



## Legislation Text

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**File #:** 111054, **Version:** 0

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111054  
ORIGINAL

### THE CHAIR

Resolution to authorize payment of 2008 and 2009 personal property tax refund levied against Giuffre Bros. Inc., plus interest.

This resolution authorizes payment of a judgment against the City for \$53,195.72 plus interest on the tax refund at the rate of 1% per month from April 1, 2010 through the date of payment of the refund. Whereas, Giuffre Bros. Inc., had filed a claim under Wisconsin State Statute 74.35 against the City of Milwaukee for allegedly unlawful taxes, account number 8331-5656, lawsuit, Case No. 09-CV-011522; and

Whereas, The court ordered payment of \$24,032.30 plus interest on the 2008 tax refund at the rate of .8% per month from January 28, 2009 through April 1, 2010 for a total of \$26,775.19 and payment of \$25,984.00 plus interest on the 2009 tax refund at the rate of .8% per month from January 28, 2010 through April 1, 2010 for a total of \$26,420.53; and

Whereas, The parties have entered into a settlement agreement on the above referenced lawsuit for the amount of \$53,195.72, plus post judgment interest on the tax refund at the rate of 1% simple interest per month from April 1, 2010 through the date of payment of the refund per Wis. State Statute 815.05(8), said payment to be made by January 31, 2012; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue a City check in the amount of \$53,195.72, plus interest at the rate agreed, said amount up to \$64,898.84, to be charged to the 2012 Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 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 actions. ..Requestor

Assessor's Office

mpr/kat

11/22/2011