



Legislation Text

File #: 201034, Version: 1

201034
SUBSTITUTE 1

ALD. STAMPER

Substitute resolution authorizing the sale of the City-owned property at 2415 West Fond du Lac Avenue to its former owner, The Spiritual Israel Church & It's Army a Registered Ecclesiastical Corp., in the 15th Aldermanic District.

This substitute resolution waives the City buyer policy which prohibits the sale of City real estate to a buyer whose property has been acquired by means of property tax foreclosure during the past five years, and authorizes the Department of City Development to sell the City-owned property at 2415 West Fond du Lac Avenue to its former owner. Whereas, The property at 2415 West Fond du Lac Avenue ("Property"), Tax Key No. 3250034000, was acquired by the City of Milwaukee ("City") from The Spiritual Israel Church & It's Army a Registered Ecclesiastical Corp. ("Former Owner") through in rem property tax foreclosure in July, 2020; and

Whereas, The Former Owner desires to purchase the Property back from the City; and

Whereas, The Former Owner had petitioned the Judiciary and Legislative Committee ("Committee") to vacate the in rem judgment and was unable to vacate the judgement at the time of approval due date; and

Whereas, The General Buyer Policies in Milwaukee Code of Ordinances ("MCO") Section 304-49-9 provide that, "unless otherwise authorized by a vote of the common council," the City shall not convey a City-owned property to a "party who owned property in the city that, at any time within the past 5 years the city acquired by means of property-tax foreclosure;" and

Whereas, The Common Council of the City of Milwaukee ("Common Council") desires to authorize the sale of the Property to the Former Owner; and

Whereas, The file sponsor recommends accepting the Former Owner's purchase price offer of \$10,000; and recording of a Payment in Lieu of Taxes ("PILOT") Agreement; now, therefore, be it

Resolved, That the Department of City Development ("DCD") is authorized to accept an offer to purchase the Property from the Former Owner, provided that the Former Owner meets the following conditions:

- 1) The offer price equals the sponsor of the file's recommendation, which is \$10,000.
- 2) A PILOT Agreement is signed by Former Owner and recorded with the sale, in the event that the Property owner applies for property tax exemption.
- 3) The PILOT Agreement will be equal to the amount of the City portion and the Milwaukee Public School portion of the taxes annually, based on assessed value.
- 4) The Former Owner provides documented evidence of financial ability to pay the full sales price and closing costs at closing, and understands that the evidence will be verified by DCD.

5) The Former Owner passes all City's standard buyer checks other than MCO 304-49-9-e.

6) The Former Owner closes the sale no later than December 30, 2020; and, be it

Further Resolved, That if the sale does not close by December 30, 2020, the offer shall be deemed to be rejected; and, be it

Further Resolved, That upon sale closing, sale proceeds will be distributed as required by MCO 304-49-12.

DCD:Matt.Haessly:mfh

11/30/20