



## Legislation Text

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**File #: 020175, Version: 1**

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020175

SUBSTITUTE 1

THE JUDICIARY AND LEGISLATION COMMITTEE

Substitute resolution authorizing the return of real estate located at 1562 South 23rd Street, in the 12th 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. (Victoriano Botello)

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 at 1562 South 23rd Street, tax key number 459-0159-5 previously owned by Victoriano Botello, has delinquent taxes for 1999 - 2001 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 March 25, 2002; and

Whereas, Victoriano Botello would like to reclaim said property by paying all City and County real estate taxes, bond, 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 March 25, 2002; and

Whereas, The Department of Neighborhood Services indicates they object to the return of this property. In 2001, DNS litigated two orders on this property. There was no compliance at that time and new orders were issued in July, 2001. There has been virtually no compliance on the new orders. Presently the property is on a monthly reinspection schedule. As of this date the owner owes \$1,530 in reinspection fees. The owner has not shown the willingness and ability to bring the property into compliance; and

Whereas, The City Treasurer's records show outstanding 1999 - 2001 taxes, bond ZL09275, 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 \$450; 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 2001 or thus far in 2002; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 1562 South 23rd 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. 01-CV-010880 known as the 2001-4, In Rem Parcel 457, 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, Bond ZL09275, 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

kmm

5-28-02

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