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January 27, 2016

Mailed
2/2/16

Ms. Cynthia Calderon
1326 South 25th Street
Milwaukee, WI 53204

RECEIVED

FEB 25 2016

OFFICE OF
CITY ATTORNEY

RE: C.I. File No. 1068-2015-2576
Communication from CYNTHIA CALDERON

Dear Ms. Calderon:

We have received your claim for the amount of \$3,788.16 in relation to the property damage you sustained on August 14, 2015 between South 23rd Street and South 24th Street near West Pierce Street.

The Department of Public Works reports the Forestry Division received a call for service on August 14, 2015 concerning a broken branch blocking the street on West Pierce Street. A crew leader responded and found a Milwaukee County tree had fallen across the sidewalk and into the street and on your vehicle. The Department of Public Works has a policy in place that requires the crew to clear the right of way for emergency services, so the tree was removed from your vehicle.

Our investigation determined the City of Milwaukee right of way on the north side of West Pierce Street is 13 feet from the face of the curb going north. The failed tree was located within Mitchell Park, a Milwaukee County property.

The damage to your vehicle was not the result of any negligence of the City of Milwaukee and therefore the City is not legally liable for your damage. Accordingly, we are denying your claim.

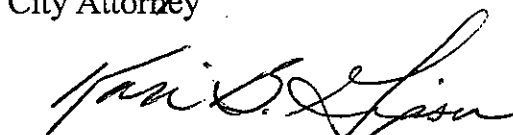


Ms. Cynthia Calderon
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If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, 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. TANGLEY
City Attorney


KARI GIPSON
Investigator Adjuster

KBG:cdr

1068-2016-2576/224902

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