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August 14, 2017

Ms. Mary Angela Theys
10240 W. National Avenue
PMB 1894
West Allis, WI 53227

mailed

8-15-17

RE: C.I. File No. 1029-2017-1522
Communication from Mary Angela Theys

Dear Ms. Theys:

The City of Milwaukee is in receipt of the claim for damages incurred as a result of a defect in a sidewalk or street eastbound on Ogden before Prospect Avenue on July 8, 2017.

Wisconsin municipalities have discretionary immunity from liability for any damage that is due to a defect in a sidewalk or street. The City takes any report of defective streets or sidewalks seriously and upon notice of any defect, the Department of Public Works sends a crew to investigate and/or patch, repair or barricade the hazard. Under discretionary immunity, the City is generally not liable for damages.

City records indicated that prior to July 8, 2017 the City had no notice of this hazard in the roadway. Because of this lack of notice, and the City's discretionary immunity, the City is not liable for your damages.

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



Ms. Mary Angela Theys
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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
STEVEN M. CARINI
Investigator Adjuster

SMC:mal

C: Samir Amin (Infrastructure)

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