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January 8, 2015

*Mailed
1/12/15*

Ms. Sandra Astorga-Rojas
4610 South Logan Avenue, Apt. 202
Milwaukee, WI 53207

RE: C.I. File No. 1068-2014-2972
Communication from SANDRA ASTORGA-ROJAS

Dear Ms. Astorga-Rojas:

We have received your claim in the amount of \$500.00, relating to your deductible incurred after a branch from a City tree fell onto your vehicle while it was parked at/near 4610 South Logan on August 15, 2014.

The Forestry Section records indicate that on August 15, 2014 at 11:00 p.m. they received a call for a tree down on a car at 4607 South Logan Avenue. They responded the next day. Upon arrival, their crew found that a branch, approximately 25 inches in diameter and 40 feet long, from a Box Elder street tree had fallen onto a vehicle at this location. The tree was alive with decay inside the trunk at the failure point. This decay was not visible from the exterior of the branch or the tree. They removed the broken branch. The tree was then tagged for removal due to the extent of decay in the main trunk. The top of the tree was cut down on August 18, 2014, and the trunk was taken down on October 21, 2014.

The Forestry Section also reviewed their records within the last 6 years at this location for tree related issues and found one other request for service. On August 15, 2008 they received a request to remove deadwood from the tree. The caller was told the tree had minor deadwood and that it would be pruned during the normal pruning cycle in 2008. The pruning of trees in this area was completed in January 2009. The pruning crew inspected and pruned the tree. They did not report any concerns with the stability of the tree.

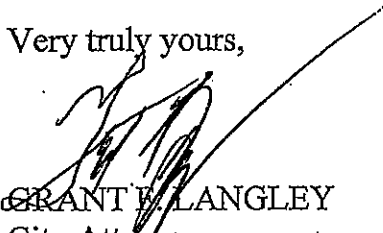


Ms. Sandra Astorga-Rojas
January 8, 2015
Page Two

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.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT E. LANGLEY
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:cdr

1068-2014-2972/211414