

November 16, 2005

Hattie Clark  
6139 West Keefe Avenue  
Milwaukee, WI 53216

RE: Hattie Clark  
C.I. File No.: 05-S-126

Dear Ms. Clark:

We have received your claim in the amount of \$65.00, relating to damage sustained to your vehicle on or about April 19, 2005 when you allegedly hit two potholes while driving at or near North 32<sup>nd</sup> Street and West Center Street.

Our investigation reveals Infrastructure Services Division-Field Operations (ISD) reviewed their records and the records of the DPW "Call Center" for the period April 19, 2004 to April 30, 2005. Their records reflected they have conducted asphalt patching in the area of West Center Street near North 32<sup>nd</sup> Street on numerous occasions, but no time around the date in question. The "Call Center" records for this period indicated no complaints were received for the subject area. As a result of this claim the ISD conducted another asphalt patching operation in the area of 3302 West Center Street on May 20, 2005. When the ISD is notified of a hazard in the roadway they will send a crew to investigate and or patch the hazard. Prior to this, the City had no notice of this hazard in the roadway and because of this lack of notice; the City would not be liable. Therefore, we are denying your claim.

Hattie Clark  
November 16, 2005  
Page 2

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the date 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  
1029-2005-1059:98899