

Phoenix Midtown, LLC
401 East Kilbourn Avenue, Suite 201
Milwaukee, WI 53202
(414) 283-2600

January 23, 2023

VIA CERTIFIED MAIL

Milwaukee City Clerk
200 East Wells Street, Room 205
Milwaukee, WI 53202

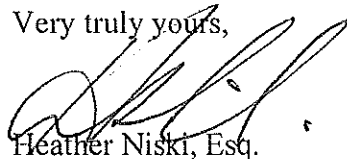
Re: Claim by Phoenix Midtown, LLC
C.I. File No. 1032-2023-715

Dear City Clerk:

This letter serves as notice that Phoenix Midtown, LLC hereby requests a hearing in the appeal of the City of Milwaukee's determination regarding property damage at 5800 West Hope Avenue, as communicated in that certain correspondence from the City of Milwaukee to Phoenix Midtown, LLC dated December 19, 2023.

If you have any questions or comments, please feel free to contact me at (414) 310-5686 or via email at: hniski@phoenixinvestors.com.

Very truly yours,



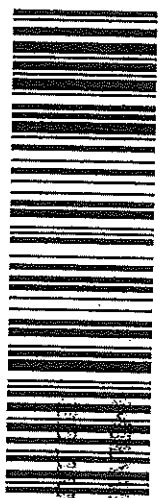
Heather Niski, Esq.
Counsel for Phoenix Midtown, LLC

CITY OF MILWAUKEE
2024 JAN 25 PM 3:25
CITY CLERK'S OFFICE

Phoenix Midtown, LLC
401 E Kilbourn Ave Ste 201
Milwaukee, WI 53202

CITY CLERK'S OFFICE
MILWAUKEE
2024 JAN 25 PM 5:28

CERTIFIED MAIL



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Milwaukee City Clerk
200 E Wells St, Room 205
Milwaukee, WI 53202

53202-357095



MILWAUKEE WI 530
FIRST CLASS

US POSTAGE
ZIP 53202 \$ 000.69
02 78 0006032513 JAN 23 2024

TEARMAN SPENCER
City Attorney

ODALO J. OHIKU
ROBIN A. PEDERSON
S.TODD FARRIS
JENNIFER L. WILLIAMS
Deputy City Attorneys



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Assistant City Attorneys

December 19, 2023

Mr. David M. Marks
Phoenix Midtown, LLC
401 East Kilbourn Avenue, Suite 201
Milwaukee, WI 53202

Mailed
1-17-24

RE: Communication from PHOENIX MIDTOWN, LLC
C.I. File No. 1032-2023-715

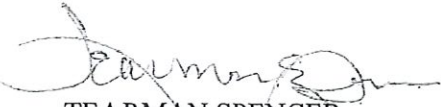
Dear Mr. Marks:

We have received your claim in the amount of \$16,450.00, relating to damage sustained to your property on October 26, 2022, when your fence was struck by Milwaukee Police, located at 5800 West Hope Avenue.

This notice of claim was filed on April 17, 2023. Wisconsin Statute 893.80(1d)(a) requires that a notice of circumstances of the claim be served within 120 days after the happening of the event giving rise to the claim. Because you did not meet the statutory timeframe for service of notice, the file is being closed and will not be processed further.

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,


TEARMAN SPENCER
City Attorney


MICHELLE THOMPSON-GRAY
Investigator Adjuster

MG/cdr



1032-2023-715/288938

