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September 11, 2008

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

Re: Resolution relating to the claim of State Farm Insurance Co.
On their behalf and the behalf of their insured, Marande Buck
C.I. File No. 08-S-303

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, State Farm Insurance Co., Attention: Demetria King, claim Processor, Team 60, P.O. Box 2371, Bloomington, IL 61702-2371 allege on their behalf and that of their insured, Marande Buck that on or about January 22, 2008, their insured vehicle was damaged when it struck a loose man-hole lid at South 70th Street and West Adler Street. They allege damages in the amount of \$6,750.19.

Our investigation reveals the Infrastructure Services-Sewer Maintenance Division (ISD) responded to a call from the Milwaukee Police Department regarding an automobile accident at this location. They arrived at the scene; they found that Ms. Buck's vehicle had struck a manhole where the lid was loose in the frame. The manhole assembly had several courses of masonry material that needed to be removed and repaired. The response crew barricaded the area. The ISD performed the necessary repairs on January

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25, 2008. The ISD had no prior notice of this hazardous condition and because of this lack of notice, the City would not be liable, as such, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

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JAS:beg
Enclosure
1030-2008-952:137003
State Farm Insurance Co. Claim No: 49-501-181