



Legislation Details (With Text)

File #: 190442 **Version:** 0
Type: Resolution-Immediate Adoption **Status:** Passed
File created: 6/18/2019 **In control:** COMMON COUNCIL
On agenda: **Final action:** 6/18/2019
Effective date:

Title: Resolution removing deed restrictions from two former tax-deed vacant lots at 2217-19 North Booth Street and 2225-27 North Booth Street, in the 6th Aldermanic District.

Sponsors: ALD. COGGS

Indexes: DEED RESTRICTIONS

Attachments:

Date	Ver.	Action By	Action	Result	Tally
6/18/2019	0	COMMON COUNCIL	ADOPTED	Pass	14:0
6/28/2019	0	MAYOR	SIGNED		

IMMEDIATE ADOPTION

190442
ORIGINAL

ALD. COGGS

Resolution removing deed restrictions from two former tax-deed vacant lots at 2217-19 North Booth Street and 2225-27 North Booth Street, in the 6th Aldermanic District. This resolution removes deed restrictions imposed by the City of Milwaukee that prohibit division of properties and construction of any principal buildings on the properties. Whereas, The City of Milwaukee ("City") conveyed to Robert E. Koch and Arlene Koch tax-deed vacant lots at 2217-19 North Booth Street on November 6, 1981 and 2225-27 North Booth Street on August 22, 1979 ("City Lots") that adjoined their property at 2221-23 North Booth Street; and

Whereas, The Deeds contain restrictions that the City Lots be used as open space, that no principal buildings may be erected thereon and that the City Lots be joined with the buyer's adjoining properties to create single parcels to be used as single units (collectively "Deed Restrictions"); and

Whereas, The Deeds state that they shall be forfeited and that the City Lots shall revert to the City in the event there is a breach of one or more of the Deed Restrictions (collectively, the "Forfeiture Rights"); and

Whereas, The Deed Restrictions and Forfeiture Rights cannot be released except upon approval of the Common Council of the City of Milwaukee; and

Whereas, Brent and Kate Halfwassen, the current owners of the properties, have requested the release of the Deed Restrictions and a waiver and disclaimer of the Forfeiture Rights on the former City Lots in order to pursue lot assemblage and construction on the properties; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Deed Restrictions and Forfeiture Rights for the City Lots contained in the Deeds are hereby released, waived

and disclaimed; and, be it

Further Resolved, That the Commissioner of the Department of City Development, or designee, is authorized to execute the necessary legal document(s) to release, waive and disclaim such restrictions and rights.

DCD:Yves.LaPierre:ysl

06/18/19/A