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February 7, 2013

Mailed
2-8-13

Abbas Sepehriamin
4714 North 19th Street
Milwaukee, WI 53209-6435

RE: C.F. File No. 12-S-217

Dear Mr. Sepehriamin:

We have received your claim concerning a broken sewer line and/or water pipes in front of your home located at 4714 North 19th Street in Milwaukee, Wisconsin dating back to 2004.

Our investigation reveals on March 11, 2004 a field investigator confirmed a break in a 6-inch water main in North 19th Street. A distribution crew responded to the site to make necessary repairs. The excavation site was then back-filled and blacktopped with temporary asphalt on the same day. On May 13, 2004, Milwaukee Water Works was engaged in activity to check for possible sewer damage at your address. The previous excavation area was dug out, and there was no evidence of a damaged sewer at the site. It was confirmed there was no damage to the sewer as a result of the prior activity that occurred on March 11, 2004.

On September 24, 2012, the City of Milwaukee Forestry Department received a service request from you to investigate tree roots clogging your sewer line. The site was inspected on September 26, 2012 by a Forestry Manager and you were informed the Forestry Department does not prune roots or remove trees due to sewer complications. You also received the same response back on April 14, 2004, May 14, 2004 and March 28, 2012. A detailed explanation was provided to you regarding tree root growth and sewer pipes. Root growth into a sewer only occurs where the sewer has first been damaged by other factors. These factors could range from soil settling and compaction, or the aging of the sewer lateral. Tree roots do not cause damage to sewer lines.

OFFICE OF THE CITY ATTORNEY

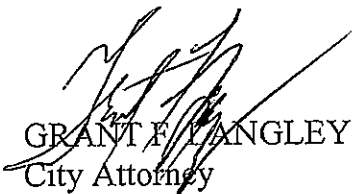
Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

Abbas Sepehriamin
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The Milwaukee Water Works Department responded to the water main break in a timely matter and followed standard procedures regarding its repair activity. The Milwaukee Water Works was not negligent in their handling of the water main break. The Forestry Department reported the City of Milwaukee tree did not cause damage to the sewer lateral at 4714 North 19th Street, and provided you with a detailed explanation. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending in a letter within 21 days of 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



KARI GIPSON
Investigator Adjuster

KBG:cdr

1029-2012-2470/189107