTIMATES TO REPLACE/REPAIR FRONT DOOR, BOARD & REPAIR FIRE DAMAGE. Recommend: PLEASE ADVISE IF ANY ACTION IS NEEDED.

NATIONAL FIELD
REPRESENTATIVESPO Box 1440, Claremont, NH 03743
Phone: (603) 543-1000
Fax: (603) 543-1818

Work Order Completion

TRANSMISSION TO: Brian Gray 8/04/2009
BSI FINANCIAL SERVICES,
INC 824475

!! Damages Noted !!

REGARDING:

LOAN NUMBER: 94-129624-16
BORROWER NAME: DAMION BROWN
PROPERTY ADDRESS: 2355 - 2357 N 45TH ST
CITY, STATE, ZIP: MILWAUKEE, WI 53210

COMPLETION DATE: 7/27/2009

DEAR Brian Gray:

The following work has been completed:

- Secured property to master A389
- Installed lockbox coded to 1250
- Removed green board and installed security door per bid
- The following are our estimates to remove interior debris, refrigerator, paint, board windows, remove personals, install new front door, hire 3rd party fire inspector to complete the estimate to check if property can be salvaged.

Thank you for this opportunity to be of service.

Ginger Ohlson

FTV: 1/12/2009 SEC: 7/27/2009 WINT: 11/11/2009 CC: KEY: A389

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Inspection Results	
BSI FINANCIAL SERVICES, INC DAMION BROWN 2355 - 2357 N 45TH ST MILWAUKEE, WI 53210	ATTN: Orderdesk Loan #: 94-129624-16 Loan Type: CONV-UN Insp Type: PI Insp Chg: \$19.00 Inv#: 5073341
Occupancy Information	Property Condition
Occ: VAC For Sale: NO Occupied By: How Verified: VISUAL	Condition: POOR Prop Type: DUPLEX Construction: FRAME Neighborhood: STABLE House Color: BROWN/WHITE # of Stories: 2 STORY Est Value: 75K
Vacancy Information	Damage / Hazards
Elect On: No Gas On: No Water On: No Pers. Prop: No Pool On-Site: No Pool Secure: Prop Secure: Yes Ht of Grass: 4"	<i>Checked only if noted</i> Storm: Neglect: Flood: Vandalism: Fire: Roof Leak: Freeze: Env Haz: Other: FTV Date: 1/12/2009
Interview Information	
Interviewee: Home Phone: Work Phone: Reason Del: Attitude: Income Type: Income Amt:	Tenant Name: Rent Paid To: Tenant Phone: Oblig Type: Oblig Name: Oblig Bal: Oblig Pmt:
Inspection Information	
Date Insp: 8/18/2009 Returned: 8/19/2009 Reps Initials: MS-WI Wint'd: Sec'd: 7/27/2009	Comments: 08/16/09 ESTIMATE DENIED Recommend:

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Vacancy Report	
BSI FINANCIAL SERVICES, INC DAMION BROWN 2355 - 2357 N 45TH ST MILWAUKEE, WI 53210	ATTN: Orderdesk Loan #: 94-129624-16 Loan Type: CONV-UN Insp Type: PI Insp Chg: \$19.00 Inv#: 5073698
Occupancy Information	Property Condition
Occ: VAC For Sale: NO Occupied By: How Verified: VISUAL	Condition: POOR Prop Type: DUPLEX Construction: FRAME Neighborhood: DECLINING House Color: WHITE / BROWN # of Stories: 2 STORY Est Value: 50K
Vacancy Information	Damage / Hazards
Elect On: No Gas On: No Water On: No Pers. Prop: No Pool On-Site: No Pool Secure: Prop Secure: Yes Ht of Grass: 4"	<i>Checked only if noted</i> Storm: Neglect: Flood: Vandalism: Fire: Yes Roof Leak: Freeze: Env Haz: Other: FTV Date: 1/12/2009
Interview Information	
Interviewee: Home Phone: Work Phone: Reason Del: Attitude: Income Type: Income Amt:	Tenant Name: Rent Paid To: Tenant Phone: Oblig Type: Oblig Name: Oblig Bal: Oblig Pmt:
Inspection Information	
Date Insp: 9/18/2009 Returned: Reps Initials: MS-WI Wint'd: Sec'd: 7/27/2009	Comments: 08/16/09 ESTIMATE DENIED Recommend:

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Message: (1-1) of 1 record

To:	Brian Gray	Posted:	10/08/2009 11:05:13 AM
From:	Cindy St. Amant	Read:	10/08/2009 4:43:38 PM
Subject:	RE: Milwaukee advisory notice		
Relates To:	Loan: 94-129624-16 - P.I. - VAC - Inspected: 09/18/2009		

Good Morning Brian,

You can e-mail me the notice to cstamant@nationalfieldreps.com and I will keep it in your file.

Thank you,
Cindy ext. 225

On 10/08/2009 10:51 am Brian Gray (BSIBELT) wrote:
Cindy, our foreclosure attorney received an advisory notice from the city of Milwaukee. I have the notice if you need it please provide your email address. As you will see the property is vacant and has been secured. It use to have a raze against it but I have worked with the city to clear that by cleaning out the property. If you have any questions please call me at 410-403-2077. Thanks Brian

Reply

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Vacancy Report	
BSI FINANCIAL SERVICES, INC DAMION BROWN 2355 - 2357 N 45TH ST MILWAUKEE, WI 53210	ATTN: Orderdesk Loan #: 94-129624-16 Loan Type: CONV-UN Insp Type: PI Insp Chg: \$15.00 Inv#: 5074031
Occupancy Information	Property Condition
Occ: VAC For Sale: NO Occupied By: How Verified: VISUAL	Condition: POOR Prop Type: DUPLEX Construction: FRAME Neighborhood: STABLE House Color: BROWN.WHITE # of Stories: 2 STORY Est Value:
Vacancy Information	Damage / Hazards
Elect On: No Gas On: No Water On: No Pers. Prop: No Pool On-Site: No Pool Secure: Prop Secure: Yes Ht of Grass: 3"	<i>Checked only if noted</i> Storm: Neglect: Flood: Vandalism: Fire: Yes Roof Leak: Freeze: Env Haz: Other: FTV Date: 1/12/2009
Interview Information	
Interviewee: Home Phone: Work Phone: Reason Del: Attitude: Income Type: Income Amt:	Tenant Name: Rent Paid To: Tenant Phone: Oblig Type: Oblig Name: Oblig Bal: Oblig Pmt:
Inspection Information	
Date Insp: 10/15/2009 Returned: Reps Initials: MS-WI Wint'd: Sec'd: 7/27/2009	Comments: OPEN WORK ORDER TO REGISTER VACANT BUILDING Recommend:

