




Spencer Coggs
City Treasurer

James F. Klajbor
Deputy City Treasurer

OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

March 31, 2016

To: Milwaukee Common Council
City Hall, Room 205

From:  James F. Klajbor
Deputy City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 353-0828-000-2
Address: 1851 N 2ND ST
Owner Name: RESERVOIR PROPERTIES LLC
Applicant/Requester: MIDWEST COMMERCIAL FUNDING LLC
2015-5 Inrem File
Parcel: 283
Case: 15CV-7164

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

The City of Milwaukee acquired this property on 1/4/2016.

JFK/em





OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
TELEPHONE: (414) 286-2260 • FAX: (414) 286-3186 • TDD: (414) 286-2025

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

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with a black ball point pen.
2. Use separate form for each property.
3. Refer to the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem tax foreclosure judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370 must be paid by Cashier's Check or cash to the Office of the City Treasurer prior to acceptance of this application.**
5. Complete, sign, and date the application, providing the required supporting documentation.
6. Forward completed application to the City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS: 1851 N. 2nd Street

TAX KEY NUMBER: 353-0828-000 - 2

NAME OF FORMER OWNER: Reservoir Properties, LLC

NAME OF APPLICANT: Midwest Commercial Funding, LLC

MAILING ADDRESS: 1521 Waukesha Road

<u>Caledonia</u>	<u>WI</u>	<u>53108</u>	<u>(414) 731-1151</u>
CITY	STATE	ZIP CODE	TELEPHONE NUMBER

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

NONE

ADDRESS _____ ZIP CODE _____

ADDRESS _____ ZIP CODE _____

ADDRESS _____ ZIP CODE _____

ADDRESS _____ ZIP CODE _____

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

C. HAS WRITTEN CONSENT BEEN GIVEN TO THE APPLICANT BY THE FORMER OWNER TO REQUEST VACATION OF THE CITY'S IN REM TAX FORECLOSURE JUDGMENT?

YES Attach documentation. Go to Section G.

NO You must complete Sections D, E, and F.

D. WHAT EFFORTS WERE UNDERTAKEN BY THE APPLICANT TO SECURE THE WRITTEN CONSENT OF THE FORMER OWNER TO APPLY FOR THE VACATION OF THE CITY'S IN REM TAX FORECLOSURE JUDGMENT?

Applicant initially made arrangements with Former Owner to assist Former Owner with preparing and submitting an Application for Vacation of the City's In Rem Tax Foreclosure Judgment. Applicant obtained the form from the City Treasurer's Office and provided it to Former Owner along with an explanation of the procedure. After Applicant provided the form and procedure to Former Owner, Former Owner stopped communicating with Applicant. Over the course of several weeks, Applicant made numerous attempts to contact Former Owner by phone and email regarding the application and/or granting Applicant consent to apply for the vacation of judgment. Unfortunately, Former Owner has not responded to Applicant's messages.

E. WHY WAS THE APPLICANT UNABLE TO SECURE THE REQUIRED WRITTEN CONSENT OF THE FORMER OWNER PRIOR TO APPLYING FOR THE VACATION OF THE CITY'S IN REM TAX FORECLOSURE JUDGMENT?

As detailed in Part D, Former Owner has become completely unresponsive to Applicant's attempts to facilitate Former Owner's completion of the application or granting consent to Applicant to pursue the vacation of the City's judgment. Applicant is now in a position where it cannot wait any longer for Former Owner's cooperation. Applicant is facing a substantial loss of money and resources and must pursue the vacation of the City's judgment.

F. WHY IS IT IN THE BEST INTEREST OF THE CITY TO WAIVE THE REQUIREMENT THAT THE WRITTEN CONSENT OF THE FORMER OWNER BE ACQUIRED BY THE APPLICANT IN ORDER TO APPLY FOR THE VACATION OF THE CITY'S IN REM TAX FORECLOSURE JUDGMENT? IN RESPONDING TO THIS QUESTION, PLEASE EXPLAIN YOUR PLANS FOR THE PROPERTY, INCLUDING YOUR PLANS FOR ITS MAINTENANCE, REUSE, OR DISPOSITION.

Waiving the Former Owner's written consent requirement would allow Applicant to begin the process of pursuing its legal remedies as mortgagee to obtain title to the Property. Upon obtaining title to the Property, Applicant plans to renovate and restore the Property to be consistent with the standards required by the City and the market. Applicant's ultimate goal is to sell the renovated property to an individual who would use the single family property as his or her primary residence. Former Owner's refusal to participate in the vacation process reinforces how disinterested Former Owner is in maintaining the Property. By waiving the consent requirement, the City would allow a party who is interested in improving the Property to pay all taxes and fees owed to the City, obtain title, and make the Property a safe and attractive contributor to the tax base and community.

G. IS THE PROPERTY LISTED IN SECTION "A" CURRENTLY VACANT? YES NO

H. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached.)
YES NO

I. IS THE APPLICATION COMPLETE AND HAS THE REQUIRED SUPPORTING DOCUMENTATION BEEN PROVIDED?
YES NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold the City harmless from and against any cost or expense, which may be asserted against the City as a result of its being in the chain of title to the property. **Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid. There are no refunds.**

APPLICANT'S SIGNATURE: Robert T. Chandler DATE: 3/28/16

APPLICANT'S NAME: Midwest Commercial Funding, LLC by Robert Chandler, Managing Member

APPLICANT'S TITLE: Managing Member

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 3/30/2016

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2015 - 5
WholeTaxkey: 353-0828-000-2
Property Address: 1851 1851 N 2ND ST
Owner Name RESERVOIR PROPERTIES LLC

Applicant: MIDWEST COMMERCIAL FUNDING LLC
Parcel No. 283
CaseNumber: 15CV-7164