

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD (414) 286-2025
FAX (414) 286-8550

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM STEPHENS
KEVIN P. SULLIVAN

Assistant City Attorneys

December 20, 2005

Vanessa Vara-Ramos
602 East Linus Street
Milwaukee, WI 53207

RE: Vanessa Vara-Ramos
C.I. File No: 05-S-312

Dear Ms. Vara-Ramos:

We have received your claim in the amount of \$71.96, relating to damage sustained to your vehicle's tire rim on September 28, 2005 when it collided into a pothole, located at South Cesar E. Chavez Drive and West Lapham Boulevard.

Our investigation reveals that the Infrastructure Services Division records from September 28, 2004 to October 15, 2005 indicates that they conducted asphalt patching at the intersection of South Cesar Chavez Drive and West Lapham Boulevard on one occasion during this period. On September 30, 2005 a Street Maintenance crew patched with asphalt a pothole in the roadway at 1600 South Cesar Chavez Drive. Their records also indicate that between September 28, 2004 and October 15, 2005 they received one complaint for this area. On September 28, 2005 at 1:24 p.m. the Call Center received a call about a pothole in the roadway at 1600 South Cesar Chavez Drive. A Street Maintenance crew patched this location on September 30, 2005. When the division is notified of any hazard in the roadway, sidewalk or alley they will send a crew to investigate and/or patch the hazard. Prior to this, the City had no notice of this hazard in the roadway and because of this lack of notice; the City would not be liable. Therefore, we are denying your claim.

Vanessa Vara-Ramos

December 20, 2005

Page 2

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT F. LANGLEY
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:beg

1029-2005-2880:100166