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Message: (1-1) of 1 record

To: Brian Gray	Posted: 10/23/2009 9:06:38 AM
From: Sarah Gorman	Read: 10/23/2009 1:37:44 PM
Subject: Vacant Building Registration	
Relates To: Loan: 94-129624-16 - WO#844177 - Vacant Building Registration - Completed: 10/13/2009	
The following work has been completed:	
<ul style="list-style-type: none">• The registration form was completed and sent via UPS to the City• Confirmed on the UPS web site that the package was delivered	
Thank You Sarah	
Reply	

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NATIONAL FIELD REPRESENTATIVESPO Box 1440, Claremont, NH 03743
Phone: (603) 543-1000
Fax: (603) 543-1818**Work Order Completion**

TRANSMISSION TO: Brian Gray 11/03/2009
BSI FINANCIAL SERVICES,
INC 848727

REGARDING:

LOAN NUMBER: 94-129624-16
BORROWER NAME: DAMION BROWN
PROPERTY ADDRESS: 2355 - 2357 N 45TH ST
CITY, STATE, ZIP: MILWAUKEE, WI 53210

COMPLETION DATE: 10/27/2009

DEAR Brian Gray:

The following work has been completed:

- Winterized best possible due to being interrupted by gang members surrounding vehicle and locking reps in house, bid to follow.

Thank you for this opportunity to be of service.

Renee Peters

FTV: 1/12/2009 SEC: 7/27/2009 WINT: 11/11/2009 CC: KEY: A389

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Phone: (603) 543-1000
Fax: (603) 543-1818**Work Order Completion****TRANSMISSION TO:** Brian Gray 11/20/2009
BSI FINANCIAL SERVICES,
INC 851679**REGARDING:****!! Damages Noted !!****LOAN NUMBER:** 94-129624-16
BORROWER NAME: DAMION BROWN
PROPERTY ADDRESS: 2355 - 2357 N 45TH ST
CITY, STATE, ZIP: MILWAUKEE, WI 53210**COMPLETION DATE:** 11/11/2009

DEAR Brian Gray:

The following work has been completed:

- Obtained police assistance to complete winterization per bid
- Completed winterization best possible due to missing water meter, water heater removed from pipes, and no plumbing to blow air through lines. Utilities are off, and water is off at street.
- The following is our estimate to remove exterior debris

• * * * * DAMAGES NOTED * * * * *

*Plumbing damages: \$12,800.00

- Water meter missing
- Water heater detached from pipes
- Plumbing missing
- Sump pump missing

• * * * * DAMAGES NOTED * * * * *

Thank you for this opportunity to be of service.

Renee Peters

FTV: 1/12/2009 SEC: 7/27/2009 WINT: 11/11/2009 CC: KEY: A389

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Inspection Results	
BSI FINANCIAL SERVICES, INC DAMION BROWN 2355 - 2357 N 45TH ST MILWAUKEE, WI 53210	ATTN: Orderdesk Loan #: 94-129624-16 Loan Type: CONV-UN Insp Type: PI Insp Chg: \$17.00 Inv#: 5074349
Occupancy Information	Property Condition
Occ: VAC For Sale: NO Occupied By: How Verified: VISUAL	Condition: POOR Prop Type: DUPLEX Construction: FRAME Neighborhood: DECLINING House Color: brown/white # of Stories: 2 STORY Est Value: 50-75k
Vacancy Information	Damage / Hazards
Elect On: No Gas On: No Water On: No Pers. Prop: No Pool On-Site: No Pool Secure: Prop Secure: Yes Ht of Grass: 3 in	<i>Checked only if noted</i> Storm: Neglect: Flood: Vandalism: Fire: Yes Roof Leak: Freeze: Env Haz: Other: FTV Date: 1/12/2009
Interview Information	
Interviewee: Home Phone: Work Phone: Reason Del: Attitude: Income Type: Income Amt:	Tenant Name: Rent Paid To: Tenant Phone: Oblig Type: Oblig Name: Oblig Bal: Oblig Pmt:
Inspection Information	
Date Insp: 11/14/2009 Returned: 11/17/2009 Reps Initials: MS-WI Wint'd: 11/11/2009 Sec'd: 7/27/2009	Comments: open work order to complete approved bid work Recommend:

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Vacancy Report	
BSI FINANCIAL SERVICES, INC DAMION BROWN 2355 - 2357 N 45TH ST MILWAUKEE, WI 53210	ATTN: Orderdesk Loan #: 94-129624-16 Loan Type: CONV-UN Insp Type: PI Insp Chg: \$15.00 Inv#: 5074721
Occupancy Information	Property Condition
Occ: VAC For Sale: NO Occupied By: How Verified: VISUAL	Condition: POOR Prop Type: DUPLEX Construction: FRAME Neighborhood: DECLINING House Color: BROWN # of Stories: 2 STORY Est Value: 75K
Vacancy Information	Damage / Hazards
Elect On: No Gas On: No Water On: No Pers. Prop: No Pool On-Site: No Pool Secure: Prop Secure: Yes Ht of Grass:	<i>Checked only if noted</i> Storm: Neglect: Flood: Vandalism: Fire: Yes Roof Leak: Freeze: Env Haz: Other: FTV Date: 1/12/2009
Interview Information	
Interviewee: Home Phone: Work Phone: Reason Del: Attitude: Income Type: Income Amt:	Tenant Name: Rent Paid To: Tenant Phone: Oblig Type: Oblig Name: Oblig Bal: Oblig Pmt:
Inspection Information	
Date Insp: 12/17/2009 Returned: Reps Initials: MS-WI Wint'd: 11/11/2009 Sec'd: 7/27/2009	Comments: OPEN ESTIMATES REMAIN VALID Recommend: PLEASE ADVISE ON OPEN ESTIMATES

