# Legislation Details (With Text)

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| **File #:** | 201485 **Version:** 0 | | |
| **Type:** | Resolution | **Status:** | Passed |
| **File created:** | 3/2/2021 | **In control:** | COMMON COUNCIL |
| **On agenda:** | | **Final action:** | 3/23/2021 |
| **Effective date:** | | | |
| **Title:** | Resolution authorizing settlement of claims in the lawsuit entitled Lincoln Warehouse Realty, LLC v. City of Milwaukee | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | CLAIMS PAYMENT | | |
| **Attachments:** | 1. Fiscal Impact Statement, 2. Cover Letter | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 3/2/2021 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 3/15/2021 | 0 | JUDICIARY & LEGISLATION COMMITTEE | RECOMMENDED FOR ADOPTION | Pass | 5:0 |
| 3/23/2021 | 0 | COMMON COUNCIL | ADOPTED | Pass | 15:0 |
| 3/25/2021 | 0 | MAYOR | SIGNED | | |

201485

ORIGINAL

THE CHAIR

Resolution authorizing settlement of claims in the lawsuit entitled Lincoln Warehouse Realty, LLC v. City of Milwaukee

This resolution authorizes settlement of claims raised by Plaintiffs, Lincoln Warehouse Realty, LLC, in the lawsuit entitled Lincoln Warehouse Realty, LLC, Milwaukee County Circuit Court Case No. 2020CV003049, for the total amount of $14,363.36.

Whereas, Plaintiff filed a lawsuit against the City entitled Lincoln Warehouse Realty, LLC v. City of Milwaukee, Milwaukee County Circuit Court Case No. 2020CV003049, for the partial refund of property tax assessments previously paid, on the basis that their 2019 property tax assessment was excessive and violated Article VIII, section I of the Wisconsin Constitution (“Uniformity Clause”); and

Whereas, Plaintiff has agreed to settle the claims raised in the above-referenced lawsuit and regarding their assessment for the total amount of $14,363.36; and

Whereas, the City Attorney recommends that the City of Milwaukee settle these lawsuits and resolve these claims now; now, therefore, be it



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Resolved, by the Common Council of the City of Milwaukee, the City Attorney is authorized to enter into a settlement agreement between the City of Milwaukee and the Plaintiff referred to herein and to execute and approve all documents and take all action necessary to carry out the terms and conditions of said agreement; and be it

Further Resolved, that in compliance with the City Attorney's direction, the proper City officers be and hereby are authorized and directed to issue a City check, as soon as practicable in full and final settlement of the claims referenced above, to be charged to the 2021 Remission of Taxes Special Purpose Account No. 0001-9990-S163-006300, in the sum of $14,363.36, and made payable to Von Briesen & Roper, s.c. Client Trust Account, which is located at 411 E. Wisconsin Avenue, Suite 1000, Milwaukee, WI 53202, in final settlement of these claims and lawsuits; and be it

Further Resolved, that for and in consideration of the above-referenced payment, the Plaintiff will provide to the City a release of claims relative to their assessments as well as a stipulation and proposed order to dismiss the claims raised in the pending court actions.

City Attorney

William G. Davidson
February 26, 2021