



## Legislation Text

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**File #: 990873, Version: 1**

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990873

SUBSTITUTE 1

THE JUDICIARY AND LEGISLATION COMMITTEE

Substitute resolution authorizing the return of real estate located at 2236-38 N. Booth Street, in the 6th 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.

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 2236-38 N. Booth Street, tax key number 354-0005-5 previously owned by Victor J. Toney, has delinquent taxes for 1997 through 1998 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 July 26, 1999; and

Whereas, Victor J. Toney, 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 July 26, 1999; and

Whereas, The Department of Neighborhood Services indicates currently unabated orders exist on this property; and

Whereas, The City Treasurer's records show outstanding 1997 through 1998 taxes, 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 1998 or thus far in 1999; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2236-38 North Booth Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to 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. 99-CV-001198 known as the 1999-1, In Rem Parcel 371, 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, 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

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