

1 FROM THE OFFICE OF JOSPEH J. CZARNEZKI

2
3 MILWAUKEE COUNTY CLERK

4
5 County Ordinance No. 12-18

6
7 File No. 12-423

8
9 AN ORDINANCE

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11 The Milwaukee County Board of Supervisors does ordain as follows:

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13 **SECTION 1.** Chapter 6 of the Milwaukee County General Ordinances is amended as
14 follows:

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16 6.01 (5) Return of property to former homestead owner after property is
17 foreclosed upon by tax lien action in rem:

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19 A. Definition: Homestead owner is defined as owner who has lived in property
20 within two years of foreclosure:

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22 B. Any former homestead owner(s) or his or her heir(s) who has lost his or her
23 title to land through delinquent tax collection enforcement procedure shall
24 have the right to have this property returned from the County as authorized in
25 Section 75.35 (3), Wis. Stats., and this ordinance.

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27 C. An exception to this policy shall allow the County to declare that it will keep
28 the tax deeded land for County use if the Milwaukee County Parks
29 Department, the County Economic Development Department, or the County
30 Real Estate Division, which shall be notified of such foreclosures within 10
31 days of such action, do declare a county interest in holding title to said
32 property within thirty days of receipt to said notice. In case of such
33 declaration, the disposition of said property will be referred to the County
34 Board to determine if the County shall retain title to said tax deeded land(s);

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36 D. In cases where a former homestead owner(s) or his or her heir(s) do exercise
37 their right of return of said property, said persons shall pay all of the
38 delinquent taxes which were the basis for the taking of tax deed, plus interest,
39 and any penalties established by law and all, special charges and
40 assessments, and other tax bill charges or fees as defined in Section
41 75.36(1), Wis. Stats., a pro rata share of the costs of the tax collection
42 enforcement foreclosure process, any costs accrued by the County Real
43 Estate Division and Corporation Counsel, plus an additional sum of 3 percent
44 of all the aforementioned amounts or \$200, whichever is greater.
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E. The former owner(s) or his or her heir(s) shall pay the taxes for the full year in which the return of the property from the County took place and the amount the taxes would have been owing in any years had the County not taken tax deed to the property.

F. If the former owner(s) do not initiate their option to have the property returned with an agreed upon written contract with the Office of the Treasurer within 60 days, the rights specified in this Ordinance to return the property shall be forever lost.

G. The title to the owner of the property shall not be returned until full payment is received as stipulated under section (B) above, and the Corporation Counsel has received court approval to vacate the foreclosure order.

H. The preference granted to the former homestead owner(s) or his or her heir(s) to return said property from the County is exempt from the provisions of Section 75.69, Wis. Stats.

SECTION 2. This ordinance shall be effective upon passage and publication.

**Adopted by the Milwaukee County Board of Supervisors
June 28, 2012**