



Legislation Text

File #: 070115, Version: 1

070115
SUBSTITUTE 1

ALD. HINES

Substitute resolution authorizing an agreement between the City of Milwaukee and The Modern Group LLC for assignment under Wisconsin Statute Section 75.106 of the City's right to an in-rem foreclosure judgment against 4162 West Lisbon Avenue, in the 15th Aldermanic District.

This substitute resolution directs property tax foreclosure against 4162 West Lisbon Avenue so assignment of the foreclosure judgment to a developer, The Modern Group LLC, may occur so the property may be remediated, improved and placed in taxpaying ownership. Whereas, Based on City of Milwaukee ("City") records, Baljinder Dhami aka Baljinder Singh owns tax-delinquent property at 4162 West Lisbon Avenue ("Parcel"); and

Whereas, The City and The Modern Group LLC ("TMG") believe that the Parcel may be environmentally impacted or a "brownfield" based on historical land use and/or other limited investigations that have been performed; and

Whereas, TMG (whose members are Paul Handle and Dave Kleugard) wishes to use the brownfield redevelopment tool available under Wisconsin Statute Section 75.106 to acquire the Parcel via City assignment of the City's right to a Wisconsin Statute Section 75.521 in-rem foreclosure judgment; and

Whereas, Department of City Development ("DCD"), Real Estate staff, requested that the City commence an in-rem foreclosure action against the Parcel, and the City did or will include the Parcel in its 2007 No. 1 In-Rem File, Milwaukee County Circuit Court; and

Whereas, TMG wishes to enter into a "75.106 In-Rem Assignment Contract" ("75.106 Contract") and to accept assignment of the City's right to an in-rem foreclosure judgment in exchange for: paying \$3,500 toward the City's foreclosure expenses; paying the City for the assignment (\$5,000 less a redevelopment fee of 25 percent made payable to the Redevelopment Authority of the City of Milwaukee); paying all unforeclosed tax-roll amounts; testing and remediating the Parcel to the extent required by the Wisconsin Department of Natural Resources; and constructing owner-occupied residential condominium units on the parcel (which is now vacant land); now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that DCD, Real Estate staff, and the City Attorney's office are directed to finalize negotiations of the 75.106 Contract between the City and TMG consistent with the terms and conditions outlined herein; and, be it

Further Resolved, That the proper City officials are authorized to execute said 75.106 Contract and take all actions required or contemplated thereunder; and, be it

Further Resolved, That the City Treasurer and City Attorney shall prosecute Section 75.521 in-rem foreclosure against the Parcel so that judgment may be assigned to TMG per the terms of the 75.106 Contract; and, be it

Further Resolved, That foreclosure expense amounts paid to the City under the 75.106 Contract (herein called "Foreclosure Expense Moneys") shall be deposited in a City

general fund liability account (customer deposit 201104-0001-1490) under the control of the City Treasurer, to be used and applied per said 75.106 Contract (including, but not limited to, paying for or reimbursing foreclosure expenses incurred by the City Attorney or by the City Treasurer); and, be it

Further Resolved, That if the City is successful in its foreclosure efforts and judgment of foreclosure on the Parcel is granted to TMG, the Redevelopment Authority of the City of Milwaukee shall be paid its 25 percent fee out of the purchase price; and, be it

Further Resolved, That if any part of the \$3,500 Foreclosure Expense Moneys remain after reimbursing the Treasurer's office and the City Attorney's office foreclosure expenses, then those remaining funds, along with any part of the purchase price not paid to the Redevelopment Authority of the City of Milwaukee for its 25 percent fee shall be transferred and deposited in the Tax-Deed Remediated Property Account 0110-107802 to help offset the principal amount of the delinquencies against the Parcel.

CA:DCD

GCH:MFH:mfh

04/25/07