

# CITY OF MILWAUKEE

Form CA-43

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August 13, 2004

Anna Owen  
2721 North 86th Street  
Milwaukee, WI 53222

RE: Anna Owen  
C.I. File No: 04-S-195

**BEVERLY A. TEMPLE**  
**THOMAS O. GARTNER**  
**BRUCE D. SCHRIMPF**  
**ROXANE L. CRAWFORD**  
**SUSAN D. BICKERT**  
**HAZEL MOSLEY**  
**HARRY A. STEIN**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
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**DAVID J. STANOSZ**  
**SUSAN E. LAPPEN**  
**JAN A. SMOKOWICZ**  
**PATRICIA A. FRICKER**  
**HEIDI WICK SPOERL**  
**KURT A. BEHLING**  
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**ELLEN H. TANGEN**  
**MELANIE R. SWANK**  
**JAY A. UNORA**  
**DONALD L. SCHRIFER**  
**EDWARD M. EHRlich**  
**LEONARD A. TOKUS**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**DAWN M. BOLAND**  
**KATHRYN M. ZALEWSKI**

Assistant City Attorneys

Dear Ms. Owen:


This office is in receipt of your claim in the amount of \$437.50, relating to injuries you sustained on April 23, 2004 when you allege you tripped on a mis-aligned part of a sidewalk located in the 9100 block of West Center Street.

Our investigation reveals the Infrastructure Services Division (ISD) reviewed their records and the records of the DPW "Call Center" for the period April 23, 2003 to April 30, 2004. Their review noted that on April 20, 2004 a Street Maintenance crew patched potholes in the roadway with asphalt along West Center Street between North 84<sup>th</sup> Street and North 91<sup>st</sup> Street. The "Call Center" records noted they had received one complaint for this time period. This complaint prompted the above-referenced patching operation. On July 29, 2004, the ISD patched any offset sidewalks in the 9100 block of West Center Street. When the ISD is notified of a hazard along the sidewalk a crew is sent to investigate and/or patch the hazard. Prior to your loss the City had no notice of this defect and because of this lack of notice it cannot accept liability. Accordingly, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

  
**GRANT F. LANGLEY**  
City Attorney

  
**ROBERT M. OVERHOLT**  
Investigator Adjuster

RMO:beg  
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