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Vacancy Report	
BSI FINANCIAL SERVICES, INC DAMION BROWN 2355 - 2357 N 45TH ST MILWAUKEE, WI 53210	ATTN: Orderdesk Loan #: 94-129624-16 Loan Type: CONV-UN Insp Type: PI Insp Chg: \$15.00 Inv#: 5075047
Occupancy Information	Property Condition
Occ: VAC For Sale: NO Occupied By: How Verified: VISUAL	Condition: POOR Prop Type: DUPLEX Construction: FRAME Neighborhood: STABLE House Color: white, brown # of Stories: 2 STORY Est Value: 30
Vacancy Information	Damage / Hazards
Elect On: No Gas On: No Water On: No Pers. Prop: No Pool On-Site: No Pool Secure: Prop Secure: Yes Ht of Grass: 0 in	<i>Checked only if noted</i> Storm: Neglect: Flood: Vandalism: Fire: Yes Roof Leak: Freeze: Env Haz: Other: FTV Date: 1/12/2009
Interview Information	
Interviewee: Home Phone: Work Phone: Reason Del: Attitude: Income Type: Income Amt:	Tenant Name: Rent Paid To: Tenant Phone: Oblig Type: Oblig Name: Oblig Bal: Oblig Pmt:
Inspection Information	
Date Insp: 1/18/2010 Returned: Reps Initials: MS-WI Wint'd: 11/11/2009 Sec'd: 7/27/2009	Comments: Open estimates remain valid Recommend: Please advise on open estimates

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Inspection Results	
BSI FINANCIAL SERVICES, INC DAMION BROWN 2355 - 2357 N 45TH ST MILWAUKEE, WI 53210	ATTN: Orderdesk Loan #: 94-129624-16 Loan Type: CONV-UN Insp Type: PI Insp Chg: \$15.00 Inv#: 5075420
Occupancy Information	Property Condition
Occ: VAC For Sale: NO Occupied By: How Verified: VISUAL	Condition: POOR Prop Type: DUPLEX Construction: FRAME Neighborhood: DECLNING House Color: WHITE/BROWN # of Stories: 2 STORY Est Value: 50-75K
Vacancy Information	Damage / Hazards
Elect On: No Gas On: No Water On: No Pers. Prop: No Pool On-Site: No Pool Secure: Prop Secure: Yes Ht of Grass: 0 IN	<i>Checked only if noted</i> Storm: Neglect: Flood: Vandalism: Fire: Yes Roof Leak: Freeze: Env Haz: Other: FTV Date: 1/12/2009
Interview Information	
Interviewee: Home Phone: Work Phone: Reason Del: Attitude: Income Type: Income Amt:	Tenant Name: Rent Paid To: Tenant Phone: Oblig Type: Oblig Name: Oblig Bal: Oblig Pmt:
Inspection Information	
Date Insp: 2/13/2010 Returned: 2/16/2010 Reps Initials: MS-WI Wint'd: 11/11/2009 Sec'd: 7/27/2009	Comments: Recommend:

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Inspection Results	
BSI FINANCIAL SERVICES, INC DAMION BROWN 2355 - 2357 N 45TH ST MILWAUKEE, WI 53210	ATTN: Orderdesk Loan #: 94-129624-16 Loan Type: CONV-UN Insp Type: PI Insp Chg: \$15.00 Inv#: 5076128
Occupancy Information	Property Condition
Occ: VAC For Sale: NO Occupied By: How Verified: VISUAL	Condition: POOR Prop Type: DUPLEX Construction: FRAME Neighborhood: STABLE House Color: BROWN/WHITE # of Stories: 2 STORY Est Value: 50K
Vacancy Information	Damage / Hazards
Elect On: No Gas On: No Water On: No Pers. Prop: No Pool On-Site: No Pool Secure: Prop Secure: Yes Ht of Grass:	<i>Checked only if noted</i> Storm: Neglect: Flood: Vandalism: Fire: Yes Roof Leak: Freeze: Env Haz: Other: FTV Date: 1/12/2009
Interview Information	
Interviewee: Home Phone: Work Phone: Reason Del: Attitude: Income Type: Income Amt:	Tenant Name: Rent Paid To: Tenant Phone: Oblig Type: Oblig Name: Oblig Bal: Oblig Pmt:
Inspection Information	
Date Insp: 3/20/2010 Returned: 3/23/2010 Reps Initials: MS-WI Wint'd: 11/11/2009 Sec'd: 7/27/2009	Comments: Recommend:

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PO Box 1440, Claremont, NH 03743
Phone: (603) 543-1000
Fax: (603) 543-1818

Vacancy Report	
BSI FINANCIAL SERVICES, INC DAMION BROWN 2355 - 2357 N 45TH ST MILWAUKEE, WI 53210	ATTN: Orderdesk Loan #: 94-129624-16 Loan Type: CONV-UN Insp Type: PI Insp Chg: (Not Yet Inv)
Occupancy Information	Property Condition
Occ: VAC For Sale: NO Occupied By: How Verified: VISUAL	Condition: FAIR Prop Type: VAC LAND Construction: OTHER Neighborhood: STABLE House Color: # of Stories: OTHER Est Value:
Vacancy Information	Damage / Hazards
Elect On: No Gas On: No Water On: No Pers. Prop: No Pool On-Site: No Pool Secure: Prop Secure: Yes Ht of Grass:	<i>Checked only if noted</i> Storm: Neglect: Flood: Vandalism: Fire: Roof Leak: Freeze: Env Haz: Other: FTV Date: 1/12/2009
Interview Information	
Interviewee: Home Phone: Work Phone: Reason Del: Attitude: Income Type: Income Amt:	Tenant Name: Rent Paid To: Tenant Phone: Oblig Type: Oblig Name: Oblig Bal: Oblig Pmt:
Inspection Information	
Date Insp: 4/26/2010 Returned: Reps Initials: MS-WI Wint'd: 11/11/2009 Sec'd: 7/27/2009	Comments: 4/10 VACANT LOT, HOME DEMOLISHED Recommend: PLEASE ADVISE IF ANY ACTION IS NEEDED

