



Legislation Details (With Text)

**File #:** 131362      **Version:** 0  
**Type:** Resolution      **Status:** Passed  
**File created:** 1/22/2014      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 2/11/2014  
**Effective date:**

**Title:** Resolution to cancel real estate taxes levied against a certain parcel, 9540 W. Good Hope Road, Milwaukee, on the 2010, 2011 and 2012 tax rolls, plus interest applicable to date of claim, if appropriate.

**Sponsors:** THE CHAIR

**Indexes:** TAX CANCELLATIONS

**Attachments:** 1. Spreadsheet of Reduction, 2. Cover Letter, 3. Claim Form, 4. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
1/22/2014	0	COMMON COUNCIL	ASSIGNED TO		
1/28/2014	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/28/2014	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/28/2014	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/3/2014	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
2/11/2014	0	COMMON COUNCIL	ADOPTED	Pass	13:0
2/12/2014	0	MAYOR	SIGNED		

131362  
ORIGINAL

THE CHAIR

Resolution to cancel real estate taxes levied against a certain parcel, 9540 W. Good Hope Road, Milwaukee, on the 2010, 2011 and 2012 tax rolls, plus interest applicable to date of claim, if appropriate.

This resolution requires the cancellation of taxes due to a finding of tax exemption as made by Circuit Court Case No. 12-CV-8079 for Tax Key No. 109-9994-210-0 for 2010, 2011 and 2012 and the issuance of check to the City Treasurer or taxpayer as applicable.

Whereas, Assessments in the amount of \$180,000 (Land: \$180,000 - Improvements: \$0) for the years 2010, 2011 and 2012 were made against the real estate property known as Tax Key No. 109-9994-210-0; and

Whereas, After Circuit Court review, Wis Stat. § 74.35 is considered unconstitutional as applied to Tax Key No. 109-9994-210-0, and is entitled to exemption under Wis Stat. § 70.11(4); and

Whereas, In an Amended Judgment, filed November 12, 2013, in Milwaukee County Circuit

Court, Case No. 12-CV-8079, that the taxes, as well as interest and penalties thereon levied upon Tax Key No. 109-9994-210-0 for 2010, 2011 and 2012 are void; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers are authorized and directed to issue a city check payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, said amount to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300 and said check to be delivered to the Customer Services Unit of the Treasurer's Office for disbursement; and, be it

Further Resolved, That delinquent interest and penalties on this account are hereby canceled.

Assessor' Office

MR/jlf

1/10/2014