

CITY OF MILWAUKEE

Form CA-43

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

June 30, 2003

Genelle Stribling
5553 North 57th Street
Milwaukee, WI 53218

RE: C.I. File No: 03-S-214

Dear Ms. Stribling:


This office is in receipt of your claim in the amount of \$250.00, relating to damage sustained to your property on April 22, 2003 when water backed-up in your basement at 4929 North 26th Street.

Our investigation reveals that the sewer in question was on a three year cleaning schedule. The last time the sewer was cleaned was on November 29, 2001. Because the sewer was on a regular cleaning schedule and the City of Milwaukee did not have any notice of any problems with the sewer, the City cannot be held liable. In addition, the Milwaukee Water Works records indicate they replaced a curb stop at 4935 North 26th Street on the date in question. This address was the only location that was excavated. The City's records indicate the distance between the water/sewer services for these properties is 85 feet. It is the position of the water works, that your sewer back-up problems were not related to their excavation activities. 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
1029-2003-1574:69509

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