

CITY OF MILWAUKEE

Form CA-43

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January 11, 2001

Windy Harris
4428 North 25th Street
Milwaukee, WI 53209

Re: C.I. File No: 00-S-392

Dear Ms. Harris:


This office is in receipt of your claim in the amount of \$3,807.00, relating to injuries you sustained on June 30, 2000 when you fell due to a defective curb at 2102 West Fond du Lac Avenue.

We are advised by Infrastructure Services Division that the sidewalks, curbs and gutters in the 2100 block of West Fond du Lac Avenue are in poor condition and all of Fond du Lac Avenue between 19th Street and 36th Street is scheduled for reconstruction in 2001. Until this occurs they are attempting to maintain the area with regular checking for defects and asphalt patching as needed, but unfortunately defects can occur in the interim. Because of this concerted effort and the fact that they had no notice concerning the site of your accident prior to its occurrence, the City of Milwaukee would not be liable. 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, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT M. OVERHOLT
Investigator Adjuster

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