

CITY OF MILWAUKEE

Form CA-43

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October 10, 2002

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

Re: Communication from William R. Liska, Authorized Agent
of owner: Miguel S. Estrada
C.I. File No. 02-L-95

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, Miguel S. Estrada, 1328 South Cesar Chavez Drive, Milwaukee, WI 53215, alleges through his agent, William R. Liska, 7833 West Becher Street, #6, Milwaukee, WI 53219, that on March 30, 2002 a leak in the City's side of the water branch service resulted in the claimant having the branch repaired. They claim damages in the amount of \$6,692.50.

Our investigation reveals that the Milwaukee Water Works records indicate that they responded to a leak in service in the area of 1322 South Cesar Chavez Drive on March 30, 2002. The Water Works investigator noted a leak on a 2-inch branch service and turned the water off. A Water Works crew determined that the leak was on the owner's side of the branch service. The claimant was notified of his responsibility to have the leak repaired. The claimant subsequently hired a plumber who excavated and replaced 5 to 6 feet of pipe with copper service. The plumber then noticed a leak on the City's side of the service. The Water Works was notified and sent an investigator who confirmed it. They made repairs that day. The Water Works indicates that the owner's leak notice was

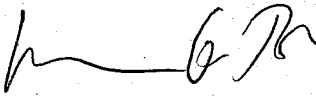
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correct. In addition, the type of leak found on the City's side, a split leak, indicates that the plumber may have caused the leak by stretching the pipe. The City is not liable for this claim. Accordingly, we recommend that this claim be denied.

Very truly yours,



GRANT E. LANGLEY
City Attorney



MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1029-2002-2189:58802