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June 5, 2007

Joanne Amby-Nagel
4807 Kingdom Court
Racine, WI 53402

RE: Joanne Amby-Nagel
C.I. File No: 07-S-119

Dear Ms. Amby-Nagel:

We have received your claim in the amount of \$1,334.81, relating to damages sustained to your vehicle on December 24, 2006 and March 1, 2007 when it collided with a pothole along South 60th Street, between West Cleveland Avenue and West Oklahoma Avenue. The second loss was at West North Avenue, near the Highway 45 southbound ramp

Our investigation reveals that the City of Milwaukee does not have maintenance responsibility for the area around West North Avenue and the Highway 45 Bridge. This area is under the jurisdiction of the City of Wauwatosa. The City may be contacted in the following manner, City of Wauwatosa Administrator, 7275 West North Avenue, Wauwatosa, WI 53213.

The Infrastructure Services Division-Field Operations (ISD) reviewed their records and the records of the DPW Call Center for the period of December 24, 2005 to January 15, 2007. The ISD records reflected they conducted asphalt patching operations on nine occasions for this four block stretch during this period. The complaints were handled by the patching operations noted above. The ISD did not have prior notice of the hazard you allegedly struck. When the division is notified of any hazard in the roadway, 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.

Joanne Amby-Nagel

June 5, 2007


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 E. LANGLEY
City Attorney



ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg

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