

CITY OF MILWAUKEE

Form CA-43

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November 18, 2002

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

Re: Communication from Marie Lepkowski
C.I. File No. 02-L-128

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.

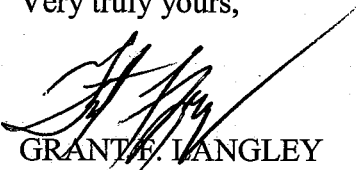
Claimant, Marie Lepkowski, 3140-A South 39th Street, Milwaukee, WI 53215-4015, alleges on her own behalf that on August 13, 2002 she sustained damage to her property due to sewer back-up in her basement at 3140-A South 39th Street. She claims damages in the amount of \$5,000.00.

The Infrastructure Services records indicate there were no complaints of backwater reported or investigated at this specific address or in this block during the rainfall on August 12/13, 2002. It is likely this loss occurred because the severity of the rainstorm caused more water to enter the sewer system than it could accommodate. Because this flooding exceeded the height of the claimant's basement floor caused the sewer to flow backwards. This condition occurred at many locations within the City and could not have


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been prevented. This incident was not caused by the City's negligence. Accordingly, we recommend denial of this claim.

Very truly yours,



GRANT E. LANGLEY
City Attorney



MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1029-2002-3042:60183