



Legislation Text

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130160
ORIGINAL
120853

ALD. PEREZ

Resolution authorizing the sale of Development Property at 1817 West National Avenue to the former owner, Alice J. Ledesma, in the 12th Aldermanic District.

This resolution authorizes the sale of Development Property to the former owner pursuant to Section 304-49-5, 304-49-7 and 304-49-8, Milwaukee Code of Ordinances, and according to the terms and conditions in a Land Disposition Report.

Whereas, On July 9, 2012, the City of Milwaukee ("City") acquired a mixed-use building at 1817 West National Avenue through tax foreclosure judgment from Alice J. Ledesma; and

Whereas, By adoption of File No. 120853, the Common Council approved Ms. Ledesma's application to vacate the judgment, but she missed the established deadline to pay the delinquent taxes and other charges by one day due to difficulties obtaining a cashier's check from her bank; and

Whereas, Ms. Ledesma has offered to repurchase the property where she resides and operates her catering business for the amount of all past taxes and charges incurred by the City and the Redevelopment Authority of the City of Milwaukee ("Redevelopment Authority") during her occupancy; and

Whereas, The personal fixtures and equipment that Ms. Ledesma installed for her catering business are now integrated with the real estate and removal for reuse at an alternate location would greatly reduce the value and usability of the subject parcel; and

Whereas, Marketing the real estate would be difficult due to the lack of parking that was historically provided on the adjoining parking lot at 1807 West National Avenue that is still owned by Ms. Ledesma; and

Whereas, The Common Council may authorize a sale to a party who violates the General Buyer Policies set forth in Section 304-49-8, Milwaukee Code of Ordinances, which prevents sale of City-owned real estate to a party that owned property acquired by the City through tax foreclosure in the previous five-year period; and

Whereas, Milwaukee Code of Ordinances, Section 304-49-5, requires Common Council approval of Development Property sales and Section 304-49-7 allows the City to accept an unsolicited offer to purchase Development Property when the City receives fair compensation, whether monetary or non-monetary; and

Whereas, Ms. Ledesma has agreed to execute an Offer to Purchase with the City where the property would be re-conveyed to her on an "as is" basis for payment of all outstanding taxes and City charges, a payment in lieu of taxes for the current tax year and a waiver of the requirement to provide a Phase I Environmental Site Assessment as summarized in a Land Disposition Report, a copy of which is attached to this Common Council File; and

Whereas, The City deed will contain standard deed restrictions requiring that the property be fully taxable for property tax purposes and that it be joined with Ms. Ledesma's adjoining parking lot at 1807 West National Avenue; and

Whereas, The Common Council recognizes the unique circumstances involved, including integration of the personal property and real estate with Ms. Ledesma's business and the difficulty in future sale of the property; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of the Department of City Development ("DCD"), or designee, is authorized to execute the Offer to Purchase with Alice J. Ledesma for the Development Property at 1817 West National Avenue as summarized in the Land Disposition Report; and, be it

Further Resolved, That the Commissioner of DCD, or designee, is authorized to execute all documents necessary to close the transaction and to take further action as may be necessary to carry out the intent and purpose of this resolution; and, be it

Further Resolved, That the sale proceeds, less expense reimbursements to the Redevelopment Authority and other City departments, shall be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

DCD/Real Estate

MFH:mfh

05/21/13/B