

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
LINDA ULISS BURKE
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

March 22, 2002

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

Melinda Tempe
6101 North Denmark Street
Milwaukee, WI 53225

RE: C.I. File No.: 02-S-75

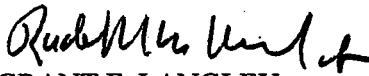
Dear Ms. Tempe:


This office is in receipt of your claim in the amount of \$490.10, relating to damage sustained to your property on November 16, 2001, when allegedly a clogged City main sewer backed-up in your basement located at 6101 North Denmark Street.

Our investigation reveals that the Infrastructure Services Division notes that at the time of their inspection the City main sewer was operating properly and the basement had drained out. As a precaution they cleaned the sewer and found nothing unusual. They also inspected the sewer with a television camera and observed some minor grease. This was removed by additional cleaning. It is their opinion that this back-up may have been a result of a temporary or partial sewer clog. The sewer was on a three year cleaning schedule. The last time the sewer was cleaned was on February 4, 2000. Because the sewer was on a regular cleaning schedule and the City did not have any notice of any problems with the sewer, the City cannot be held 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, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


STEVEN M. CARINI
Investigator Adjuster

SMC