

September 27, 2004

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

Re: Communication from Cemex, Inc.
C.I. File No. 1029-2004-2609; 04-L-107

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimant, Cemex, Inc., Attn: Keith Nicholson, 840 Gessner, Suite 1400, Houston, TX 77024 on their own behalf alleges that in June 2004 they hired Heiden Plumbing Company to correct a blocked sewer lateral at their property located at 2006 South Kinnickinnic Avenue. They claim damages in the amount of \$22,612.36.

Infrastructure Services Division-Underground Operation (ISD) also investigated this lateral in July 2004. They found the claimant's lateral was damaged in April 1998 during excavation activity by ISD while abandoning old communication manholes and subsequent installation of new facilities. We recommend payment of this claim in the amount of \$22,612.36. Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
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