



City of West Allis

Legislation Text

File #: R-2017-0244, **Version:** 1

Resolution authorizing the City Attorney to proceed with foreclosure of the property located at 2892 S. 96 St.

WHEREAS, the City of West Allis (the “City”), as a member of the Milwaukee County H.O.M.E. Consortium, along with Milwaukee County and the City of Wauwatosa, receives an annual award of H.O.M.E. from Milwaukee County for the purpose of providing affordable housing; and,

WHEREAS, the Community Development Authority of the City of West Allis (the “Authority”) and the City entered into a Cooperation Agreement, authorizing the Authority to administer H.O.M.E. funds on behalf of the City; and,

WHEREAS, the Authority approved a housing rehabilitation loan, funded with H.O.M.E. funds, in the amount of \$48,704 through Resolution No. 1026 on October 22, 2013 (Loan Number 2091111) (the “Loan”) to Mary Ann Bartkowiak and Greg Bartkowiak (“Borrowers”) for the property located at 2892 S. 96 St. (the “Property”); and,

WHEREAS, as a condition of approval of the Loan, the Borrowers were required to obtain homeowner’s insurance and pay real estate taxes, and have failed to do so; and,

WHEREAS, a lien report revealed that the Wisconsin Department of Revenue has a property tax deferral lien on the Property, since assigned to the Wisconsin Housing and Economic Development Association (“WHEDA”); and,

WHEREAS, WHEDA has indicated they are willing to settle and clear the lien for approximately \$6,000, which would allow the City to proceed with foreclosure on the Property; and,

WHEREAS, the City Attorney’s Office and the Department of Development have reviewed the record of Loan and recommends the WHEDA lien of approximately \$6,000 be paid to clear title, and recommends proceeding with foreclosure; and,

WHEREAS, the Property is assessed at \$133,400 and the Department of Development intends, after foreclosure, to proceed with minor repairs on the Property in order to then sell the Property to a new qualifying, low-income homeowner.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis as follows:

1. That the Common Council of the City of West Allis authorizes the City Attorney to proceed with foreclosure of the property located at 2892 S. 96 St.
2. That tax deferral lien payments of approximately \$6,000 to WHEDA shall be funded with Wisconsin Rental Rehabilitation Program (WRRP) funds.

3. That the City Attorney be and is hereby authorized to make such non-substantive and substantive changes, modifications, additions and deletions to and from the various provisions of any documents related to foreclosure of the Property, including any and all attachments, exhibits, addendums and amendments, as may be necessary and proper to correct inconsistencies, eliminate ambiguity and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof, and to prepare and deliver such other and further documents as may be reasonably necessary to complete the transactions contemplated therein.

cc: Department of Development
Chris Phinney, Grants Accounting Specialist

DEV-R-897-9-13-17