



## Legislation Details (With Text)

**File #:** 031153      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 11/25/2003      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:** 1/21/2004  
**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 4734 N. 42nd St., in the 1st 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. (Alice Kincaid)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** 1. Application for Vacation of In Rem Judgment.PDF, 2. DCD Letter.pdf, 3. DNS Reply.PDF, 4. City Attorney Reply.PDF, 5. Treasurer's Reply.PDF, 6. Fiscal Note.pdf

Date	Ver.	Action By	Action	Result	Tally
11/25/2003	0	COMMON COUNCIL	ASSIGNED TO		
12/16/2003	1	CITY CLERK	DRAFT SUBMITTED		
1/5/2004	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2004	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/12/2004	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
1/21/2004	1	COMMON COUNCIL	ADOPTED	Pass	14:0
9/24/2013	1	COMMON COUNCIL	HEARING NOTICES SENT		
10/15/2013	1	COMMON COUNCIL	HEARING NOTICES SENT		
10/15/2013	1	COMMON COUNCIL	SIGNED		

031153

SUBSTITUTE 1

THE JUDICIARY AND LEGISLATION COMMITTEE

Substitute resolution authorizing the return of real estate located at 4734 N. 42<sup>nd</sup> St., in the 1st 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. (Alice Kincaid)

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 4734 N. 42<sup>nd</sup> St., tax key number 229-0722-000-5, previously owned by Alice Kincaid, has delinquent taxes for 2001-2002 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 October 13, 2003; and

Whereas, Alice Kincaid 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 October 13, 2003; and

Whereas, The Department of Neighborhood Services indicates currently no unpaid charges exist on this property, but the department recently issued orders to correct conditions on the property, therefore the department has no objections if the property is returned contingent upon the owner working cooperatively with the inspector to correct the code violations against the property in a timely manner; and

Whereas, The City Treasurer's records show outstanding 2001-2002 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 with administrative costs having been incurred totalling \$525.00; 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 4734 N. 42<sup>nd</sup> St., 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. 03CV005029 known as the 2003-01, In Rem Parcel 42, 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

Lme

12-16-03

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