

CITY OF MILWAUKEE

Form CA-43

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August 20, 2004

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

Re: Communication from Beverly Werdin
C.I. File No. 04-L-33

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary Legislation with the following recommendation.

Claimant, Beverly Werdin, 5620 West Valley Forge Drive, Milwaukee, WI 53213 alleges that sometime in late February 2004 she sustained damages when the sewer and water contractor for her new home, being constructed at this address was unable to locate the lateral connection to the City's main sanitary sewer. She claims damages in the amount of \$14, 054.00.

Our investigation reveals that the Infrastructure Services Division indicates that representatives of Atkins Construction contacted them on several occasions to request information regarding the existence of a sanitary sewer service to the property. Initially, they provided information verbally over the telephone. The contractor was having difficulty locating the service. The division faxed a copy of the sewer plat page to the contractor. Subsequently, the division's staff did further research to check the locations as depicted on the sewer plat page and the information indicates that a service was installed in the general area, but no dimensioned location is shown on the plans. After receipt of this claim, they conducted a field investigation and found that the

To the Hon. Common Council
August 20, 2004
Page 2

manhole was actually 30 feet west of the location depicted on the map. The damages related to the search for the lateral were agreed to be \$7,054.00. In addition, the City will do the needed pavement restoration at no cost to the claimant. Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim and have enclosed an appropriate resolution for your convenience.

Very truly yours,



GRANT E. LANGLEY
City Attorney



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Assistant City Attorney

MGT:beg
Enclosure
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