[Overview](#) | [Send Message](#) | [Forward Item](#) | [1 photo](#)

Updated: 05/24/2010 - 04:41 pm

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ALLING DEVELOPMENT, INC.
3707 N. RICHARDS STREET #104
MILWAUKEE, WI 53212

INVOICE: 046

Work order #: Beltway Capital management, llc 001
Address: 2355 N. 45th Street Milwaukee, WI
Taxkey #: 328-1278-000
Case #: N/A

Work to be performed:

BOARD-UP OF 16 WINDOWS ON 2ND & 3RD FLOOR , REMOVAL OF APPROX. 45 TO 50 YARDS OF FIRE DEBRIS FROM PROPERTY, ALL FLOORS WILL BE SWEEP CLEAN. BROKEN GLASS AND DEBRIS WILL BE REMOVED FROM OUTSIDE OF PROPERTY. ALL MATERIAL WILL BE REMOVED FROM SITE.

COST TO COMPLETE: \$3,225.00

PLEASE MAKE ALL CHECKS PAYABLE TO: ALLING DEVELOPMENT, INC.

Thank you

LIC. NO.
HICN 0009249

Permit detail 2355 N 45TH ST
Taxkey 328-1278-000
Permit #:850450

Printed 08/06/10 07:54

Current district:592 Permit Date:03/04/2010
Tract: 49

Permit type:745 Razing

AKA:2355 0 N 45TH ST
Addit info:
Fee: 112.57 Est cost: 7069 Occupancy:2 FAMILY Use code: 2
Contractor:CREAM CITY WRECKING #Units: 2
Owner on permit: ALLEGRA COCOS
535320000

Section:Condemnation #Open Sections: 0
Curr Status:Closed Inspection#:
Open/Final:Final Last Status Change Date:04/15/2010 By:HAMMERMAN, MICHAEL
Raze Type:Razed by City

Permit History

Section	Date	Status	By
Condemnation	04/15/2010	1 Closed	HAMMERMAN, MICHAEL

Permit detail 2355 N 45TH ST
Taxkey 328-1278-000
Permit #:850451

Printed 08/06/10 07:54

Current district:592 Permit Date:03/04/2010
Tract: 49

Permit type:771 Erosion Control with Raze

AKA:2355- 0 N 45TH ST
Addit info: Occupancy:2 FAMILY Use code: 2
Fee: 150.00 Est cost: 169 #Units: 0
Contractor:CREAM CITY WRECKING
Owner on permit: DAMION BROWN
53210

Section:Condemnation #Open Sections: 0
Curr Status:Closed Inspection#: 0
Open/Final:Final Last Status Change Date:06/24/2010 By:KRAUS, BRIAN J
Raze Type:

Permit History

Section	Date	Status	By
Condemnation	06/24/2010	1 Closed	KRAUS, BRIAN J

2009 CITY OF MILWAUKEE COMBINED PROPERTY TAX BILL

ACCOUNT TYPE: REAL ESTATE

TAX KEY/ACCOUNT NO: 328-1278-9

LOCATION OF PROPERTY: 2355 - 2357 N 45TH ST

LEGAL DESCRIPTION: PLAT PAGE 328-12 NEIGHBORHOOD 2520

KEYSTONE IN SE 1/4 SEC 14-7-21

BLOCK 4 S 2' LOT 4 + N 34' LOT 5

WAYNE F. WHITTOW**CITY TREASURER**

CITY HALL, ROOM 103

200 EAST WELLS STREET

MILWAUKEE, WISCONSIN 53202

TELEPHONE: (414) 286-2240

TTY: (414) 286-2025

FAX: (414) 286-3186

www.milwaukee.gov/treasurer

DAMION BROWN

2355 N 45TH ST

MILWAUKEE, WI

53210

PRIOR TAXES ARE DELINQUENT

Class	Assessment-Land	Assmt.-Improvements	Total Assessment	Detail of Special Assessments and Other Charges	
RES	5,600	8,800	14,400	DELQ CITY SERVICES	376.68
				DNS MISCELLANEOUS	525.00
				WEED REMOVAL	150.00
				DELQ WATER	1,737.76
				ADDITIONAL CHARGES	715.78
				TOTAL	3,505.22
Avg. Assmt. Ratio	Est. Fair Mkt-Land	Est. Fair Mkt.- Improvements	Total Est. Fair Market		
0.9282	6,000	9,500	15,500		
School taxes reduced by school levy tax credit			24.77		
Tax Levy	2008 Est. State Aids	2009 Est. State Aids	2008 Net Tax	2009 Net Tax	% Change
State of Wis.			19.50	2.64	-86.4
Sewerage Dist.			148.36	20.60	-86.1
Public Schools	704,260,990	695,778,554	894.63	128.73	-85.6
Tech. College	10,042,581	10,023,709	210.89	29.72	-85.9
County Govt.	29,627,260	29,345,589	455.08	64.52	-85.8
City Govt.	262,954,412	260,881,942	876.64	127.96	-85.4
Total	1,006,885,243	996,029,794	2,605.10	374.17	-85.6
First Dollar Credit			-37.82	-73.11	+93.3
Lottery and Gaming Credit			0.00	0.00	
Net Property Tax			2,567.28	301.06	-88.2
Special Assessments and Charges				3,505.22	
WARNING: If the first installment payment is not paid by the due date, the installment option is lost. The total tax becomes delinquent and is subject to interest and penalty charges.			TOTAL DUE		3,806.28
Monthly Installment Payment Due: February through July 2010	206.71	Net Assessed Value Rate Before Credits 25.984	FULL PAYMENT DUE ON OR BEFORE JAN. 31, 2010		3,806.28
Monthly Installment Payment Due: August, September, and October 2010	197.25		FIRST INSTALLMENT PAYMENT DUE ON OR BEFORE JAN. 31, 2010		1,974.27

