



## Legislation Text

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**File #: 021230, Version: 1**

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021230

SUBSTITUTE 1

THE JUDICIARY AND LEGISLATION COMMITTEE

Substitute resolution authorizing the return of real estate located at 2451-53 W. Fond du Lac Avenue, in the 7th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Donald Lewis)

Permits return of property owned by the City under conditions imposed by Ordinance File Number 901739, passed by the Common Council on July 28, 1992.

Whereas, The property located at 2451-53 W. Fond du Lac Avenue, tax key number 325-0061-100-5 previously owned by Donald R. Lewis, has delinquent taxes for 2000 - 2001 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 4, 2002; and

Whereas, Donald R. Lewis, 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 November 4, 2002; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property, but there is one outstanding order. However, this property and the property at 3131 N. 14<sup>th</sup> Street have not been properly recorded with the Department of Neighborhood Services. The Department has no objections if the property is returned contingent upon the owner properly recording these properties prior to its return; and

Whereas, The City Treasurer's records show outstanding 2000 - 2001 taxes, plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred totalling \$450; and

Whereas, The Health Department reported no outstanding orders or notices, and no clean up notices have been issued against this property under

Section 80-8 or 17-12 in 2002 or thus far in 2003; now, therefore, be it Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2451-53 W. Fond du Lac Avenue, 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. 02-CV-006239 known as the 2002-03, In Rem Parcel 393 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

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