

CITY OF MILWAUKEE

September 8, 2003

2003 SEP -9 AM 10:00

Milwaukee City Clerk - *Claims*
200 East Wells - Room 205
Milwaukee, WI 53202
Attn: Grant Langley, City Attorney
Robert M. Overholt, Investigator Adjuster

RONALD D. LEONHARDT
CITY CLERK

RE: C.I. File No. 03-S-254

Dear Sir:

I received your letter denying my claim. I wish to appeal this decision for a couple of reasons.

As I mentioned in my first letter to you the car is a 1987 Mazda, living in Milwaukee we all know that there is going to be some rust on the car, especially a 16 year old car, and a dent or two, if this the only reason a car is considered in "Obvious Disrepair" half the cars that are parked on the street would be towed. My car has a few dents and some rust, as you could see from the pictures I sent you with my first letter, but it is not in a state of Obvious Disrepair if you look at the pictures.

Also, the tow lot never put a sticker on the car, in fact I did not receive a ticket for "obvious disrepair" until I contacted your office to check into why my car was towed to begin with.

The last of my reasons for appealing the decision is that I did not say that the tow lot did all the damage to the exhaust system, but since it was towed the exhaust system was torn off and I will have to replace the entire system.

Please let me know when the hearing will be.

Thank You,

Carla Ramirez
Carla Ramirez
1005 E. Keefe Ave.
Milwaukee, WI 53212
(414)332-3299

03 SEP -9 PM 3:30
OFFICE OF
CITY ATTORNEY
CITY OF MILWAUKEE
RECEIVED

*My copy
walked over
9/8/03*

September 8, 2003

Milwaukee City Clerk
200 East Wells - Room 205
Milwaukee, WI 53202
Attn: Grant Langley, City Attorney
Robert M. Overholt, Investigator Adjuster

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1005 E. Keefe Ave.
Milwaukee, WI 53212
(414)332-3299

CITY OF MILWAUKEE**GRANT F. LANGLEY**
City Attorney**RUDOLPH M. KONRAD**
Deputy City Attorney**PATRICK B. McDONNELL**
LINDA ULISS BURKE
Special Deputy City Attorneys

OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

August 26, 2003

Carla Ramirez
1005 East Keefe Avenue
Milwaukee, WI 53212

RE: C.I. File No: 03-S-254

Dear Ms. Ramirez:

This office is in receipt of your claim in the amount of \$440.18, relating to damage sustained to your vehicle on April 30, 2003 when it was towed by the City because of its condition.


Our investigation reveals your vehicle was towed for Obvious Disrepair. The City of Milwaukee Tow Lot records indicate the vehicle had dents, scratches and rust throughout the body. The dents near the lower area of the vehicle indicate the undercarriage of the vehicle was probably damaged prior to the tow. It was noted the type of exhaust system damage you allege had never been seen by the tow lot during the routine towing of a vehicle. The tow lot manager indicated the Obvious Disrepair citation had been issued and was attached to the vehicle. The City followed normal and customary procedures in this matter, and as such, 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
1047-2003-1824:71460

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
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND

Assistant City Attorneys

May 22, 2003

CITY OF MILWAUKEE
RECEIVED

CITY OF MILWAUKEE

'03 JUN -5 PM 3:26

2003 JUN -5 PM 2:09

City Clerk
200 E. Wells St. Room 205
Milwaukee, WI 53202
Attn: Claims

OFFICE OF
CITY ATTORNEY

RONALD D. LEONHARDT
CITY CLERK

I am contesting the tow on my car 1986 Mazda for the following reasons:

On April 30th I purchase a 1986 Mazda from my son, we put a fuel pump into the car (attached is the receipt for the part) I drove the car home at 6:00P.M. that evening. The next morning the car was gone. It had been towed for being in a "State of Disrepair" and having a flat tire. The car did not have a flat tire when I parked it at 6 P.M. The tow yard told me that it was towed at 10:00pm. I called about the tow when I got to work the morning of May 1st and I was told that I would have to have the title a license and \$115.00 to get the car out of the tow yard. I was also told that if I wanted to contest this tow and have the charges waive I would have to see the city attorney. I got the car titled in my name and plates for the car and went to see the city attorney and she told me that she would not waive the charges that I had to get the car out of the tow yard and come back after I did that. I did go to the tow lot with a can of "fix a flat" (I was told that the car had a flat tire.) When I picked the car up the front tire was a little low on air, but it was driveable but the muffler had been ripped off. I went back to see her and she told me that I would have to wait until I got a ticket to contest the tow. I have checked with the police department and the tow lot and I have never received a ticket and the police dept told me that they don't show a ticket in the system for me. The ticket was suppose to be for have a car in "a state of disrepair". I am contesting this tow for all the above reasons. I have estimates for the muffler to be replaced. I am also enclosing a copy of the tow lot receipt. The receipt for the fuel pump is just to show that I had put over \$100.00 in the car before I even brought it home. The only reason it wasn't titled before I got it home was that I picked it up after work and the title office was closed, I was going down the following day to get the title and plates, which I did, enclosed is a copy of the title, a picture of the car, and the receipts. If you have any questions please call me at (414) 347-2541 work number from 8:30am to 5:00pm Monday thru Friday. Or my home number is (414) 332-3299.

