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February 20, 2007

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution relating to the claim of Super Excavators, Inc.
C.I. File No. 06-L-98

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimant, Super Excavators, Inc., N59 W14601 Bobolink Avenue, Menomonee Falls, WI 53051 alleges that on November 14, 2006 they were excavating to install a sanitary sewer and water main for the developer of a property located at North 99th Street and West Granville Road and damaged a water lateral curb box which had not been marked by the City of Milwaukee. They repaired it, incurred costs and claim damages in the amount of \$5,184.49.

Our investigation reveals that the Infrastructure Services Division records indicate that they responded to the Diggers Hotline request by the claimant and located four water service laterals in this location and inadvertently missed locating one lateral. The missed lateral was subsequently damaged by the claimant.

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Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim in the amount of \$5,184.49 and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
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