

**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 11, 2008

To: Milwaukee Common Council  
City Hall, Room 205

From: Wayne F. Whittow   
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 273-1902-000-X  
Address: 3834 3834 N PORT WASHINGTON AV  
Applicant/Requester: BANK ONE  
2008-01 Inrem File  
Parcel: 147  
Case: 08CV004983

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

The City of Milwaukee acquired this property on 7/28/2008.

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 3834 N. Port Washington Road  
 TAXKEY NUMBER 273 1902 X  
 NAME OF APPLICANT Keith Chapman for Bank One  
 MAILING ADDRESS 12650 Ingomar Dr. c/o Merit Title  
Orlando FL 32826 11800 W. Greenfield Av  
 CITY STATE ZIP CODE TELEPHONE NUMBER 407 737 5525 West  
Alt 53214

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)

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

Keith Chapman  
 KEITH CHAPMAN  
 VA REO Closing Manager

DATE 9/4/08

for Bank One

**ORDINANCE RELATING TO THE VACATION OF AN IN REM JUDGMENT**  
(Milwaukee Code of Ordinances, s. 304-49)

A substitute ordinance relating to procedures for the reopening and vacating of in rem properties. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 304-49-6-c of the code is repealed and recreated to read:

**304-49. Disposal of City Real Estate Property.**

**6. Sealed Bids.**

c. Where the city has obtained an in rem judgment pursuant to s. 75.521, Wis. Stats., the city attorney's office shall be directed to petition the court on an ex parte basis to reopen and vacate the city's judgment only where the following requirements have been complied with:

c-1. The former owner of record or any person having an interest of record has submitted a written request to the city treasurer on a form provided by the city treasurer to have the in rem judgment vacated. No written request to proceed under this paragraph 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 treasurer or where the requester did not have any interest of record in the property.

c-2. The written request must identify the property address, the property's tax key number, the name and mailing address of the applicant, and the applicant's interest in the property. It must also include a list of all other real property in the city of Milwaukee in which the former owner has an ownership interest.

c-3. Prior to submittal of the written request to the city treasurer, the requester shall have paid to the city treasurer in cash or by cashier's check deposits of administrative costs of the various city departments. The requester, if the former owner of record, shall also have filed an application to record the subject property and any other unrecorded properties with the department of building inspection, as required in s. 200-51.5.

c-4. The former owner of record or person having an interest of record may request not more than once to have the in rem judgment vacated on the subject property.

c-5. The city treasurer shall date stamp, upon receipt, all written requests to proceed under this paragraph and then forward all requests which are timely received to the city clerk along with a written report which indicates: the amount of unpaid taxes, charges, interest and penalties due on the subject properties; whether the administrative and overhead costs of the various city departments have been paid; and the status of tax payments for all other properties located in the city in which the former property owners have an ownership interest and which identifies any other costs incurred or to be incurred by it with respect to the properties. The city clerk shall, upon receipt of the completed written request forms and the written report from the city treasurer, introduce a common council file no later than the next regular meeting and notify the city attorney's office, city treasurer's office, department of city development, the department of building inspection and the health department in writing at the time of such introduction that a request has been made to proceed under this paragraph. Those departments from which reports are due hereunder shall provide those reports to the city clerk within 15 working days. An extension of said 15 day period may be granted by the city clerk upon receipt of a written request submitted by the reporting department.



## Payment Receipt

CT-11

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

Received of: Kerte Chapman

Tax Account No.: 273-1902-X

Property Address: 3834 N Port Washington Blvd

Cash \$            Check \$ 1370.00

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year:           

Current Collection Tax Payment ☐

Duplicate Tax Bill Fee ☐ Other ☒

Received by: [Signature] Vacation of Judge

Date: 9-10-08

Office of the City Treasurer - Milwaukee, Wisconsin  
Customer Services Unit  
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 9/11/2008

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2008 - 01  
Taxkey Number: 273-1902-000 - X  
Property Address: 3834 3834 N PORT WASHINGTON  
AV  
Applicant: BANK ONE  
  
Parcel Number: 147  
CaseNumber: 08CV004983

**Teller Validation**

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

City of Milwaukee  
PAYMENT RECEIPT

Office of the City Treasurer  
City Hall, Room 103

Batch Date: 09/11/08 Receipt # 00477272  
Teller ID: mgutierrez210001

Payment Tendered: 9/11/2008 9:29 AM  
1910 Delinquent Tax Cost Recovery  
Document No. 273-1902-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 00001198 \$1,370.00

WAYNE F. WHITTON  
City Treasurer

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