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September 3, 2008

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

Re: Resolution relating to the claim of Doris Hantke-AP Properties, LLC
          C.I. File No. 08-L-69

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, AP Properties, LLC, by Doris Hantke, N72 W12922 Good Hope Road, Menomonee Falls, WI 53051, alleged that on or about June 6, 2008 they suffered losses at their property located at 4222 West Capitol Drive due to a sewer back-up. They seek damages in the amount of $18, 404.65.

Our investigation reveals the Sewer Maintenance Department responded to a backwater call on June 5, 2008 at this location. They found the sanitary sewer was clogged due to grease and paper. The sewer was cleaned and restored to service. The records reflected that this sewer is on a regular cleaning schedule and was last cleaned on November 27, 2006. Since the sewer was on a regular cleaning schedule and the City did not have notice of this condition, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1029-2008-2491/2491.001:136696