

# CITY OF MILWAUKEE

Form CA-43

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August 16, 2005

Ida Smith  
4267 North 70th Street  
Milwaukee, WI 53216

RE: Ida Smith  
C.I. File No: 05-S-208

Dear Ms. Smith:

We have received your claim in the amount of \$250.00, relating to damage sustained to your vehicle on April 15, 2005 when you allegedly hit rock while driving at or near North 70<sup>th</sup> Street and West Marion Street.

Our investigation reveals the Infrastructure Services Division-Field Operations (ISD) reviewed their records and the records of the DPW "Call Center" for the period April 15, 2004 to April 30, 2005. The ISD records reflected they conducted asphalt patching of potholes in the roadway along the 6900 and 7000 blocks of West Marion Street on November 8, 2004 and April 13, 2005. The "Call Center" records reflected they received one complaint call for the subject area on April 1, 2005. The ISD conducted a site investigation after it received this claim. The site investigation revealed no large stones or debris and no additional patching of the street was required. The ISD also instructs its street maintenance crews to pick-up any large debris when they conduct patching operations. When the ISD is notified of a hazard in the roadway, sidewalk or alley they will send a crew to investigate and/or patch the hazard. Prior to this, the City had no notice of this hazard in the roadway and because of this lack of notice; the City would not be liable. Therefore, we are denying your claim.

Ida Smith  
August 16, 2005  
Page 2

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the date 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  
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