

CITY OF MILWAUKEE

Form CA-43

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March 19, 2003

Amelia Hudson
2028 West Eggert Place
Milwaukee, WI 53209

RE: C.I. File No: 03-S-20

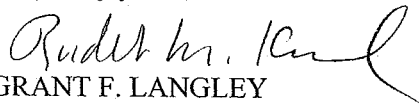
Dear Ms. Hudson:

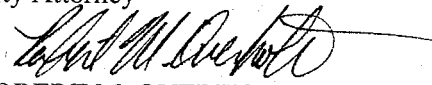
This office is in receipt of your claim in the amount of \$801.30, relating to damage sustained to your vehicle on December 18, 2002 when you drove into a pothole located at North 2nd Street and West Cherry Street.

Our investigation reveals the Department of Public Works-Operations Division worked on a breakdown in the conduit system from November 11, 2002 through December 4, 2002 in the area of North Commerce Street, West Cherry Street and North 2nd Street. The crews made the necessary repairs, back-filled the excavated areas, and temporarily patched the areas. The Division returned to the area on multiple occasions to "top-off" the excavation areas. On December 18, 2002, a street maintenance crew topped-off a slightly low cut at or near 198 or 200 West Cherry Street. When the Division is notified of a hazard in the roadway a crew is sent to investigate and/or patch the hazard. Prior to your loss the City had no notice of this defective condition, as such, since the City had no notice of the condition, it cannot accept liability for your loss. Accordingly, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
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