2009 CITY OF MILWAUKEE COMBINED PROPERTY TAX PAYMENT COUPON

ACCOUNT TYPE: REAL ESTATE

TAX KEY/ACCOUNT NO: 328-1278-9

LOCATION OF PROPERTY: 2355 - 2357 N 45TH ST

____ CHECK FOR ADDRESS CHANGE
 ____ PAID UNDER PROTEST

Make Check Payable and Mail to: WAYNE F. WHITTOW CITY TREASURER BOX 78776 MILWAUKEE, WI 53278-0776	FULL PAYMENT DUE ON OR BEFORE JAN. 31, 2010	3,806.28
	FIRST INSTALLMENT PAYMENT DUE ON OR BEFORE JAN. 31, 2010	1,974.27
PLEASE WRITE IN AMOUNT ENCLOSED <div style="display: flex; justify-content: space-between;"> \$ M </div>		

DAMION BROWN

2355 N 45TH ST

MILWAUKEE, WI

53210

PRIOR TAXES ARE DELINQUENT

0010100363281278000900003806280001974270

2008 CITY OF MILWAUKEE COMBINED PROPERTY TAX BILL

ACCOUNT TYPE: REAL ESTATE

TAX KEY/ACCOUNT NO: 328-1278-9

LOCATION OF PROPERTY: 2355 - 2357 N 45TH ST

LEGAL DESCRIPTION: PLAT PAGE 328-12 NEIGHBORHOOD 2520

KEYSTONE IN SE 1/4 SEC 14-7-21

BLOCK 4 S 2' LOT 4 + N 34' LOT 5

WAYNE F. WHITTOW**CITY TREASURER**

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FAX: (414) 286-3186

www.milwaukee.gov/treasurer

DAMION BROWN

2355 N 45TH ST

MILWAUKEE, WI

53210

Class	Assessment-Land	Assmt.-Improvements	Total Assessment	Detail of Special Assessments and Other Charges	
RES	5,600	102,800	108,400	WEED REMOVAL	105.00
				DELQ MMSD SEWER	1,606.29
				BUILDING NUISANCE	761.00
				DELQ CITY SERVICES	326.05
				ADDITIONAL CHARGES	2,661.29
				TOTAL	5,459.63
Avg. Assmt. Ratio	Est. Fair Mkt-Land	Est. Fair Mkt.- Improvements	Total Est. Fair Market		
0.9521	5,900	108,000	113,900		
School taxes reduced by school levy tax credit			170.50		
Tax Levy	2007 Est. State Aids	2008 Est. State Aids	2007 Net Tax	2008 Net Tax	% Change
State of Wis.			18.64	19.50	+4.6
Sewerage Dist.			140.91	148.36	+5.2
Public Schools	710,017,575	704,260,990	750.34	894.63	+19.2
Tech. College	10,022,630	10,042,581	194.90	210.89	+8.2
County Govt.	29,509,282	29,627,260	427.69	455.08	+6.4
City Govt.	261,262,353	262,954,412	810.91	876.64	+8.1
Total	1,010,811,840	1,006,885,243	2,343.39	2,605.10	+11.1
First Dollar Credit			0.00	-37.82	
Lottery and Gaming Credit			0.00	0.00	
Net Property Tax			2,343.39	2,567.28	+9.5
Special Assessments and Charges				5,459.63	
WARNING: If the first installment payment is not paid by the due date, the installment option is lost. The total tax becomes delinquent and is subject to interest and penalty charges.			TOTAL DUE		8,026.91
Monthly Installment Payment Due: February through July 2009	281.42	Net Assessed Value Rate Before Credits	FULL PAYMENT DUE ON OR BEFORE JAN. 31, 2009		8,026.91
Monthly Installment Payment Due: August, September, and October 2009	199.11	24.032	FIRST INSTALLMENT PAYMENT DUE ON OR BEFORE JAN. 31, 2009		5,741.06

2008 CITY OF MILWAUKEE COMBINED PROPERTY TAX PAYMENT COUPON

ACCOUNT TYPE: REAL ESTATE

TAX KEY/ACCOUNT NO: 328-1278-9

LOCATION OF PROPERTY: 2355 - 2357 N 45TH ST

☐ CHECK FOR ADDRESS CHANGE
☐ PAID UNDER PROTEST

Make Check Payable and Mail to: WAYNE F. WHITTOW CITY TREASURER BOX 78776 MILWAUKEE, WI 53278-0776	FULL PAYMENT DUE ON OR BEFORE JAN. 31, 2009	8,026.91
	FIRST INSTALLMENT PAYMENT DUE ON OR BEFORE JAN. 31, 2009	5,741.06
	PLEASE WRITE IN AMOUNT ENCLOSED	
\$ _____		M _____

DAMION BROWN

2355 N 45TH ST

MILWAUKEE, WI

53210

0010090363281278000900008026910005741068

Address: 2355-57 N 45TH ST. MILWAUKEE WI 53210				
Borrower Name: Damion Brown		Inspection Date: 7/08/2009	Delivery Date: 7/08/2009	
Loan Number: 9412962416		APN: unknown	Property ID: 3684879	Order ID: 786702
Order Tracking ID: D. Brown	Tracking ID 1: D. Brown	Tracking ID 2: n/a	Tracking ID 3: n/a	

I. General Conditions

Property Type:	Duplex
Occupancy:	Vacant (Secure? Yes)
Property Condition:	Fair
Condition Comments:	the building is a large two story duplex. the building is boarded and appears to have had a fire and in need of rehab.
HOA?	No

