



Legislation Details (With Text)

**File #:** 080716      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 9/16/2008      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:** 10/29/2008

**Effective date:**  
**Title:** Substitute resolution authorizing the return of real estate located at 8315 N. 107th St., in the 9th Aldermanic District to its former owner. (Bank of New York, Mortgagee)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** 1. Fiscal Note, 2. In Rem Judgment Application, 3. City Treasurer Letter, 4. Letter from Cook & Franke, s.c. Attorneys at Law, 5. Department of Neighborhood Services Letter, 6. Department of City Development Letter.pdf, 7. Notice List

Date	Ver.	Action By	Action	Result	Tally
9/16/2008	0	COMMON COUNCIL	ASSIGNED TO		
9/18/2008	1	CITY CLERK	DRAFT SUBMITTED		
10/14/2008	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/14/2008	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/15/2008	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/15/2008	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/20/2008	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
10/29/2008	1	COMMON COUNCIL	ADOPTED	Pass	12:0
11/3/2008	1	MAYOR	SIGNED		

080716  
SUBSTITUTE 1  
THE CHAIR

Substitute resolution authorizing the return of real estate located at 8315 N. 107th St., in the 9th Aldermanic District to its former owner. (Bank of New York, Mortgagee)

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Whereas, The property located at 8315 N. 107th St., previously owned by Bank of New York, Mortgagee, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Bank of New York, Mortgagee 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 28, 2008; and

Whereas, Bank of New York, Mortgagee 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 8315 N. 107th 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. 0CV004983 known as the 2008-01 In Rem Parcel 10, 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.

CC CC

lme

9/17/08