

CITY OF MILWAUKEE

2001 NOV 20 PM 1:10

RONALD D. LEONHARDT
CITY CLERK

November 19, 2001

Dear Mr. Langley,

I received your letter regarding our claim (C.I. file no. 01-V-268). I am appealing the decision to deny our claim against the City of Milwaukee. I would like to request a hearing.

Regards,



Jane D. McBriarty
2561 N. 41st Street
Milwaukee, WI 53210
414.442.9833

CITY OF MILWAUKEE
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'01 NOV 20 PM 4:18

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE

2001 OCT 17 AM 11:56

RONALD D. LEONHARDT
CITY CLERK

October 11, 2001

City Clerk,

On July 13, 2001 a skid loader picked up garbage that we had requested a special pick up for. The garbage was placed where we were instructed, behind our garage in the alley. During the removal, the skid loader penetrated our garage door, framework and exterior south side of the garage.

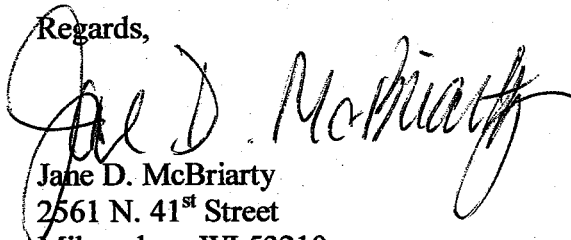
I would like to file a claim to recover the damages done to our garage.

I've included two quotes for repair on the garage. One is for \$ 950.00 (does not include paint) and the other is for \$ 1195.00. The garage needs to be repaired as it has structure damage and the south door is no longer usable. The sanitation department has already taken pictures.

The City Vehicle number is Skid Loader # 50115.

Please contact me to resolve this situation.

Regards,



Jane D. McBriarty
2561 N. 41st Street
Milwaukee, WI 53210
414.442.9833 Home
414.517.7333 Mobile
888.624.4505 Office

CITY OF MILWAUKEE
OFFICE OF
CITY ATTORNEY

01 OCT 18 PM 3:20

CITY OF MILWAUKEE
RECEIVED

893.80 Claims against governmental bodies or officers, agents or employes; notice of injury; limitation of damages and suits. (1) Except as provided in subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employe of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employe under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employe; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.

To File A CLAIM with The **CITY OF MILWAUKEE:**

You will need the following information

DATE of Incident

7/13/01

"City" Vehicle Number

"INVESTIGATIVE"

SKID LOADER # 50115

2561 N. 41ST ST

Lifetime Door Co., Inc.

12645 W. Townsend • Brookfield, Wisconsin 53005

Phone 262-783-4004

Project NEW DOOR + REPAIR WALL Location Same
 Architect STRIM AS USED Date 8/17/01

MATTHEW McBRIARTY
 2561 N. 41st Street
 MILWAUKEE WI. 53210
 Res 213 6333 Fax 866-795-4505

We propose to furnish the following	AMOUNT	
1) TAKE OUT DAMAGED DOOR 8'-6" x 7/8" 2) REBUILD OPENING DAMAGED ON FRONT + SOUTH SIDE 3) INSTALL 8'-6" x 7/8" WOOD PANEL DOOR 4) <u>CLEANUP ON COMPLETION</u> - NINE HUNDRED FIFTY <u>00</u> <u>00</u>	950. ⁰⁰	
DATE INSTALLATION DESIRED _____	NET TOTAL	
<small>Openings are to be prepared by others in accordance with our specifications. The above price does not include glass, glazing, painting or wiring for electric operator, unless included in above proposal. Above proposal is made for prompt acceptance.</small>		
We accept the above proposal:		
OWNER: <u>X</u> _____	783 4004	
OWNER: _____	Wally Smott	
DATE: _____	BY: _____	

As required by the Wisconsin Construction Lien Law, the builder hereby notifies the owner(s) that persons or companies furnishing labor or materials for the construction on owner's land may have lien rights on owner's land and buildings if not paid. Those entitled to lien rights, in addition to the undersigned builder are those who contact directly with the owner or who give the owner notice within 90 days after they first furnish labor or materials for the construction. Accordingly, owner probably will receive notices from those who furnish labor or materials for the construction and should give a copy of each notice received to his mortgage lender, if any. Builder agrees to cooperate with the owner and his lender, if any, to see that all potential lien claimants are duly paid.

ORDER TAKER M.T.
 Date Order Received _____
 Scheduled Date _____
 Lead Number _____
 Locked Yes _____ No _____
 Call First Yes _____ No _____
 Best Time to Call _____
 Measured By M.T.



8401 W. Calumet Road
 Milwaukee, WI 53224
 414/362-7222
 Fax 414/362-7226

PROPOSAL

Job # _____
 Cust. # _____
 Entered By _____
 Billed Out _____
 Order # _____ Date _____
 Inventory Checked _____

*Subject to trip charge if wrong size.
 Proposal submitted to: Matthew McBriarty, Owner
 Address 25101 N. 41st St
 City, State Milwaukee, WI Zip Code 53210
 Home Telephone 213-6333 Work Telephone _____
 Job address if different than above Same
 Date of this proposal 8/20/01 This proposal will expire in 60 days, unless accepted in writing.

We propose to:

- Remove existing overhead door.
- Haul away existing overhead door.
- Box down and retrim overhead door opening to _____ by _____ brand
- Supply and install (1) (84 x 7) wood panel overhead door(s) with a 1 year warranty.
- 4 section 4 panel design factory finished primed Door(s) to be installed (with) an exterior keyed lockset. A/Del. _____
- Special order Yes Order Date _____
- Includes new hardware, tracks and torsion springs.
- Supply and install perimeter vinyl weatherstrip overhead door stop mouldings.
- Rubber door bottom included.
- Reconnect existing electric door operator to new door.
- Supply and install () () brand _____ model electric door operator, inter wall button, with _____ transmitters and _____ year warranty.
- Additional specifications: Remove damaged trimwork and framing from overhead door jambs. Rebuild and retrim w/ simular woodwork. Prime and paint (1 coat of each) overhead door & jambs.

We propose to furnish labor and material in accordance with above specifications for the sum of: owner to pick cc
One Thousand One Hundred Ninety Five - Dollars (\$ 1195.00)
 Payment to be made as follows: upon completion please

Insurance deductible (if any) to be paid by homeowner prior to installation.
 Authorized signature: [Signature]

NOTICE TO CUSTOMER (a) DO NOT SIGN THIS BEFORE YOU READ THE WRITING ON THE REVERSE SIDE, INCLUDING LIEN NOTICE, EVEN IF OTHERWISE ADVISED. (b) DO NOT SIGN THIS IF IT CONTAINS ANY BLANK SPACES. (c) YOU ARE ENTITLED TO AN EXACT COPY OF ANY AGREEMENT YOU SIGN.

Acceptance of proposal. The above prices, specifications and conditions are satisfactory and are hereby accepted. J.D. Griffiths Company is authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____, Owner
 Date of Acceptance: _____

Installed By _____
 Date _____
 Paid By Cash Check # _____ Ch

Please retain the bottom copy for your records and return the signed proposal to your sales representative. Thank you for _____