



Legislation Text

File #: 071428, **Version:** 1

071428
SUBSTITUTE 1

THE CHAIR

Substitute resolution authorizing settlement of a sec. 74.37 lawsuit, *Frontage LLC v. City*, Case No. 07CV12956, an action for allegedly excessive assessment in the amount of \$17,178.04 plus simple interest at 0.8% per month since May 9, 2007.

This resolution authorizes settlement of a sec. 74.37 lawsuit by Frontage LLC against the City for allegedly excessive assessment in the amount of \$17,178.04 plus simple interest at 0.8% per month since May 9, 2007.

Whereas, Frontage LLC has brought suit against the City for an allegedly excessive assessment; and

Whereas, The parties have entered into a settlement agreement, contingent upon Common Council approval; and

Whereas, A comprehensive review of this matter by the Assessor's Office and the City Attorney's Office has determined that settlement is appropriate; and

Whereas, The Common Council of the City of Milwaukee deems it just and expeditious 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 \$17,178.04 plus simple interest at 0.8% per month from May 9, 2007, to the date of payment payable to the order of Frontage LLC and the law firm of Mallory & Zimmerman in final settlement of this lawsuit, said amount to be charged to the Remission of Taxes Fund, Account No. 0001-9990-S163-006300; and be it

Further Resolved, That for and in consideration of the above-referenced payment, plaintiff and its attorney will provide to the City a release of any and all claims relating to this assessment and a stipulation and order for dismissal of the pending court action.

City Attorney

VDM:dms

February 8, 2008

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