

CITY OF MILWAUKEE

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November 30, 2004

Knievel Porter
7924 West Green Tree Road
Milwaukee, WI 53223

RE: Knievel Porter
C.I. File No: 04-S-340

Dear Ms. Porter:

We have received your claim in the amount of \$1,100.00, relating to damage sustained to your vehicle on September 9, 2004 when it allegedly collided with potholes located at /near North King Drive and West Vliet Street.

Our investigation reveals that the Infrastructure Services Division (ISD) reviewed their records and the records of the DPW "Call Center" for the period of September 9, 2003 to September 30, 2004. The ISD had conducted asphalt patching along North Martin Luther King Drive near West Vliet Street on two occasions during this period. On September 29 and 30, 2004 a street maintenance crew patched a water cut in the roadway at the intersection of North King Drive and West Vliet Street with asphalt. The search of the DPW "Call Center" records for the subject time-frame did not reveal any complaints for the alleged loss area. The Milwaukee Water Works (MWW) records revealed they had repaired a water-main break in the subject area on May 4, 2004. After the repair was completed the MWW backfilled the excavation and patched the area with asphalt. The MWW records also reflected they received no complaints regarding the excavation area. The City departments followed normal and customary procedures in the matter. When the ISD is notified of a hazard in the roadway a crew is sent to investigate and/or patch the hazard. Prior to your loss the City had no notice of this defect, and because of this lack of notice, it cannot accept liability, as such; we are denying your claim.

Knievel Porter
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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. WANGLEY
City Attorney



ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
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