



Legislation Details (With Text)

**File #:** 191695      **Version:** 2  
**Type:** Resolution      **Status:** Passed  
**File created:** 2/11/2020      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 3/3/2020  
**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 3265 N. 12th Street, in the 6th Aldermanic District, to its former owner Tory Gardener.

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** 1. Order to Vacate, 2. Office of the City Treasurer, 3. 191695 DCD Letter.pdf, 4. Ltr to Committee re Gardner #191695.pdf, 5. 191695 DNS Letter 2.24.20.pdf

Date	Ver.	Action By	Action	Result	Tally
2/11/2020	0	COMMON COUNCIL	ASSIGNED TO		
2/14/2020	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/24/2020	1	JUDICIARY & LEGISLATION COMMITTEE	RECONSIDERED	Pass	4:1
2/24/2020	2	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:1
2/24/2020	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Fail	1:4
3/3/2020	2	COMMON COUNCIL	ADOPTED	Pass	14:0
3/13/2020	2	MAYOR	SIGNED		

191695  
SUBSTITUTE 2  
THE CHAIR

Substitute resolution authorizing the return of real estate located at 3265 N. 12th Street, in the 6th Aldermanic District, to its former owner Tory Gardener.

This resolution authorizes the return of real estate located at 3265 N. 12th Street, in the 6th Aldermanic District, to its former owner, Tory Gardener, under conditions imposed by s. 304-50 of the Code of Ordinances.

Whereas, The property located at 3265 N. 12th Street, previously owned by Tory Gardener, has delinquent taxes for 2017-2019 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 November 26, 2019 191695; and

Whereas, Tory Gardener would like to reclaim this 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 November 26, 2019; and

Whereas, Tory Gardener has agreed to pay all related city charges up until the point that the property is returned, as well as all other charges, and meet all conditions which are detailed in the letters submitted by the Department of Neighborhood Services, the 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 3265 N. 12th Street, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty 30 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 19-CV-005609. Known as the 2019-3 In Rem Parcel 160, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the current levy-year taxes and all prior levy-year delinquent taxes inclusive of accrued interest and penalties due through the month of payment, plus all related City charges incurred through date of payment on the subject property at 3265 N. 12<sup>th</sup> Street, as well as the following properties in which the former owner has an ownership interest, 6837 N. 41<sup>st</sup> Street, 3609 W Hampton Avenue, 2914 N. 46<sup>th</sup> Street, 2733-35 N. 36<sup>th</sup> Street, 2611 N. 33<sup>rd</sup> Street, and 2546 N. 34<sup>th</sup> Street, are not paid within 30 days of the effective date of this resolution, this resolution shall be null and void.

CC CC

Joanna Polanco

February 25, 2020