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April 9, 2010

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution relating to the claim of Mary Arterbridge
C.I. File No.: 09-1-130

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimant, Mary Arterbridge, 4924 North 26th Street, Milwaukee, WI 53209, and her insurance company, State Farm Insurance by Ned Beyer, P.O. Box 2375, Bloomington, IL 61702-2375, allege that on October 6, 2009, a dying City tree fell on Ms. Arterbridge's home. They claim damages in the amount of \$9,705.81.

Our investigation reveals that the Forestry Section (FS) received an emergency request for service on the date in question for this location. The FS removed the City tree from Ms. Arterbridge's home. The FS records further reflected they had marked this tree for removal on August 21, 2009, but had failed to remove it prior to this loss. The FS indicates that it should have conducted a further evaluation of this tree to reveal its priority hazardous condition before the branch fell.

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend payment of this claim in the amount of \$7,350.00 and have attached the appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney
JAS:ms
Enclosure
1053-2009-3031:156797

OFFICE OF THE CITY ATTORNEY