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CITY OF
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September 11, 2018

Cube Development
Attn: Glenn Banks
955 W. Dakota Street
Milwaukee, WI 53215

Mailed
9-13-18

RE: C.I. File No. 1068-2018-1713
Communication from Cube Development

SUSAN E. LAPPEN
PATRICIA A. FRICKER
HEIDI WICK SPOERL
GREGG C. HAGOPIAN
ELLEN H. TANGEN
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KATHRYN Z. BLOCK
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JULIE P. WILSON
GREGORY P. KRUSE
Assistant City Attorneys

Dear Mr. Banks:

We have received your claim in the amount of \$1,600.00 from a loss on July 1, 2018.

The Assessor's Office information notes that you are not the owner of the property.

Forestry Section records indicate that on July 1, 2018 they received a call regarding a "broken branch down" which was blocking the street at 955 West Dakota. The request was routed to a Forestry crew the next day. They responded and removed a branch from a Green Ash street tree. Forestry was not notified that the branch had caused any property damage. After receipt of this claim, they inspected the tree. They identified a stub in the tree that the branch that failed may have come from. It does not appear that decay was present in the stub.

Forestry notes that on July 1, 2018 Milwaukee experienced peak wind speeds of 54 miles per hour. They also reviewed their records for the last 6 years at this location for tree-related issues and found no other requests for service. The trees in this area are on a regular pruning schedule and were last pruned in September 2011.

There is no evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we are denying your claim.

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



Cube Development
September 11, 2018
Page 2

53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



GRANT F. LANGLEY
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:mal

c: Ian Brown (Forestry)

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