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November 21, 2018

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

RE: C.I. File No 1068-2018-2014
Communications from Mary Fitzgerald

Dear Common 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.

Mary Fitzgerald, owner of 2765 N. 11th Street, alleges that the large tree growing from the City-owned property at 2771 N. 11th Street caused extensive damages to the roof of her residence, resulting in interior damage. She claims damages of \$20,000.

Forestry Section investigated this matter. A representative from Forestry met with Ms. Fitzgerald on September 6, 2018 on an unrelated matter, at which time Ms. Fitzgerald expressed concern about the branches from a neighboring City-owned tree on her roof.

A risk assessment of that tree determined it was not hazardous. The branches affecting the roof of Ms. Fitzgerald were later removed by Asplundh Tree Expert Company.

The City-owned property was acquired June 2014. At the time of acquisition, the property is inspected and assessed. If property is found to be hazardous, it is referred to a contractor for removal. Aside from Ms. Fitzgerald's request on September 6, 2018, there were no other issues or complaints regarding the tree at 2771 N. 11th Street.



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Forestry Section addressed Ms. Fitzgerald's concerns as to the tree in a timely manner. There is no evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,



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Enclosure

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