



Legislation Details (With Text)

**File #:** 130863      **Version:** 0  
**Type:** Resolution      **Status:** Passed  
**File created:** 10/15/2013      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:** 11/5/2013

**Effective date:**  
**Title:** Resolution authorizing settlement of the lawsuit entitled Whitley Bay Marina, Inc. v. City of Milwaukee, for the total amount of \$4,000, inclusive of all statutory interest.

**Sponsors:** THE CHAIR

**Indexes:** SUITS PAYMENT, SUITS SETTLEMENT

**Attachments:** 1. Transmittal Letter, 2. Claim Form, 3. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/15/2013	0	COMMON COUNCIL	ASSIGNED TO		
10/22/2013	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/28/2013	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
11/5/2013	0	COMMON COUNCIL	ADOPTED	Pass	15:0
11/12/2013	0	MAYOR	SIGNED		

130863  
ORIGINAL

THE CHAIR  
Resolution authorizing settlement of the lawsuit entitled Whitley Bay Marina, Inc. v. City of Milwaukee, for the total amount of \$4,000, inclusive of all statutory interest.

This resolution authorized settlement of the lawsuit of Whitley Bay Marina, Inc. v. City of Milwaukee, Case No. 09CV9876, in the total amount of \$4,000, inclusive of all statutory interest.

Whereas, The plaintiff filed a Wis Stat. § 74.37 lawsuit against the City of Milwaukee, Case No. 09CV9876, for allegedly excessive assessments of its property for tax years 2007, 2009, and 2010; and

Whereas, The plaintiff claimed damages of approximately \$100,000 across all tax years; and

Whereas, The parties entered into a settlement agreement, to settle the above-referenced lawsuit, for the total amount of \$4,000.00, inclusive of all statutory interest; and

Whereas, The court dismissed the above-noted action on or around June 18, 2012, based upon the parties' agreed-upon settlement; and

Whereas, The City Attorney and the Commissioner of Assessments recommend and the Common Council of the City of Milwaukee deems it expeditious and just to settle this lawsuit, now therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$4,000, inclusive of all statutory

interest, payable to the Michael, Best & Friedrich LLP Trust Account, in full and final settlement of this lawsuit, said amount to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300; and, be it

Further Resolved, That for and in consideration of the above-referenced payment, plaintiff and its attorneys provided the City a release of any and all claims arising out of or in any way related to these tax assessments and the court issued an order dismissing the above-noted court action on or around June 18, 2012.

Assessor's Office

PW/jlf

10/9/2013