



## Legislation Text

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**File #: 181484, Version: 0**

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### IMMEDIATE ADOPTION

181484  
ORIGINAL

ALD. STAMPER

Resolution removing deed restrictions from two former tax-deed vacant lots at 2161 North 29th Street and 2165 North 29th Street, in the 15th Aldermanic District.

This resolution removes deed restrictions imposed by the City of Milwaukee that prohibit division of properties and construction of any principal buildings on the properties.

Whereas, The City of Milwaukee ("City") conveyed to Ygnacio S. Martinez and Bernarda Martinez a tax-deed vacant lot at 2161 North 29th Street ("City Lot") that adjoined their property at 2157 North 29th Street by a Quit Claim Deed dated October 23, 1979 ("Deed"); and

Whereas, The City conveyed to Gerald W. Hill a tax-deed vacant lot at 2165 North 29th Street ("City Lot") that adjoined his property at 2201-03 North 29th Street by a Quit Claim Deed dated October 18, 2000 ("Deed"); and

Whereas, The Deeds contain restrictions that the City Lots be used as open space, that no principal buildings may be erected thereon and that the City Lots be joined with the buyer's adjoining properties to create single parcels to be used as single units (collectively "Deed Restrictions"); and

Whereas, The Deeds state that they shall be forfeited and that the City Lots 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, Milwaukee Habitat for Humanity, the current owner of the properties, has requested the release of the Deed Restrictions and a waiver and disclaimer of the Forfeiture Rights on the City Lots in order for it to pursue new home construction on the properties; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Deed Restrictions and Forfeiture Rights for the City Lots contained in the Deeds 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  
01/14/19/A