

GRANT F. LANGLEY
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August 2, 2017

*mailed
8/9/17*

Ms. Lyndia Posey
3140 North 60th Street
Milwaukee, WI 53216

RE: C.I. File No. 1068-2017-1470
Communication from LYNDIA POSEY

Dear Ms. Posey:

We have received your claim in the amount of \$401.28, relating to damage from a loss on July 11, 2017.

Forestry Section records indicate that on July 11, 2017 they received a call regarding a "branch down" at 5865 North 72nd Street. The request also stated that the branch fell onto the back window of your vehicle and shattered it. A Forestry crew leader responded and found that the branch was not blocking the area so it was not removed until the next day. The Norway Maple street tree was approximately 20-inches in diameter and was in good condition. A large Silver Maple tree was directly behind it. Forestry indicates that the Silver Maple tree is located on private property. It is undetermined if the branch failure was from the City or private tree.

Forestry notes that on July 11, 2017 Milwaukee experienced peak wind gusts of 17 miles per hour. They also reviewed their records for the last 6 years at this location for tree-related issues and found no other requests for service. The trees in this area are on a regular pruning schedule and were last pruned in March 2017.

There is no evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we are denying your claim.



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If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



GRANT E. LANGLEY
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:cdr

c: Jeffrey Kluslow (Forestry)

1068-2017-1470/241491