



## Legislation Text

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File #: 230080, Version: 0

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230080  
ORIGINAL

### THE CHAIR

Resolution authorizing settlement of claims in the lawsuit entitled *Wisconsin Lutheran High School Conference v. City of Milwaukee*

This resolution authorizes settlement of claims raised by Plaintiff, Wisconsin Lutheran High School Conference, in the lawsuit entitled *Wisconsin Lutheran High School Conference v. City of Milwaukee*, Milwaukee County Case No. 2022CV3955.

Whereas, Plaintiff filed a lawsuit against the City entitled *Wisconsin Lutheran High School Conference v. City of Milwaukee*, Milwaukee County Case No. 2022CV3955, for the full refund of the 2021 property tax previously paid, on the basis that its property at 365 North Honey Creek Parkway, Milwaukee WI 53213, tax key 407-0951-000 (the "Property") was tax exempt under Wis. Stat. § 70.11 (4)(a) as of January 1, 2021, and

Whereas, Plaintiff prevailed at the circuit court and a judgment was issued against the City; and

Whereas, Plaintiff has a similar claim regarding its 2022 assessment and further litigation is imminent; and

Whereas, Plaintiff has agreed to settle the claims raised in the above-referenced lawsuit and pending claim under the following terms: (1) Plaintiff shall issue a satisfaction of judgment to the City in exchange for the City withdrawing its appeal of 2022CV3955; (2) the City shall issue a correction pursuant to Wis. Stat. ss. 70.43 exempting the property for 2022; and (3) the Property shall be treated as exempted from property taxation by the City in 2023 and future years so long as the Property continues to be owned by Wisconsin Lutheran High School Conference and primarily used for the same purposes, i.e. for use by Wisconsin Lutheran High School for student housing and school activities; and

Whereas, the City Attorney recommends that the City of Milwaukee settle this lawsuit and resolve these claims now; now, therefore, be it

Resolved, by the Common Council of the City of Milwaukee, the City Attorney is authorized to enter into a settlement agreement between the City of Milwaukee and the Plaintiff referred to herein and to execute and approve all documents and take all action necessary to carry out the terms and conditions of said agreement; and be it

Further Resolved, the proper City officers are authorized and directed to take all action necessary to carry out the terms and conditions of the above-referenced settlement; and be it

Further Resolved, that for and in consideration of the above-referenced settlement, the Plaintiff will

provide to the City a release of claims relative to its assessments for 2021 and 2022.

City Attorney

Hannah R. Jahn  
May 4, 2023