II. Subject Sales & Listing History

Current Listing Status: Subject is not currently listed.				
Date Listed	Date Sold	List Price	Sale Price	Notes

III. Neighborhood & Market Data

Location Type:	Urban	Local Economy Is:	Depressed
Sales Price in this Neighborhood:	Low : \$15,000 High : \$90,000		
Market for this type of property has:	Decreased 8 % in the past 6 months.		
Normal Marketing Days:	<180		
Neighborhood Comments, Positive:	close to hwy and near bus line.		
Neighborhood Comments, Negative:	the area has mostly distressed buildings and about 50% are vacant and boarded.		
# of Properties for Sale:	28		

IV. Current Listings

	Subject	Listing #1	Listing #2	Listing #3 *
Street Address	2355-57 N 45TH ST.	2345 n 45th	2501 n 45th	2475 n 44th
	MILWAUKEE, WI	MILWAUKEE, WI	MILWAUKEE, WI	MILWAUKEE, WI
Zip Code	53210	53210	53210	53210
Datasource	Tax Records	MLS	MLS	MLS
Miles to Subj. [2]		0.04 ¹	0.17 ¹	0.15 ¹
List Price \$		\$49,900	\$39,900	\$39,900
Days on Mkt.		79	29	129
Age	91	88	94	95
Condition	Fair	average	fair	fair
Style/Design	duplex	duplex	duplex	duplex
Living Sq. Feet	2812 (\$6/ft) ³	2863 (\$17/ft)	2894 (\$14/ft)	3025 (\$13/ft)
Br/Ba	6/2	6/2	6/2	6/2
Total Room #	12	12	12	10
Garage	2 dt	none	none	1 dt
Basement (Yes/No)	Yes	Yes	Yes	Yes
Basement (% Fin)	0%	0%	0%	0%
Lot Size	.103 Ac.	.103 Ac.	.115 Ac.	.135 Ac.
Sales Type		REO	REO	REO
Other				

* Listing #3 is the most comparable listing to the subject.

Comments (why the comparable listing is superior or inferior to the subject).

Listing #1: reo comp, but tenant occupied. similar building and location.

Listing #2: similar location and building. needs complete rehab.

Listing #3: located on the same street, similar building and condition.

¹ Comp's "Miles to Subject" was calc'd by the system. ² Comp's "Miles to Subject" provided by Broker. ³ Subject \$/ft based upon as-is sale price.

V. Recent Sales:				
	Subject	Sold #1	Sold #2	Sold #3 *
Street Address	2355-57 N 45TH ST.	2745 n 41st	2423 n 44th	2632 n 49th
	MILWAUKEE, WI	MILWAUKEE, WI	MILWAUKEE, WI	MILWAUKEE, WI
Zip Code	53210	53210	53210	53210
Datasource	Tax Records	MLS	MLS	MLS
Miles to Subj. [2]		0.56 ¹	0.10 ¹	0.40 ¹
List Price \$		\$34,900	\$24,900	\$21,500
Sale Price \$		\$34,500	\$20,000	\$15,000
Type of Financing		Cash	Cash	Cash
Date of Sale		5/13/2009	6/17/2009	4/3/2009
Days on Mkt.		44	55	189
Age (# of Years)	91	92	84	87
Condition	Fair	fair	fair	poor
Style/Design	duplex	duplex	duplex	duplex
Living Sq. Feet	2812 (\$6/ft) ³	3025 (\$11/ft)	3087 (\$6/ft)	2540 (\$6/ft)
Br/Ba	6/2	6/2	6/2	6/2
Total Room #	12	12	12	12
Garage	2 dt	none	1 dt	none
Basement (Yes/No)	Yes	Yes	Yes	Yes
Basement (% Fin)	0%	0%	0%	0%
Lot Size	.103 Ac.	.135 Ac.	.12 Ac.	.1 Ac.
Sales Type		REO	REO	REO
Other				
Adjustment \$+/- (See notes below)		-\$2,000	+\$4,000	+\$3,000
Adjusted Value		\$32,500	\$24,000	\$18,000
* recent sale #3 is the most comparable Sale to the subject.				
Reasons for Adjustments (Why the comparable is superior or inferior to the subject.)				
Sold #1: slightly superior location, similar condition and building, original list 49k				
Sold #2: same street, needs complete rehab, original list 39k				
Sold #3: slightly smaller building, similar building and condition, original list 49k				
¹ Comp's "Miles to Subject" was calc'd by the system. ² Comp's "Miles to Subject" provided by Broker. ³ Subject \$/ft based upon As-Is Value.				

VI. Marketing Strategy			
	"As-is" Value	"Repaired" Value	Comments Regarding Pricing Strategy:
Suggested List Price:	\$21,000	\$59,000	adjust for reo market and condition.
Sale Price:	\$18,000	\$55,000	
Additional Broker/Agent Information: Distance from Broker/Agent's office to subject is 5.84 miles. Broker/Agent has been a Real Estate Professional for 6 years.			

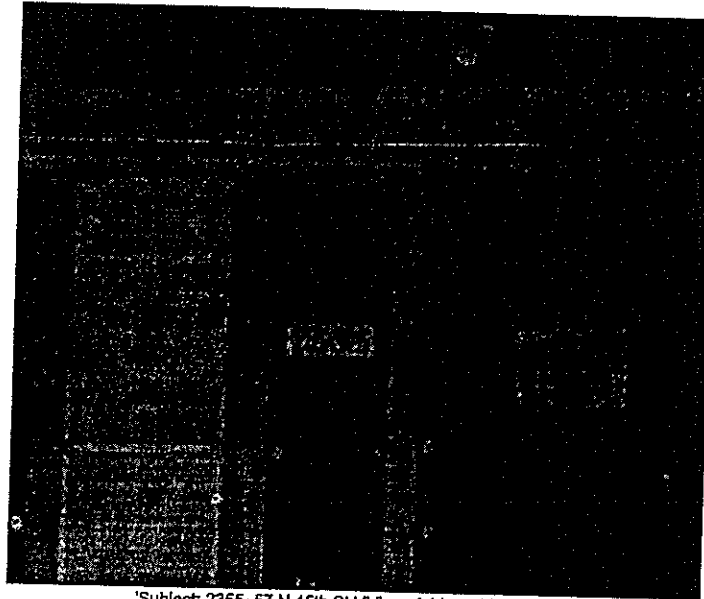
VII. Repair Addendum		
Estimated work to put the subject into "Repaired" condition (following FHA guidelines)		
Category	Comments	Estimated Cost
Exterior Paint		
Siding/Trim Repair	repair siding	\$5,000
Exterior Doors	install front doors	\$800
Windows	install/ repair windows	\$4,200
Garage		
Roof/Gutters		
Foundation		
Fencing		
Trashout/Landscaping		
Pool		
Other		
Other		
Estimated Exterior Repairs:		\$10,000
* Estimated Interior Repair Cost: (Estimate based on subject's age and exterior condition.)		\$18,000
* Total Estimated Repairs:		\$28,000

