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March 6, 2007

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

Re: Resolution relating to the claim of Mary A. Kelnhofer
C.I. File No. 07-L-3

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, Mary A. Kelnhofer, 1610 south 56th Street, West Milwaukee, WI 53214-5265, alleges that on October 5, 2006 she discovered that her lateral had broken. She alleges that this was due to the weight of the 48 inch water main located above it. She claims damages in the amount of \$9,300.00.

Our investigation reveals that the Milwaukee Water Works (MWW) records indicate that their distribution center did not conduct any repair activity at 1610 South 56th Street. This property is located in West Milwaukee and the MWW does not perform any repairs in West Milwaukee. West Milwaukee maintains its own water infrastructure and water mains. In addition, the Milwaukee Infrastructure Services Division records indicate that they were never called to this property. Since this loss does not involve the City of Milwaukee, it cannot be held liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

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Assistant City Attorney

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