

February 26, 2003

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

Re: Communication from Olga Morris  
C.I. File No. 03-L-17

Dear 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.

Claimant, Olga Morris, 4650 South 47<sup>th</sup> Street, Milwaukee, WI 53220, alleges on her own behalf that on February 6, 2002, she sustained injuries when she drove over a manhole cover that was raised 4 inches up at or near South 21<sup>st</sup> Street and West Layton Avenue. She claims damages in the amount of \$10,000.00.

The Infrastructure Services Division records indicate this claim was neither reported nor investigated by them on February 6, 2002. They became aware of this situation on February 27, 2002 when a complaint was received and investigated concerning a manhole cover that was out of place. On February 28, 2002, the extension ring was removed and the cover was temporarily patched over with asphalt. The permanent repairs were completed on April 15, 2002. Prior to the complaint on February 27, 2002

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the City had no notice of this condition, as such, the City would not be liable. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure  
1029-2003-392:64475