

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

HARVEST COVENANT CHURCH,
a Wisconsin church, individually and in
its capacity as representative of certain
individual members, and PASTOR
DARNELL D. ROBINSON,

Case No. 12-C-0549

Plaintiffs,

v.

CITY OF MILWAUKEE,

Defendant.

PROPOSED ORDER FOR DISMISSAL

Based upon the Stipulation of the parties to the above-captioned proceeding and upon the files and records thereof, the Court issues the following ORDER:

1. The defendant, City of Milwaukee (“City”), shall pay to the plaintiffs the sum of One Hundred Ninety-one Thousand Dollars (\$191,000.00). Said payment shall constitute full and final settlement of all claims brought by the plaintiffs against the City in conjunction with this proceeding.

2. The plaintiff, Harvest Covenant Church (the “Church”), shall be permitted to continue to operate at its current premises located at 7127 West Lisbon Avenue in the City of Milwaukee (the “Property”), in accordance with its “Plan of Operation” dated October 23, 2009, and as a referenced in the Court’s “Order for Interim Relief” dated March 26, 2013.

3. The Church shall be deemed to constitute a legal nonconforming special use, as defined and governed by §§ 295-201-399 and 295-415-2 of the Milwaukee Code of Ordinances. Continuation of the existing special uses located at the Property (*i.e.*, the day care facility and the

social services facility) shall not affect the Church's zoning status as a legal nonconforming special use.

4. This proceeding is hereby dismissed in its entirety, without prejudice, and without costs to any party.

Dated at Milwaukee, Wisconsin this ____ day of _____, 2013.

BY THE COURT:

s/Hon. Charles N. Clevert
U.S. District Court Judge

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