Please let me know what your decision is. Thank You.

Carla Ramirez
1005 E. Keefe Ave.
Milwaukee, WI 53212
414-332-3299

Carla Ramirez

*(Also I can not
have car Emission Tested
until the muffler is
replaced.)*

Prices for Replacing
Muffler from Checker
Auto on

272 E. Capitol Dr.
414.963.2086.

75.99	Catal Converter
4.99	gaskets
2.99	
89.99	pipes
43.99	muffler
89.99	exhaust pipes

307.94	
17.24	TAX

\$ 325.18 Total to Replace
muffler

This does Not
include the cost to
have it replaced.
(labor)

Towing Charges

City of Milwaukee
Tow Lot

Workstation ID : towlotreg01
Drawer ID : DVARGAS

Workstation
Session No. : 15226
Drawer
Session No. : 18736

Receipt Number : 1117679
Payment Date : 05/01/2003
Payment Time : 04:27 PM

Item Description : Tow
Issue # : 1157021
Amount Due : \$115.00
Amount Paid : \$115.00
Balance Due : \$0.00

Paid by : CASH
Amount Due : \$115.00
Amount Paid : \$115.00
Amount Tendered : \$115.00
Amount Change : \$0.00
Cashier ID : TOMD4

Thank You For Your Payment

Checker Auto

272 East Capitol
Milwaukee WI 53212 ST
(414) 963-2006 04/26/03
REGISTER 01 1 3306 CASHIER
ASSOI

PO 7777469 ELECTRIC FUEL PUMP
E8823

Limited Lifetime*
Competitor Price
Tri-Star Disc 5%
New Price

~~PO 6800663 RAYHOLD PROS
RPO31~~

~~Ltd 2 Year Warranty Excludes
Competitor Price
Tri-Star Disc 5%
New Price~~

SUBTOTAL
TAX 5.60%
TOTAL

CASH PAYMENT

CHANGE DUE

TRANSACTION #0004887

Receipt Required for Return

THANK YOU!
Visit Us On-Line At
WWW.CHECKERAUTO.COM

*See warranty brochure for
additional terms of warranty

<<CUSTOMER COF



Wisconsin Department of Transportation

www.dot.wisconsin.gov

T176 12/2002 (Replaces MV2825) s.110.20(6) Wis. Stats.

TEMS P7314010

DIVISION OF MOTOR VEHICLES

VEHICLE EMISSION TEST NOTICE

MAY 5, 2003

RAMIREZ CARLA A
1005 E KEEFE AV
MILWAUKEE WI 53212

*Car was
Registered
Not Emission
Tested -
muffler
tree
off
when
towed*

Since you have recently registered this vehicle, state law requires you to have your vehicle inspected immediately at one of the test stations listed on the back of this letter. **YOU WILL NEED TO TAKE THIS LETTER WITH YOU TO PRESENT AT THE TIME OF INSPECTION.**

PLEASE NOTE: YOUR VEHICLE REGISTRATION WILL BE SUSPENDED IF YOU DO NOT PASS EMISSION TEST REQUIREMENTS BEFORE:

JUNE 15, 2003

To satisfy emission testing requirements, please take your vehicle to an emission test station where it will receive an emission inspection. Test results are sent daily to the Division of Motor Vehicles.

Operation of a vehicle with suspended registration is illegal. If this vehicle has already passed an emission inspection since you registered it, you may disregard this notice.

If circumstances exist that will not allow you to complete inspection requirements by the suspension date, please contact this office by mail or telephone so we can assist you.

