



Legislation Text

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240251
SUBSTITUTE 1

ALD. DIMITRIJEVIC

Substitute resolution authorizing the sale of the City-owned property at 505-507 East Howard Avenue (AKA 507 East Howard Avenue, Parcel Number 5810703000) to the estate of its former owner.

This resolution waives the City buyer policy in 304-49-9-e that prohibits the sale of City real estate to a buyer whose property has been acquired by property tax foreclosure during the past five years, and authorizes the Department of City Development to sell the City-owned property at 505-507 East Howard Avenue (AKA 507 East Howard Avenue, Parcel Number 5810703000) in the 14th Aldermanic District to the estate of its former owner. Whereas, The neighborhood property at 505-507 East Howard Avenue (AKA 507 East Howard Avenue, Parcel Number 5810703000), herein referred to as the "Property" was acquired by the City from Jane A. Johnston ("Former Owner") through in rem property tax foreclosure in August of 2022; and

Whereas, The Department of City Development ("DCD") worked on behalf of the City of Milwaukee (the "City") to work out a sale to the former owner but was unsuccessful in doing so; and

Whereas, The Former Owner unfortunately passed away shortly after the City placed the property on the market for sale; and

Whereas, The City attempted to locate legally authorized heirs of the Former Owner and was unable to do so; and

Whereas, The City was contacted by local attorney Thomas F. Raasch, who was able to secure the appointment of Ms. Mary Neubauer as the Special Administrator to the Estate of Jane A. Johnston ("The Estate"); and

Whereas, The Estate wishes to purchase the Property back from the City; and

Whereas, The General Buyer Policies in MCO Section 304-49-9 provide that, "unless otherwise authorized by a vote of the common council," the City shall not convey a City-owned property to a "party who owned property in the City that, at any time within the past 5 years the City acquired by means of property-tax foreclosure," and

Whereas, The Council desires to authorize the sale of the Property to The Estate; and

Whereas, The Former Owner and therefore The Estate owes the City \$32,578.91 in back taxes, interest, penalty charges, and property management expenses; and

Whereas, The Estate would like to pay the debt owed to the City and acquire the property; and

Whereas, The Estate represents it has the financial wherewithal to pay the delinquent taxes and fees; now, therefore, be it

Resolved, That the City by its Department of City Development ("DCD") is authorized to

accept an offer to purchase the Property from the Former Owner, provided that the Former Owner meets the following conditions:

- 1) The Estate submits an offer to purchase the property to DCD's real estate division no later than 15 days following certification of adoption of this resolution.
- 2) Offer price equals the sum of the following items: all back taxes, interest and penalty charges owed to the City of Milwaukee; all outstanding special charges owed to the City of Milwaukee; all property management fees.
- 3) Former Owner provides, with the offer to purchase, documented evidence of financial ability to pay the full sales price at closing, subject to DCD verification.
- 4) Former Owner satisfies all other general buyer policies in MCO 304-49-9.
- 5) Former Owner closes the sale no later than 60 days following the certification of adoption of this resolution; and, be it

Further Resolved, That sale closing shall be in accordance with DCD customary practice and MCO 304-49, including 30% disposition fee to RACM and net sale proceeds being distributed per 304-49-12; and, be it

Further Resolved, That if the sale does not close within 50 days of the date this resolution is certified, the offer shall require termination of the offer, and DCD shall market the property to others.

DCD:Amy.Turim:aet
06/17/24