

October 22, 2015

RESOLUTION NO. 2015-71

**RESOLUTION BY THE FINANCE AND HUMAN RESOURCES COMMITTEE
AUTHORIZING THE COUNTY TO BRING SUIT AGAINST TALMER BANK FOR BACK
TAXES OWED ON THE PROPERTY LOCATED AT 500 6th STREET IN THE CITY OF
RACINE**

To the Honorable Members of the Racine County Board of Supervisors:

BE IT RESOLVED by the Racine County Board of Supervisors that the County is hereby authorized and approved pursuant to Wis. Stat. Sec. 74.53 to bring suit against Talmer Bank as the current owner of the property with tax key number 276-00-00-00-240-000 located at 500 6th Street, Racine, WI 53403.

BE IT FURTHER RESOLVED that the Corporation Counsel and the Racine County Treasurer are hereby authorized to take any steps necessary to carry out this resolution.

Respectfully submitted,

1st Reading _____

**FINANCE AND HUMAN RESOURCES
COMMITTEE**

2nd Reading _____

BOARD ACTION

Q.A. Shakoor, II, Chairman

Adopted _____

For _____

Against _____

Absent _____

Robert N. Miller, Vice-Chairman

VOTE REQUIRED: Majority

Thomas Pringle, Secretary

Prepared by:
Corporation Counsel

Janet Bernberg

Donnie Snow

John A. Wisch

Brett A. Nielsen

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

1 Resolution No. 2015-71

2 Page Two

3
4
5
6 **The foregoing legislation adopted by the County Board of Supervisors of**
7 **Racine County, Wisconsin, is hereby:**

8 **Approved:** _____

9 **Vetoed:** _____

10
11 **Date:** _____,

12
13
14 _____
15 **Jonathan Delagrave, County Executive**

16
17
18
19 **INFORMATION ONLY**

20
21 **WHEREAS**, the property located at 500 6th Street has back taxes from 2007 to the
22 present totaling \$172,181.28 which includes interest and penalty through October of this
23 year and will continue to accrue interest and penalty at the annual rates of 12% and 6%,
24 respectively; and

25
26 **WHEREAS**, this property was originally owned by James and Lisa Spodick when
27 these back taxes began to accrue but they filed for a Chapter 13 bankruptcy in the U.S.
28 Bankruptcy Court for the Eastern District of Wisconsin in Case No. 12-23515-PP; and

29
30 **WHEREAS**, the bankruptcy court ordered that the title to the real property located at
31 500 6th Street, Racine, WI 53403 would vest in the first mortgage holder, Talmer Bank,
32 upon confirmation of the bankruptcy plan unless an objection was raised: and

33
34 **WHEREAS**, Talmer Bank did not object to the plan and became owner of the 500
35 6th Street property pursuant to a quitclaim deed dated September 6, 2014 from the
36 Spodicks to Talmer Bank which was filed with the Racine County Register of Deeds on
37 September 19, 2014; and

38
39 **WHEREAS**, the 500 6th Street property has been in disrepair for quite some time
40 causing the City of Racine to issue a raze or repair order on the parcel resulting in a
41 disincentive for the County to pursue the usual "in rem" foreclosure action pursuant to Wis.
42 Stat. Sec. 75.521 where the County would take ownership of the property; and

43
44 **WHEREAS**, the Corporation Counsel and the Racine County Treasurer have
45 reviewed this matter and have recommended that the County pursue collection of these
46 taxes by bringing suit against Talmer Bank personally pursuant to Wis. Stat. Sec. 74.53 as
47 opposed to the usual "in rem" foreclosure action that would result in County ownership
48 since the Bank is a collectable entity and given the condition of state of disrepair of the
49 property.