

# CITY OF MILWAUKEE

Form CA-43

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January 23, 2006

Matricia Franklin  
6910 West Hampton  
Milwaukee, WI 53218

RE: Matricia Franklin  
C.I. File No: 05-S-338

Dear Ms. Franklin:

We have received your claim in the amount of \$422.40, relating to damage sustained to your vehicle on October 12, 2005 when you drove through freshly painted lines in the street while traveling southwest on 54<sup>th</sup> Street and Maxwell near Fond du Lac Avenue & Capitol Drive.

Our investigation reveals that the Infrastructure Services Division records indicate that City crews were painting traffic lines in the general vicinity of the intersection of West Fond du Lac Avenue and West Capitol Drive on October 12, 2005. The painting operation is performed using a larger truck which has painting equipment, hazard warning lights and signs. The signs are on the rear of this truck and warns other drivers that this slow moving vehicle "Makes Frequent Stops" and to "Stay Back 300 Feet". The paint is applied to the street as the truck moves slowly along the road and, depending on conditions, can dry in minutes. The City has taken reasonable precautions to endure the safety of this operation and to warn of the potential hazards. There is no evidence that the City was negligent. As such, the City would not be liable. Therefore, we are denying your claim.

Matricia Franklin  
January 23, 2006  
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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 E. LANGLEY  
City Attorney

*Steven M. Carini*

STEVEN M. CARINI  
Investigator Adjuster

SMC:beg  
1029-2005-3275:101118