



## Legislation Text

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**File #: 031552, Version: 1**

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031552

SUBSTITUTE 1

THE JUDICIARY AND LEGISLATION COMMITTEE

Substitute resolution authorizing the return of real estate located at 2309 West Pierce Street, in the 8th 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. (Jose and Carmen Nieves)

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 2309 West Pierce Street, tax key number 434-1605-000-8 previously owned by Jose A. Nieves, has delinquent taxes for 2001-2003, special improvement bond 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, Jose A. Nieves, 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; and

Whereas, The City Treasurer's records show outstanding 2001-2003 taxes, special improvement bond, 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 \$525; 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 2309 W. Pierce 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 250, 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, special improvement bond, 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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