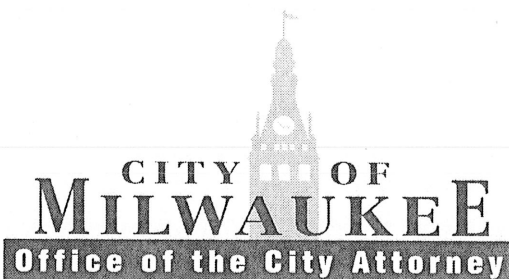


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December 15, 2022

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

RE: Communications from American Family Insurance  
on behalf of Rosa Montes  
C.I. File No. 1068-2022-1236

Dear Sir or Madam:

American Family Insurance alleges that on June 1, 2022, a tree belonging to the City of Milwaukee broke and fell on their insured's fence that pulled down the electrical wiring out of the home and damaged electrical pipes located at 2005 S. 35<sup>th</sup> Street. American Family Insurance has submitted a claim for damages in the amount of \$5,065.40.

Our investigation revealed that on June 1, 2022, the Forestry Section received a service request for a tree split at 2001 S. 35<sup>th</sup> Street. A Forestry crew responded and removed the limb. The City experienced winds averaging 8.1 mph with peak wind gusts to 27MPH reported at General Mitchell. As a result, the Forestry Section received 23 calls for broken branches and other storm related issues from that event. Further maintenance records dating back to June 2012, revealed there were six requests related to Tall Grass/Weed violations for 2005 S. 35<sup>th</sup> Street.

It is our position that the tree failure was not a result of any negligence caused by the City Forestry Division. As such, we recommend that the claim be denied.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Tearman Spencer".

TEARMAN SPENCER  
City Attorney

A handwritten signature in dark ink, appearing to read "S. Todd Farris".

S. TODD FARRIS  
Deputy City Attorney

STF/MG/cdr

1068-2022-1236/282952

