

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

PATRICK B. McDONNELL
LINDA ULISS BURKE
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY

800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND

Assistant City Attorneys

April 14, 2003

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Communication from Mary Beth Doyle
C.I. File No. 03-L-42

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Mary Beth Doyle, 14925 Hushing Brae Court, Brookfield, WI 53005, alleges that on December 30, 2002 she sustained damages when a clogged sanitary sewer lateral backed-up into her property located at 4153 North 84th Street. She claims damages in the amount of \$5,210.00.

Our investigation reveals that the Infrastructure Services Division records indicate that this matter was reported to and investigated by them on December 30, 2002. The City main sewer was found to be in proper working condition. The sanitary lateral was determined to be the cause of the backwater. They recommended that it be cleaned by a plumber. Laterals are the responsibility of the property owner by Charter Ordinance. The Forestry Division records indicate that, after receipt of the claim, they investigated and found the tree in question to be alive, healthy and not causing above-ground structural problems. They searched their service request file for the last four years and

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found no requests regarding tree roots in the sewer. This loss is not related to an obligation or negligence by the City of Milwaukee and as such, the City would not be liable. Accordingly, we recommend that this claim be denied.

Very truly yours,



GRANT F. LANGLEY
City Attorney



MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
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