

To:

Milwaukee City Clerk
200 East Wells St Room 205

CITY OF MILWAUKEE
2024 JUL 15 PM 12:38
CITY CLERK'S OFFICE

I'm requesting a formal hearing regarding the damage by car sustain by a city of Milwaukee pothole.

I haven taken a photo of the postmarked envelope for my records.

Enclosed you will find the original envelope. I do want to point out that the postmarked letter was delivered to my address on Monday, June 24th.

Lewa Evans
3260 N. 47th St
Milwaukee, WI 53216

RE: C.L. File No. 1029-2024-814

Lisa Evans
3200 N. 47th St
Milwaukee, WI 53216

CITY OF MILWAUKEE
2024 JUL 15 PM 12:38
CITY CLERK'S OFFICE

U.S. POSTAGE PAID
FCM LETTER
MILWAUKEE, WI 53226
JUL 11, 2024
\$0.68
S2324E501654-05

Retail

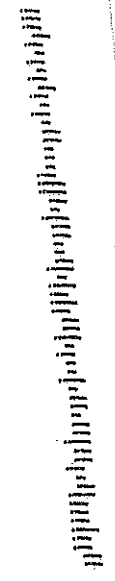


53202

RDC 99

Milwaukee City Clerk
200 East Wells St Room 205
Milwaukee, Wisconsin 53202

E3202-357099



EVAN C. GOYKE
City Attorney

MARY L. SCHANNING
ROBIN A. PEDERSON
JENNIFER L. WILLIAMS
Deputy City Attorneys



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Assistant City Attorneys

June 11, 2024

*mailed
6-20-2024*

Lewa Evans
3260 North 47th Street
Milwaukee, WI 53216

RE: C.I. File No. 1029-2024-814
Communication from Lewa Evans

Dear Ms. Lewis:

We are in receipt of your claim for vehicle damages you sustained on March 2, 2024, allegedly as a result of driving over a pothole in the roadway in the area of 4400/4500 West Burleigh Street.

The City takes any report of defective streets or sidewalks seriously, and upon notice of any defect the Department of Public Works sends a crew to investigate, and/patch, repair or barricade known hazards. However, state law relative to potholes changed significantly following the adoption of 2011 Wisconsin Act 132, which deleted so much of Wis. Stat. 893.83 as previously imposed liability upon municipalities for all road defects. Under current law, municipalities are only liable for defects under circumstances demonstrating prior notice to the municipality and breach of a duty to respond. In all other circumstances, the City is not liable for property damage caused by road defects.

City records indicated that prior to March 2, 2024, the city had no notice of this hazard in the roadway. Because of this lack of notice, the city is not liable for damages. As such, we are denying your claim.

A rectangular stamp with the word "COPY" in a bold, sans-serif font.



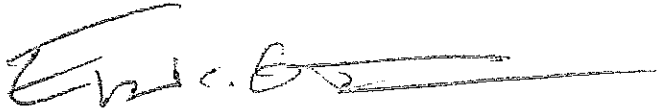
Ms. Lewa Evans

June 11, 2024

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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 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,

A handwritten signature in black ink, appearing to read "Evan C. Goyke", written over a horizontal line.

EVAN C. GOYKE

City Attorney

A handwritten signature in black ink, appearing to read "Patricia Klosiewski", written in a cursive style.

PATRICIA KLOSIEWSKI

Investigator Adjuster

ECG/PK/cdr

1029-2024-814/291672