



Legislation Details (With Text)

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Title: Resolution approving and authorizing the settlement of judgment for delinquent taxes entered on behalf of the City of Milwaukee by the Kohn Law Firm against Golden Marina Causeway LLC and appropriating \$107,270.83 from the Common Council Contingent Fund to the Remission of Taxes Fund.

Sponsors: THE CHAIR

Indexes: LITIGATION, SUITS SETTLEMENT, TAX CANCELLATIONS

Attachments: 1. City Attorney Letter, 2. Bankruptcy Notice, 3. Fiscal Note - Final, 4. Fiscal Note, 5. Sub Fiscal Note, 6. Contingent Fund Request Form, 7. Notice List, 8. Finance & Personnel Committee hearing notice list, 9. Hearing Notice List, 10. Hearing Notice List, 11. Response from Budget Division, 12. Hearing Notice List

| Date | Ver. | Action By | Action | Result | Tally |
|------------|------|-----------------------------------|---------------------------------------|--------|-------|
| 9/16/2008 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/23/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 9/29/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HELD TO CALL OF THE CHAIR | Fail | 2:3 |
| 9/29/2008 | 0 | JUDICIARY & LEGISLATION COMMITTEE | RECOMMENDED FOR ADOPTION AND ASSIGNED | Pass | 4:1 |
| 9/30/2008 | 0 | FINANCE & PERSONNEL COMMITTEE | HEARING NOTICES SENT | | |
| 9/30/2008 | 0 | FINANCE & PERSONNEL COMMITTEE | HEARING NOTICES SENT | | |
| 10/1/2008 | 0 | FINANCE & PERSONNEL COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 5:0 |
| 10/16/2008 | 0 | FINANCE & PERSONNEL COMMITTEE | HEARING NOTICES SENT | | |
| 1/6/2009 | 0 | FINANCE & PERSONNEL COMMITTEE | HEARING NOTICES SENT | | |
| 1/6/2009 | 0 | FINANCE & PERSONNEL COMMITTEE | HEARING NOTICES SENT | | |
| 1/14/2009 | 0 | FINANCE & PERSONNEL COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 5:0 |
| 1/29/2009 | 0 | FINANCE & PERSONNEL COMMITTEE | HEARING NOTICES SENT | | |
| 2/4/2009 | 0 | FINANCE & PERSONNEL COMMITTEE | RECOMMENDED FOR ADOPTION | Pass | 3:1 |
| 2/10/2009 | 0 | COMMON COUNCIL | ADOPTED | Pass | 14:1 |
| 2/17/2009 | 0 | MAYOR | SIGNED | | |

080682

ORIGINAL

The Chair

Resolution approving and authorizing the settlement of judgment for delinquent taxes entered on behalf of the City of Milwaukee by the Kohn Law Firm against Golden Marina Causeway LLC and appropriating \$107,270.83 from the Common Council Contingent Fund to the Remission of Taxes Fund.

Resolution approving and authorizing the settlement of judgment for delinquent taxes entered on behalf of the City of Milwaukee by the Kohn Law Firm against Golden Marina Causeway LLC and appropriating \$107,270.83 from the Common Council Contingent Fund to the Remission of Taxes Fund.

Whereas, The City of Milwaukee ("the City") through the Kohn Law Firm ("Kohn") filed suit against Golden Marina Causeway LLC ("GMC") in January 2008 for real estate taxes for 2006 for the property located at 311 E. Greenfield; and

Whereas, The above referenced property was assessed at \$537,100 for the 2005 tax year; and

Whereas, GMC attempted to sell the above referenced property in 2005 for \$9.5 million; and

Whereas, The above referenced property was subsequently assessed at \$9,290,400 for the 2006 tax year; and

Whereas, East Greenfield Investors LLC ("EGI") bought the property in January 2007 for \$400,000 and the time to request a review of the 2006 assessment had passed; and

Whereas, EGI/GMC requested an assessment review of the 2007 taxes; and

Whereas, The 2007 assessment was lowered from \$9.5 million to \$3,580,700; and

Whereas, Enforcement of the judgment would be difficult due to EGI's nominal assets; and

Whereas, The City would not acquire the property because it is on the do not acquire list; and

Whereas, EGI/GMC is actively taken steps to investigate, remediate and redevelopment the above referenced property; and

Whereas, Kohn has negotiated a proposed settlement of the judgment for a total of \$101,936.51 and that figure represents the principal, interest and penalties that the taxes for 2006 would have been if the property were assessed at the 2007 value of \$3,580,700; and

Whereas, EGI/GMC has already paid the 2007 taxes in full; and

Whereas, The Remission of Taxes Fund is used for the cancellation of taxes; and

Whereas, Existing funding will be insufficient and additional funding is necessary to cancel the taxes as proposed in the 311 E. Greenfield resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Judgment against GMC be settled for \$101,936.51 with the remaining tax principal of \$107,270.83 to be charged to the Remission of Taxes Fund,

(Fund 0001-Org 2210-Program 1241-Class S163-Acount 636508), said check to be delivered to the Customer Services Division of the Office of the City Treasurer; and; be it

Further Resolved, That \$107,270.83 be appropriated from the Common Council Contingent Fund No. 0001 9990 C001 006300 to the Remission of Taxes Fund 0001 2210 1241 S163 Account 636508; and, be it

Further Resolved, That the accrued delinquent interest, penalties, fees, and costs for levy year 2006 are hereby cancelled; and, be it

Further Resolved, That the City Comptroller is authorized and directed to make whatever fund transfers are necessary or appropriate to carry out the provision of this resolution.

City Attorney

City Attorney

MTC:mtc:136932

September 9, 2008