

# CITY OF MILWAUKEE

Form CA-43

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November 9, 2004

Clothida Young  
3024 North 20th Street  
Milwaukee, WI 53206

RE: Clothida Young  
C.I. File No: 04-S-349

Dear Ms. Young:

We have received your claim in the amount of \$119.26, relating to damage sustained to your vehicle's tire on September 19, 2004 when it allegedly bumped part of a catch basin sticking out of the curb located at 3023 North 20<sup>th</sup> Street.

Our investigation reveals that the Infrastructure Service Division records indicate that this alleged incident was neither reported to nor investigated by them. After receipt of this claim, they inspected the catch basin on October 4, 2004. The frame and grate were found to be in proper line and grade. The roadway around the catch basin had ¼ to ½ inch deep by 6-inch wide voids near the frame. A small void had formed behind the catch basin box. The area around the catch basin was patched on October 5, 2004 to eliminate the voids. The top three courses of brickwork were in bad condition and were replaced on October 6, 2004. The division has no previous history of problems at this location. Based on this information, and the fact that the City of Milwaukee is responsible for 24,000 catch basins, it would have been impossible to predict or prevent this incident from occurring. Since there is no evidence that the City is responsible for this loss, it cannot be held liable. Therefore, we are denying your claim.

Clothia Young  
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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. LANGLEY  
City Attorney

*Steven M. Carini*  
STEVEN M. CARINI  
Investigator Adjuster

SMC:beg