



## Legislation Text

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**File #:** 231322, **Version:** 0

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231322

ORIGINAL

THE CHAIR

Resolution authorizing settlement of claims in the lawsuit entitled Middleton Milwaukee Investors, LLC v. City of Milwaukee

This resolution authorizes settlement of claims raised by Plaintiff, Middleton Milwaukee Investors, LLC, in the lawsuit entitled Middleton Milwaukee Investors, LLC v. City of Milwaukee, Milwaukee County Case No. 2023CV003771, for the total amount of \$60,539.68.

Whereas, Plaintiff filed a lawsuit against the City entitled Middleton Milwaukee Investors, LLC v. City of Milwaukee, Milwaukee County Case No. 2023CV003771, for the partial refund of property tax assessments previously paid for the property at 411 East Wisconsin Avenue, on the basis that its 2020-2022 property tax assessments were excessive and violated Article VIII, section I of the Wisconsin Constitution ("Uniformity Clause"); and

Whereas, Plaintiff has agreed to settle the claims raised in the above-referenced lawsuits and regarding its assessments for the total amount of \$60,539.68; and

Whereas, Plaintiff has also agreed it will withdraw its objection for tax year 2023 in exchange for the City setting the 2023 assessment at \$114,700,000; and

Whereas, the City Attorney recommends that the City of Milwaukee settle these lawsuits 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, that in compliance with the City Attorney's direction, the proper City officers be and hereby are authorized and directed to issue a City check, as soon as practicable in full and final settlement of the claims referenced above, to be charged to the 2023 Remission of Taxes Special Purpose Account No. 0001-9990-S163-006300, in the sum of \$60,539.68, and made payable to Reinhart Boerner Van Deuren, S.C., which is located at 22 East Mifflin Street, Suite 700, Madison, WI 53703, in final settlement of these claims and lawsuits; and be it

Further Resolved, that for and in consideration of the above-referenced payment, the Plaintiff will provide to the City a release of claims relative to their assessments as well as a stipulation and proposed order to dismiss the claims raised in the pending court actions.

City Attorney

Hannah R. Jahn  
December 11, 2023