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February 12, 2020

Daryl A. Parker
2548 N. 20th Street
Milwaukee, WI 53206

RE: C.I. File No. 1029-2020-59
Communication from Daryl A. Parker

Dear Mr. Parker:

We have received your claim for damages in the amount of \$857.95 to your Ford F150 that resulted from striking a missing / recessed manhole cover in the vicinity of 27th Street and West Fairmount Avenue on January 1, 2020.

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.

On January 3, 2020 Sewer Maintenance responded to a complaint of a missing manhole cover. The lid was replaced and the manhole was barricaded. This structure was scheduled for immediate repair.

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. City records indicated that prior to the January 1, 2020 incident, Sewer Maintenance had not received any missing lid complaints for this area. Because of this lack of notice, and the City's discretionary immunity, the City is not liable for your damages. As such, we are denying your claim.

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



Daryl A. Parker
February 17, 2020
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53202. Please 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 F. LANGLEY
City Attorney



BENJAMIN M. BALDWIN
Investigator Adjuster

BMB:mal
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