



## Legislation Text

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**File #: 031595, Version: 1**

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031595

SUBSTITUTE 1

THE JUDICIARY AND LEGISLATION COMMITTEE

Substitute resolution authorizing the return of real estate located at 923A S. 10<sup>th</sup> Street, in the 12th 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. (Elias and Yvonne Zarate)

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 923A S. 10<sup>th</sup> Street, tax key number 432-0681-000-X previously owned by Elias and Yvonne Zarate, has delinquent taxes for 2000-2003 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 January 12, 2004; and

Whereas, Elias and Yvonne Zarate, 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 January 12, 2004; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property. The applicant has not properly updated the property recording records with the Department of Neighborhood Services for this property and the property at 813 S. 11<sup>th</sup> Street. The Department has no objections to the return of 923A S. 10<sup>th</sup> Street provided the owner properly records these two properties prior to its return; and

Whereas, The City Treasurer's records show outstanding 2000-2003 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 \$681; 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 2003 or thus far in 2004; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 923 South 10<sup>th</sup> Street, 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. 03-CV-008330 known as the 2003-02, In Rem Parcel 244, 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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