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Attorney at Law

CITY OF MILWAUKEE
RECEIVED
02 MAY 13 PM 4:12

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May 13, 2002

CITY OF MILWAUKEE
02 MAY 13 PM 2:24
RONALD D. LEONHARDT
CITY CLERK

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

Re: Good Hope / Pilgrims Rest Cemetery Corp.

Dear Sir/Madam:

I represent Good Hope / Pilgrims Rest Cemetery Corp. ("Claimant"). Pursuant to Section 893.80, Wis. Stats., the Claimant by this letter hereby provides the City of Milwaukee ("City") notice of the circumstances of the claim as well as a claim as required under Section 893.80(a) and (b), respectively, Wis. Stats.

The circumstances of the claim arise out of a retaining wall located on the boundary of the Pilgrims Rest Cemetery located at 3110 West Forest Home Avenue, Milwaukee, Wisconsin 53221. The retaining wall was originally constructed by reason of excavation by the City when the roads surrounding the Cemetery were constructed. The grade of the road was lower than the Cemetery. As a result of these circumstances, a concrete retaining wall and fence were constructed around the entire Cemetery.

Presumably, the retaining wall was constructed by or at the expense of the City because it owed a duty to the Cemetery of lateral support by reason of the excavation.

Over time, the retaining wall deteriorated both because of natural circumstances and also because the City's snow plows damaged the wall. The Claimant claims that the City is responsible for the maintenance and replacing of the retaining wall because of its continuing duty of lateral support.

The Claimant has obtained bids associated with the replacement of the retaining wall and fences surrounding the Cemetery and the cost is estimated to be \$329,080. The Claimant hereby makes a claim against the City for that amount.

Please direct all correspondence relating to this matter to my office.

Thank you for your attention to this matter.

Sincerely yours,



RICHARD A. FREDERICK

*This is the
Corrected location.*

RAF/ss

Enclosure

cc: Mr. Bernard Schroedl

B&G
CONCRETE COMPANY
3868 EAST KLIEFORTH AVENUE
CUDAHY, WI. 53110
(414) 481-1255

MARCH 27 2002

The following proposal is submitted for your review and consideration.

B & G will furnish all labor, and materials and equipment to construct a concrete retaining wall 1000 ft. in length per enclosed sketch.

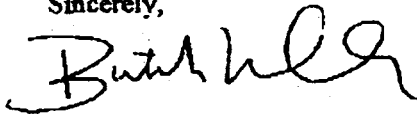
For the Sum of: \$99,580.00

Assumptions & Exclusions :

- Grade elevation change is less than 1' difference from end to end
- The site manager or owner will obtain necessary permitting
- The site is accessible to trucks & equipment w/o temporary roads
- Soil to be excavated is uncontaminated
- Suitable bearing conditions exist at depth of excavation
- Utility relocations are not required
- Ornamental metal fencing provided by site manager
- Repainting of metal fence is not required, (other than touch up)

If this proposal exceeds your budget for the project we would be willing to negotiate the work and price. Thanks for the opportunity to provide this proposal.

Sincerely,



Butch Miller
President

CITY OF MILWAUKEE
02 MAY 13 PM 2:25
RONALD D. LEONHARDT
CITY CLERK

The following proposal is submitted for your review and consideration.
proposes to furnish all labor, material and equipment to construct a
concrete retaining wall approx. 750 ft. in length.

For the Sum: \$ 131,000

Conditions:

- The site manager or owner will obtain necessary permitting
- Soil to be excavated is uncontaminated
- Suitable bearing conditions exist at depth of excavation
- Utility relocations are not required
- Retaining wall demo, Tree clearing, fencing, and asphalt removal & replacement is by others
- Lawn replanting is by others

To include demo and disposal of the existing retaining wall and fence add \$48,000.

To include asphalt removal and replacement add \$23,000.

To include installation of new Chain link fence 1100 lf of 8'- 6 ga galv wire
add \$27,500

Follow-up West Side Pilgrims Rest
fence Repair

B+G Addendum