



## Legislation Details (With Text)

<b>File #:</b>	160474	<b>Version:</b>	0
<b>Type:</b>	Resolution-Immediate Adoption	<b>Status:</b>	Passed
<b>File created:</b>	7/26/2016	<b>In control:</b>	COMMON COUNCIL
<b>On agenda:</b>		<b>Final action:</b>	7/26/2016
<b>Effective date:</b>			
<b>Title:</b>	Resolution removing various deed restrictions from the constituent parcels of what is now known as 2117 West Center Street, in the 15th Aldermanic District.		
<b>Sponsors:</b>	ALD. STAMPER		
<b>Indexes:</b>	DEED RESTRICTIONS		
<b>Attachments:</b>	1. Partial Release of Deed Restrictions as of 7-20-16.pdf		

Date	Ver.	Action By	Action	Result	Tally
7/26/2016	0	COMMON COUNCIL	ADOPTED	Pass	14:0
8/3/2016	0	MAYOR	SIGNED		

### IMMEDIATE ADOPTION

160474  
ORIGINAL

ALD. STAMPER

Resolution removing various deed restrictions from the constituent parcels of what is now known as 2117 West Center Street, in the 15th Aldermanic District.

This resolution will remove various deed restrictions imposed by the City of Milwaukee on the property now known as 2117 West Center Street.

Whereas, The City of Milwaukee ("City") conveyed, via quit claim deed, the properties at 2107-09 West Center Street, recorded with the Milwaukee County Register of Deeds Office ("RoD") on July 6, 1987 as Document Nos. 06080020 ("Deed 1") and 06080022 ("Deed 2"), 2125-27 West Center Street, recorded with the RoD on April 21, 1999 as Document No. 07731483 ("Deed 3"), and 2133-35 West Center Street and 2666 North 22nd Street, recorded with the RoD on July 28, 2003 as Document No. 08581757 ("Deed 4") (referred to collectively as the "Deeds"), that were combined through Certified Survey Map No. 8050, recorded with the RoD on June 6, 2008 as Document No. 09610598, and now known as 2117 West Center Street (the "Property"); and

Whereas, Deeds 1 and 2 contain restrictions limiting the use of the conveyed property to accessory residential; and Deeds 1, 2 and 4 contain restrictions limiting the conveyed property as open space, with no principal building to be erected; and Deed 3 requires that the former owner of a building on the conveyed property, now demolished, obtain a Certificate of Code Compliance (referred to collectively as the "Deed Restrictions"); and

Whereas, The Deed Restrictions state that in the event there is a breach of one or more of the Deed Restrictions the Property shall be forfeited and shall revert to the City; and

Whereas, The Deed Restrictions cannot be released except upon approval of the Common Council of the City; and

Whereas, The Property is now a vacant commercial development site that may be developed

as a Family Dollar Store; and

Whereas, National Retail Development LLC has requested a release of the Deed Restrictions to acquire clear title to the Property from the current owner, Greater New Birth Church Inc., and proceed with construction of a Family Dollar Store; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Deed Restrictions contained in the Deeds are released, waived and disclaimed to facilitate conveyance of clear title to National Retail Development LLC; and, be it

Further Resolved, That the Commissioner of the Department of City Development, or designee, is authorized to execute the necessary legal documents, in materially the same form and substance as the release document, a copy of which is attached to this Common Council File, to release, waive and disclaim such restrictions and rights.

DCD:Rhonda.Szallai:rs

07/26/16/A