

File No. 1068.2022.974

2.20.23

I Vanessa Sanders wish to appeal the decision with the City of Milwaukee about the tree falling on my 2016 Ford Fiesta on July 18, 2022.

The tree couldn't be that healthy if I was told by the City Attorney its been since 2012 I complained about this particular tree and forestry had to come out. Most recent December 2021 I called twice and forestry came out at night and it wasn't snowing or anything.

For the last 12 years this tree have been neglected by the city forestry. Thats why when I call they come out to do something. Look at the orders. Its not from wind. A healthy tree branches isn't going to constantly fall.

Why would the city come out to prune if nothings wrong.

I disagree with the decision.

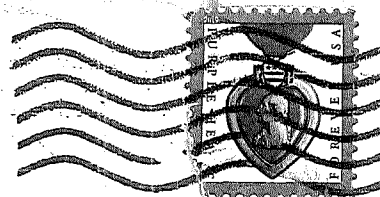
Sincerely
Vanessa
Sanders

Vanessa A. Sanders
3838 N. 38th St
Milw. WI. 53216

Claims

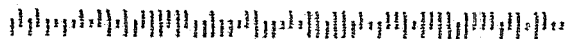
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January 31, 2023

*Mailed
2-2-2023*

Ms. Vanessa Sanders
3838 N. 38th Street
Milwaukee, WI 53216

RE: Communication from VANESSA SANDERS
C.I. File No. 1068-2022-974

Dear Ms. Sanders:

We are in receipt of your claim for damages that occurred to your 2016 Ford Fiesta, on July 18, 2022, when a City tree branch broke and fell on your vehicle at or near 3838 N. 38th Street.

Our investigation reveals that at approximately 9:15am, on July 18, 2022, the Forestry Section received notification of a broken branch from a City tree that was hanging over the street and sidewalk located at 3838 N. 38th Street. A Forestry crew responded at approximately 10:20am, and confirmed the broken City branch had fallen onto your vehicle.

Further investigation revealed that the subject tree was a 30" Green ash tree that appeared in good health, and the branch that failed was alive and there was no decay evident at the point of failure.

On July 17, 2022 through July 18, 2022, the City of Milwaukee experienced winds with sustained speeds of 15mph and peak winds of 21mph according to reports from General Mitchell by NOAA. The Forestry Section responded to 24 emergency calls regarding broken branches and down trees during this timeframe.

It is our view that the tree failure was not a result of any negligence caused by the City Forestry Division. Therefore, we cannot accept liability for your damages and we are denying your claim.

COPY



Ms. Vanessa Sanders
January 31, 2023
Page Two

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 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,


TEARMAN SPENCER
City Attorney


MICHELLE THOMPSON-GRAY
Investigator Adjuster

MG/cdr

1068-2022-974/283546