

# CITY OF MILWAUKEE

Form CA-43

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July 19, 2001

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

Re: Communication from Union Pacific Railroad Company  
C.I. File No. 01-L-88

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, Union Pacific Railroad Company, by its representative, Cathy Johnston, 111 South Magnolia Street, Palestine, TX 75801, alleges that on April 11, 2001 their tracks at South 15<sup>th</sup> Place and West Cleveland Avenue were damaged by a water main break and that their trains were also delayed. They claim damages in the amount of \$8,530.82.

Our investigation reveals that a possible water main break was reported to the Milwaukee Water Works at approximately 1:57a.m. in the area of South 15<sup>th</sup> Place and West Cleveland Avenue on April 12, 2001. Their investigator arrived at the site by 2:43 a.m. and reported an eight inch main break. He also reported that the main was turned off at this time because no consumers are connected to the main.

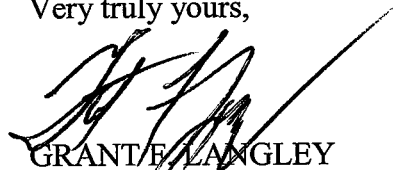
To the Hon. Common Council

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No flooding condition or damages were noted. Since the Milwaukee Water Works responded in a timely manner the City would not be liable. Accordingly, we recommend that this claim be denied.

Very truly yours,



GRANT E. LANGLEY  
City Attorney



MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure