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January 7, 2019

Kurt L. and Jacqueline C. Boyd
6621 N. 84th Street
Milwaukee, WI 53224

RE: C.I. File No. 1068-2018-2549
Communication from Kurt L. and Jacqueline C. Boyd

Dear Mr. and Mrs. Boyd:

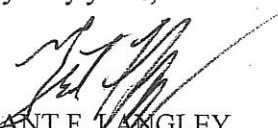
We have received your claim in the amount of \$370.00, relating to damage to your gate in April 2018 from the City.

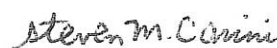
This notice of claim was filed on December 10, 2018. Wisconsin Statute §893.80 (1d)(a) requires that a notice of the circumstances of the claim be filed within 120 days after the happening of the event giving rise to the claim. This notice is untimely.

The Forestry Section records indicate that they received a service request from Mr. Boyd on May 29, 2018 stating that when the grass was cut on the Menomonee River hills, the operator damaged the gate. The Section responded and also followed up with the two person crew and found that the ditch was mowed, for the first time during the 2018 mowing season, on May 23, 2018. The Section indicates that the damage is not consistent with being hit by a mower. The crew members also stated they did not damage any gate or fence on their route. The City cannot accept liability. Therefore, we are denying your claim.

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 F. LANGLEY
City Attorney


STEVEN M. CARINI

Investigator Adjuster

SMC:mal

c: Jeffrey Kluslow (Forestry)

Mailed
1/10/19

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