



## Legislation Text

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**File #: 121716, Version: 0**

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121716  
ORIGINAL

ALD. PEREZ

Resolution authorizing a release of deed restrictions and forfeiture rights from the property at 1123 South 6th Street, in the 12th Aldermanic District.

This resolution will release deed restrictions and forfeiture rights imposed by the City of Milwaukee that require use of a property as open space and prohibits division of and construction of any principal buildings on the property.

Whereas, The City of Milwaukee owned a tax-deed vacant lot at 1125 South 6th Street and conveyed it to Adan Gonzalez Guerra by Quit Claim Deed dated April 18, 2000, to be combined with his adjoining property at 1123 South 6th Street; and

Whereas, The City Deed contained restrictions that the City Lot be used as open space, that no principal buildings may be erected thereon and that the City Lot be joined with the buyer's adjoining property to create a single parcel to be used as a unit (collectively "Deed Restrictions"); and

Whereas, The City Deed stated that the City Deed shall be forfeited and that the City Lot shall revert to City ownership in the event there is a breach of one or more of the Deed Restrictions (collectively, the "Forfeiture Rights"); and

Whereas, The Deed Restrictions and Forfeiture Rights cannot be released except upon approval of the Common Council of the City of Milwaukee; and

Whereas, The combined property was acquired in 2012 by the United Community Center, which now desires to construct a community-based residential facility on the full property and needs the deed restrictions and forfeiture rights released in order to commence construction; and

Whereas, The Department of City Development ("DCD") recommends release of the deed restrictions and forfeiture rights to facilitate this development subject to approval of final site and building plans by DCD; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a Release of the Deed Restrictions and Forfeiture Rights for the property at 1123 South 6th Street is approved; and, be it

Further Resolved, That the Commissioner of DCD, or designee, is authorized to execute the necessary legal document(s) to release, waive and disclaim such restrictions and rights.

DCD:Real Estate

YSL:ysl

03/21/13/A