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June 7, 2019

Leon Davis
226 W. Cherry Street
Milwaukee, WI 53208

Mailed
6-19-19

RE: C.I. File No. 1029-2019-886
Communication from Leon Davis

Dear Mr. Davis:

We are in receipt of your claim for damages to your 2013 Ford 150 in the amount of \$2,334.53 which allegedly occurred from striking potholes in the roadway of West Vliet Street from North 20th to North 27th Street between February 1, 2019 and April 15, 2019.

Wisconsin municipalities have discretionary immunity from liability for any damages that are due to a defect in a sidewalk or street. The City takes any report of defective streets or sidewalks seriously and upon notice of the defect, the Department of Public Works sends a crew to investigate and or patch, repair, or barricade the hazard. Under discretionary immunity, the City is generally not liable for the damages.

The Infrastructure Services Division (ISD) conducted and concluded their investigation into this matter by reviewing their records along with the records of Public Works Call Center relative to this incident.

Their investigation revealed that we had prior knowledge of a hazard in the roadway of West Vliet Street from North 20th to North 27th Street between February 1, 2019 to April 15, 2019, and it was patched in a timely fashion. ISD following their normal procedures and acting within its discretion in the repair of the potholes, coupled with the City's discretionary immunity, the City is not liable for your damages. As such, we are denying your claim for damages sustained to your vehicle.

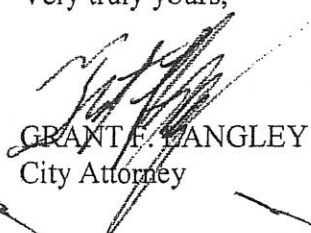
If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please



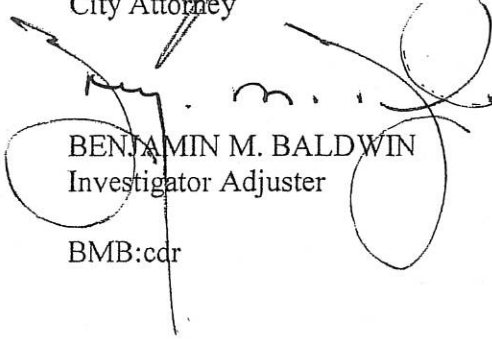
Leon Davis
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include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



GRANT E. HANGLEY
City Attorney



BENJAMIN M. BALDWIN
Investigator Adjuster

BMB:cdr

