



Legislation Text

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181915
ORIGINAL

ALD. MURPHY

Resolution authorizing acquisition and then sale of 1016(R) North Hawley Road, in the 10th Aldermanic District.

This resolution authorizes the City to acquire 1016(R) North Hawley Road by property tax foreclosure; it authorizes the City to accept a contingent, unsolicited offer from the Milwaukee Metropolitan Sewerage District to purchase the property from the City after acquisition; and it approves the Land Disposition Report regarding that transaction.

Adoption of this resolution requires a 2/3 vote of the Common Council per Section 304-49-13 of the Milwaukee Code of Ordinances and a 3/4 vote of the Common Council per Section 308-22-2-c of the Milwaukee Code of Ordinances.

Whereas, The property at 1016(R) North Hawley Road (the "Property") is in the City of Milwaukee's ("City") 2019 No. 1 property tax foreclosure file; and

Whereas, In 1992, the U.S. EPA Technical Assistance Team performed a site reconnaissance and subsequent removal actions at the Property and confirmed that there are contaminants; and

Whereas, The Department of City Development ("DCD") received an unsolicited offer to purchase the Property from the Milwaukee Metropolitan Sewerage District ("District") because the District is acquiring properties along the Menomonee River to construct part of a flood management project, including a levee on the Property in accordance with the Western Milwaukee Flood Management Project the District is implementing; and

Whereas, The District is exempt from property taxes, but Section 304-49-13, Milwaukee Code of Ordinance, requires that City Sale of Development Property include a deed restriction prohibiting a buyer from applying to the City for an exemption from real estate taxation, which is not appropriate given the buyer is a government agency; and

Whereas, DCD prepared a Land Disposition Report and a Due Diligence Checklist, copies of which are attached to this Common Council File, concerning the acquisition and conveyance of the Property; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it approves said Land Disposition Report; and, be it

Further Resolved, That the Common Council approves City completion of tax foreclosure against the Property and City acquisition of same by a 3/4 vote of the Common Council per Milwaukee Code of Ordinances Section 308-22-2-c; and, be it

Further Resolved, That if the City is able to acquire title to the Property, the Common Council authorizes City entry into the offer to purchase in a form consistent with the Land Disposition Report, and City conveyance of the Property to the District so that the District may undertake the improvement project set forth in the offer; and, be it

Further Resolved, That the deed of conveyance shall not include a permanent restriction prohibiting the property owner from applying for an exemption from real estate taxation

as required by Section 304-49-13, Milwaukee Code of Ordinance; and, be it

Further Resolved, That the appropriate City employees are authorized to take such further actions, as may be necessary, to effectuate the intent of this resolution and the transaction contemplated by the Land Disposition Report; and, be it

Further Resolved, That the sale proceeds, less sale and marketing expenses and a 30 percent disposition fee to the Redevelopment Authority of the City of Milwaukee, shall be credited to the Delinquent Tax Fund.

DCD:Matt.Haessly:mfh

03/26/19/B