

April 8, 2004

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

Re: Communication from Marian Porter
C.I. File No. 04-S-87

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, Marian Porter, 725 North 22nd Street, Room 108, Milwaukee, WI 53233, alleges that on or about February 27, 2004 personal items were taken from the trunk of her vehicle while parked at or near 3701 West Hayes Street. She claims damages in the amount of \$12,615.00.

Our investigation reveals that a 1996 Mercury, belonging to the claimant was towed to the City of Milwaukee tow lot on February 20, 2004 for Obstructing an Alley/Driveway. The vehicle was abandoned and left unattended in traffic. The tow lot records noted there were no items of value upon arrival at the tow lot. The records also note the vehicle was unsecured when it was abandoned in traffic. The claimant retrieved her vehicle on February 27, 2004 and made no complaint of missing personal items at that time. Ms. Porter requested to have her vehicle towed to the street upon release, because it was inoperable. The tow lot personnel then towed the

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unsecured vehicle to 3701 West Hayes Avenue. The tow lot followed normal and customary procedures and as such, the City cannot accept liability for her loss. 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
1044-2004-927:79680