



Legislation Text

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141001
ORIGINAL

ALD. DONOVAN

Resolution authorizing the return of the property located at 2318 South 35th Street via sale to the former owner La Pica #3 LLC, in the 8th Aldermanic District.

This resolution, pursuant to Milwaukee Code of Ordinances 304-49-4, 304-49-5, 304-49-7 and 304-49-8, authorizes the sale of the property at 2318 South 35th Street to the former owner, who lost the property to tax foreclosure, with the sale according to the terms and conditions in the Offer to Purchase.

Whereas, La Pica #3 LLC ("La Pica") is the former owner of 2318 South 35th Street and it lost the property to tax foreclosure by virtue of the City of Milwaukee's in rem foreclosure judgment dated December 2, 2013; and

Whereas, While the General Buyer Policies, in the Milwaukee Code of Ordinances ("MCO") 304-49-8, prohibits sale of City-owned property to those who lost them to tax foreclosure within 5 years prior to the City's foreclosure judgment, MCO 304-49-8 expressly allows the Common Council to nonetheless override the Buyer Policies and to approve a sale to such former owner as was indicated in the December 16, 2013 City Attorney's communication to the City Clerk; and

Whereas, La Pica and the City's Department of City Development ("DCD") have negotiated an Offer to Purchase, a copy of which is attached to this Common Council File, under which, with Common Council approval, the City will convey the property to La Pica as allowed by MCO 304-49-4, 304-49-5, 304-49-7 and 304-49-8; and

Whereas, MCO 304-49-7 allows the City to consider monetary, as well as nonmonetary consideration, in establishing the purchase price, and the City recognizes the importance of returning the property to the tax rolls, private ownership and neighborhood stabilization; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Offer to Purchase said property is approved and the Commissioner of DCD, or designee, is authorized to sign same, or an agreement materially and substantively similar thereto, and to close on the transaction and convey to La Pica and to take such further actions as may be needed in furtherance thereof; and, be it

Further Resolved, That per MCO 304-49-11, all net sale proceeds from the transaction, less expenses and reimbursements, shall be credited to the Delinquent Tax Fund.

DCD:Yves.LaPierre:ysl

10/14/14/A