VIII. Clear Capital Quality Assurance Comments Addendum			
	"As-Is" Value	"Repaired" Value	Reviewer Notes:
Reviewer's Value Opinion:	\$18,000	\$55,000	The BPO is well supported. The broker has supplied good comps considering the market area and comp availability. Thus, the reviewer concurs with the broker's value.

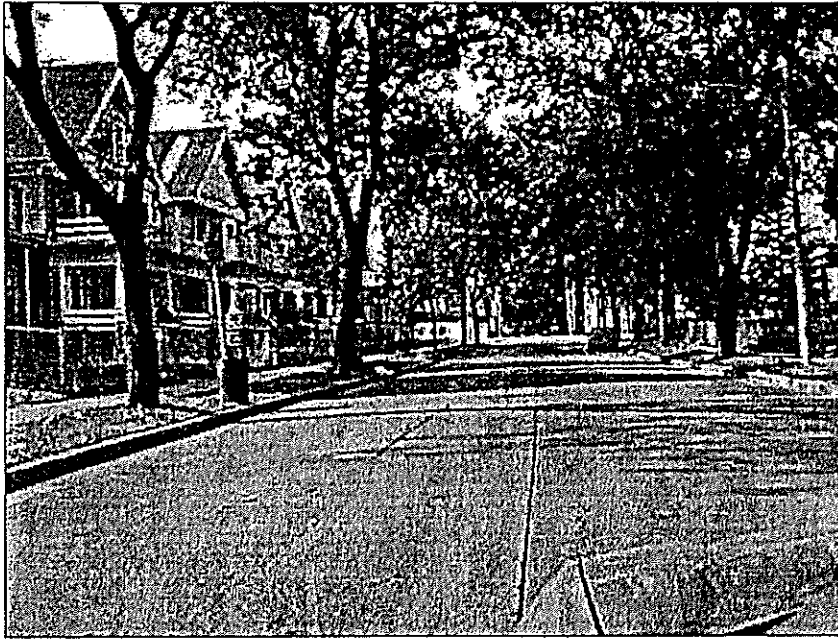
IX. Vendor Information			
Vendor: Clear Capital	Phone: (530) 550-2560	Fax: (800) 680-3787	Email: cuslkb@clearcapital.com
Address: 10875 Pioneer Trail, Second Floor, Truckee CA 96161			



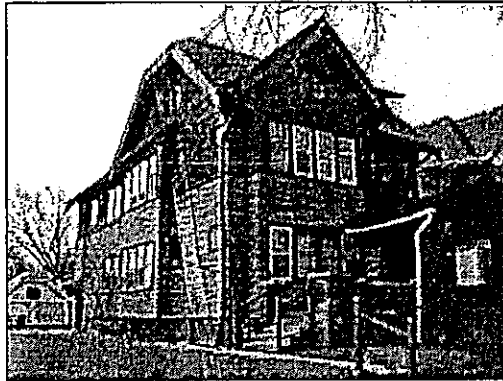
'Subject: 2355-57 N 45th St.' [View: Front]



'Subject: 2355-57 N 45th St.' [View: Address Verification]



'Subject: 2355-57 N 45th St' [View: Street]



'Listing Comp 1: 2345 n 45th' [View: Front]



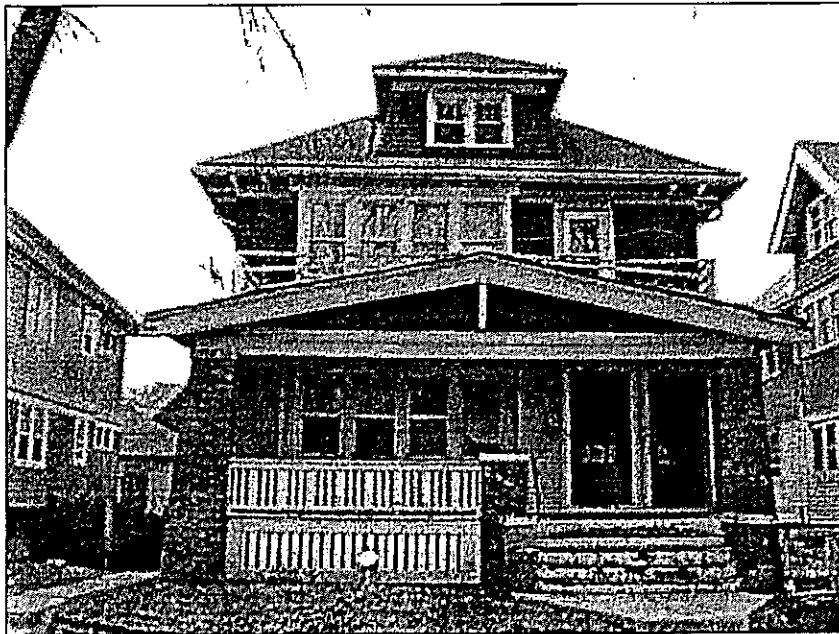
Listing Comp 2: 2501 n 45th [View: Front]



