



## Legislation Details (With Text)

**File #:** 181037 **Version:** 0

**Type:** Resolution-Immediate Adoption **Status:** Passed

**File created:** 10/16/2018 **In control:** COMMON COUNCIL

**On agenda:** **Final action:** 10/16/2018

**Effective date:**

**Title:** Resolution removing a deed restriction from a former tax-deed vacant lot at 1145-47 North 33rd Street, in the 4th Aldermanic District.

**Sponsors:** ALD. BAUMAN

**Indexes:** DEED RESTRICTIONS, LAND USE

**Attachments:**

Date	Ver.	Action By	Action	Result	Tally
10/16/2018	0	COMMON COUNCIL	ADOPTED	Pass	13:0
10/25/2018	0	MAYOR	SIGNED		

### IMMEDIATE ADOPTION

181037  
ORIGINAL

ALD. BAUMAN

Resolution removing a deed restriction from a former tax-deed vacant lot at 1145-47 North 33rd Street, in the 4th Aldermanic District.

This resolution will remove a deed restriction imposed by the City of Milwaukee that prohibits division of the property and construction of any principal buildings on the property.

Whereas, The City of Milwaukee ("City") conveyed to Sarah Fisher a tax-deed vacant lot at 1145-47 North 33rd Street ("City Lot") that adjoined her property at 1141 North 33rd Street by a Quit Claim Deed dated December 16, 1988 ("Deed"); and

Whereas, The Deed contained restrictions that the City Lot be used as open space, that no principal buildings may be erected thereon and that the City Lot be joined with the buyer's adjoining property to create a single parcel to be used as a unit (collectively "Deed Restrictions"); and

Whereas, The Deed states that it shall be forfeited and that the City Lot shall revert to the City in the event there is a breach of one or more of the Deed Restrictions (collectively, the "Forfeiture Rights"); and

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

Whereas, 3303 WJ Associates, LLC, the current owner of 1141 North 33rd Street, has requested a release of the Deed Restrictions and a waiver and disclaimer of the Forfeiture Rights in order for it to convey the property to Strong Blocks Milwaukee LLC for redevelopment; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Deed Restrictions and Forfeiture Rights for the City Lot contained in the Deed dated December 16, 1988 are

hereby released, waived and disclaimed; and, be it

Further Resolved, That the Commissioner of the Department of City Development, or designee, is authorized to execute the necessary legal document(s) to release, waive and disclaim such restrictions and rights.

DCD:Yves.LaPierre:ysl

10/16/18/A