1-414-266-1080 (Milwaukee Metro area only)
or 1-800-242-7510 (Toll free, in-state only)
or you may write to: Research and Information (IMBR)
Wisconsin Department of Transportation
P.O. Box 080318
Milwaukee, WI 53208-0318

/188FMA/ 86/MAZDA/ /JM1GC3115G1823655/ AUT0404 203

PLEASE BRING THIS LETTER WITH YOU TO THE TEST STATION

WISCONSIN CERTIFICATE OF TITLE FOR A VEHICLE

DEPARTMENT OF TRANSPORTATION

VEHICLE IDENTIFICATION NUMBER: **JM1GC3115G1823655** YEAR: **1986** MAKE: **MAZDA** BODY STYLE: **CPE** VEHICLE TYPE: **AUTO** FLEET NUMBER: **AUT 188FMA**

TITLE NUMBER: **03121BA008-9** DATE TITLE ISSUED: **05/01/2003** ODOMETER: **THIS VEHICLE IS EXEMPT FROM ODOMETER DISCLOSURE** ODOMETER DATE:

REGISTERED OWNERS

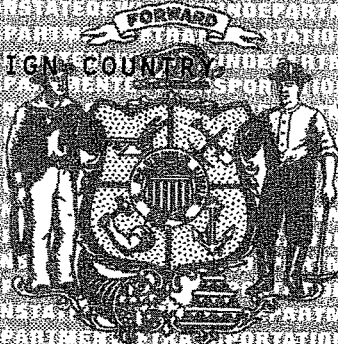
RAMIREZ CARLA A
1005 E KEEFE AV
MILWAUKEE, WI 53212

The person, firm or corporation named on this Title has been duly registered as the lawful owner of the vehicle described, subject to any Security Interest (Interests) shown. The order in which the Security Interests appear on this Title does not necessarily represent their priority.

CONTROL NUMBER
 (This is not a Title Number)

2-5607286

PREVIOUSLY TITLED IN A FOREIGN COUNTRY



DIVISION OF MOTOR VEHICLES

Important - Buyer and Seller must complete the section below at time of sale

TITLE ASSIGNMENT AND MILEAGE, SELLING PRICE AND BRAND DISCLOSURE BY REGISTERED OWNER(S) SHOWN ABOVE

Federal and State law requires that SELLER state the mileage and provide written vehicle disclosure information in connection with transfer of ownership. Failure to complete a mileage statement, disclose required information, or providing a false statement may result in fines and/or imprisonment and may make you liable for damages to the transferee (buyer).

SELLER Print Person(s) Name signing as Seller: _____

ODOMETER NOW READS (No Tenths) _____
 and to the best of my knowledge is actual mileage of this vehicle, unless one of the following statements is checked:

Print Sellers Address, City, State, Zip if different than shown above: _____

The odometer reading reflects the amount of mileage in excess of its mechanical limit.

The odometer reading is NOT actual mileage. **WARNING ODOMETER DISCREPANCY**

BRAND DISCLOSURE (Will be printed on future titles). Check all that apply.

- Flood damaged vehicle
- Previous police vehicle
- Previous taxicab
- Salvage vehicle

If the seller certifies that to the best of my knowledge the information contained on this document is true and correct and that I have entered the vehicle odometer reading, brand disclosure, and selling price hereon in compliance with federal and state law as referenced above, I for value received hereby sell, assign or transfer the vehicle described on this document and warrant title to Purchaser as shown.

Signature of Seller(s): See "REGISTERED OWNERS" above. If joint ownership with/only one seller's signature required, with and all sellers' signatures required.

SELLING PRICE (Seller enters): \$ _____

BUYER (Purchaser) Print Name(s): _____

Print Buyer Address, City, State, Zip: _____

Signature of Purchaser(s): _____

If registered owner is a dealer and first assignment is through auction or salvage pool, complete the following:
 Print Consigning Auction Dealer Name or Consigning Salvage Pool Name: _____ Auction or Salvage Pool Dealer No: _____ Sale Date: _____

The Wisconsin Department of Transportation will not be responsible for false or fraudulent odometer statements made in the assignment of the Certificate of Title or for errors in recording by the department. The department makes no warranties, express or implied, about the vehicle or operating condition and any statements about vehicle inspections are only administrative.

PURCHASER - Attach form MV1 (Wisconsin Application for Title) to this document and mail or deliver immediately to the Wisconsin Department of Transportation, P.O. Box 7949, Madison, WI 53707-7949. Form MV1 is available at Wisconsin DMV Service Centers and police stations.

MV2269 12/2001 (2) - 10855 - CN 342 Wjs Stats. **QUESTIONS:** Contact Nearest Motor Vehicle Service Center or call (608) 266-1466.

ANY ALTERATION OR ERASURE VOIDS THIS TITLE - KEEP IN A SAFE PLACE

Seller must give to purchaser at time of sale