



## Legislation Details (With Text)

**File #:** 200691 **Version:** 1

**Type:** Resolution **Status:** Passed

**File created:** 9/22/2020 **In control:** COMMON COUNCIL

**On agenda:** **Final action:** 11/4/2020

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 9534 W. Marcelle Avenue, in the 5th Aldermanic District, to its former owner Thomas A. Opachen.

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** 1. Application, 2. DCD Letter.pdf, 3. City Treasurer Letter, 4. Dept of Neighborhood Services, 5. City Attorney Letter re Opachen 10-2-20.pdf, 6. Notice for Oct 26th, 7. Treasurer Letter for 10/22, 8. DCD Letter for 10/22, 9. City Attorney Letter 10-23-20.pdf, 10. 200691 DNS Letter 10.26.20.pdf, 11. Comptroller Approved

Date	Ver.	Action By	Action	Result	Tally
9/22/2020	0	COMMON COUNCIL	ASSIGNED TO		
10/5/2020	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
10/26/2020	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
11/4/2020	1	COMMON COUNCIL	ADOPTED	Pass	15:0
11/13/2020	1	MAYOR	SIGNED		

### 200691 SUBSTITUTE 1 THE CHAIR

Substitute resolution authorizing the return of real estate located at 9534 W. Marcelle Avenue, in the 5th Aldermanic District, to its former owner Thomas A. Opachen.

This resolution authorizes the return of real estate located at 9534 W. Marcelle Avenue, in the 5th Aldermanic District, to its former owner, Thomas A. Opachen, under conditions imposed by s. 304-50 of the Code of Ordinances.

Whereas, The property located at 9534 W. Marcelle Avenue, previously owned by Thomas A. Opachen, has delinquent taxes for 2018-2019 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 July 15, 2020; and

Whereas, Thomas A. Opachen would like to reclaim this 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 July 15, 2020; and

Whereas, Thomas A. Opachen has agreed to pay all related city charges up until the point that the property is returned, as well as all other charges, and meet all conditions which are detailed in the letters submitted by the Department of Neighborhood Services, the Department of City Development, the Health Department, the Treasurer's Office, and the City Attorney's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 9534 W. Marcelle Avenue, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty 30 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 2020-CV-001982. Known as the 2020-1 In Rem Parcel 7, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the current levy-year installment taxes and all prior levy-year delinquent taxes inclusive of accrued interest and penalties due through the month of payment, plus all related City charges incurred through date of payment, are not paid within 30 days of the adoption of this resolution, this process becomes null and void.

Linda Elmer  
9/28/20