Listing Comp 3: 2475 n 44th [View: Front]



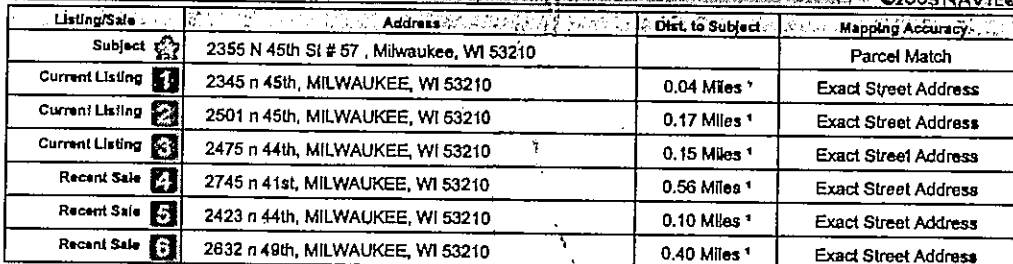
'Sold Comp 1: 2745 n 41st' [View: Front]



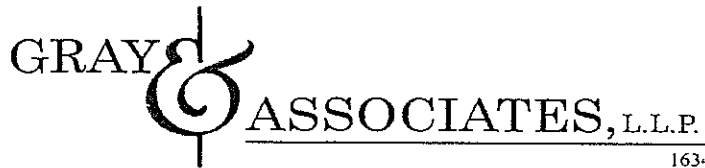
'Sold Comp 2: 2423 n 44th' [View: Front]



'Sold Camp 3: 2632 n 49th' [View: Front]



¹ The Comparable "Distance from Subject" value has been provided by the broker.



ATTORNEYS AT LAW

16345 WEST GLENDALE DRIVE • NEW BERLIN, WISCONSIN 53151
(414) 224-8404 • FAX (414) 224-1279

WILLIAM N. FOSHAG
DIRECT DIAL: (414) 224-3490
E-MAIL: WFOSHAG@GRAY-LAW.COM

August 6, 2010

VIA CERTIFIED MAIL AND PERSONAL SERVICE

City of Milwaukee
Attn: Mr. Ron Roberts, Supervisor
Condemnation Section
841 N. Broadway, Room 105
Milwaukee, WI 53202

CITY OF MILWAUKEE
RECEIVED
2010 AUG 10 AM 11:10
OFFICE OF
CITY ATTORNEY

RE: Property Address: 2355-57 North 45th Street, Milwaukee, WI 53210
Tax Key No: 328-1278-9
Our file: LaSalle Bank v. Damion Brown, Case No 09-CV-013276

Dear Mr. Roberts,

Gray & Associates, L.L.P. had been retained to handle a foreclosure action on a property located at 2355-57 North 45th Street, Milwaukee, WI 53210. Prior to filing the foreclosure action, our client had learned that the City of Milwaukee had issued a demolition and raze order on the subject property. On July 23, 2009, the plaintiff deposited a \$7,500.00 escrow payment, confirmed by the City of Milwaukee by letter of the same date, a copy of which is attached.

After the July 23, 2009 letter, our client, specifically, Brian Gray, remained in contact with the City of Milwaukee and the inspector assigned to the property, who I believe was Brian Kraus. On August 11, 2009, the City advised Brian Gray that the City is willing to work with our client as long as our client is moving forward with the foreclosure and as long as our client cleaned out and secured the property. Our client cleaned out and secured the property (on August 24, 2009), initiated the foreclosure action and notified the City of same on August 31, 2009. Brian Gray was notified on September 11, 2009 that the City had inspected the subject property to confirm that it had been secured and cleaned out as was previously discussed.

Under the belief that the City and the foreclosing lender had an agreement, the foreclosure action continued, and the lender ordered property inspections to be completed on a monthly basis to confirm the property remained secured and boarded as instructed by the City. On October 23, 2009 the lender ordered that the property be winterized to prevent against damage due to freezing temperatures, and on November 30, 2009 the plaintiff ordered that the property be cleaned up, specifically the exterior yard where trash was being dumped by

unknown parties. This pattern continued with the understanding that once the foreclosure was complete, and should the foreclosing lender become the lawful owner of the property, that a rehabilitation agreement would then be reached. The monthly inspection records from July 2009 to April 2010 are attached for your reference.

As of the March 20, 2010 inspection the property remained intact. The lender therefore allowed its counsel to proceed to sheriff's sale on April 5, 2010 and confirmation of that sale on April 19, 2010 as previously instructed. It was discovered through the April 26, 2010 inspection that the property had been demolished and all that remained was a vacant lot.

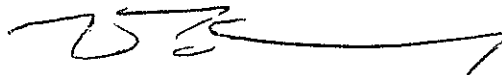
Based upon online records, the lender believes the demolition may have occurred on April 15, 2010, but prior to having received its own April 26, 2010 inspection records, the foreclosing lender had no indication from the City of Milwaukee or reason to believe that the property was to be demolished by the City in April 2010. Quite the opposite, the lender believed that the City had agreed to hold off on the demolition until after the foreclosure process had been completed, and after the lender had again conferred with the City Inspector assigned to the property.

The lender, who is also currently the owner of this property, would like to resolve this amicably. The purpose of this letter is to bring this matter to your attention and to request your assistance in the return of the \$7,500.00 deposit made by the lender to the City in July 2009. In the event this cannot be resolved, this letter is also being sent to provide you with a copy of the attached notice of the injury brought about by the demolition and notice of the claim the lender is considering, as provided for under Wisconsin Statute Section 893.80(1).

Please contact me directly with any concerns, or to further discuss this matter.

Sincerely,

GRAY & ASSOCIATES, LLP

A handwritten signature in black ink, appearing to read 'W N Foshag', with a long horizontal line extending to the right and a vertical line dropping down from the end.

William N. Foshag

WNF:jmt
Enclosures

Gray & Associates, L.L.P. is attempting to collect a debt on our client's behalf and any information obtained will be used for that purpose.