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December 9, 2020

Bernice Moreno  
5505 West Chambers Street  
Milwaukee, WI 53210

*Mailed*  
*12-11-2020*

RE: Communication from Bernice Moreno  
C.I. File No. 1068-2020-1397

Dear Ms. Moreno:

We have received your claim in the amount of \$679.00, relating to damage to your fence, hedges and bush at 5505 West Chambers Street on the weekend of July 25, 2020 when a branch from a City tree fell onto them.

The Forestry Section records indicate that late in the evening of July 7, 2020 they received an after-hours emergency request regarding a broken branch down on a private fence and into a private yard at 5505 West Chambers Street. They responded in the early morning hours of July 8, 2020 and found that a branch from a Honey Locust street tree had broken and bent the top rail of the fence and possibly the post. They removed the branch. The branch was alive with decay which was not visible from the outside.

The Section notes that Milwaukee experienced a thunderstorm event with peak wind speeds of 31 miles per hour and 1.25 inches of rain on July 7, 2020. They also reviewed their records for the last 6 years at this location for tree-related issues and found, prior to this request, a request on November 3, 2016 for pruning all trees adjacent to this corner lot. Subsequently, it was handled and no issues were found. The trees in this area are on a 10 year pruning schedule and were last pruned in February 2020.

A logo consisting of the word "COPY" in a bold, sans-serif font, with a small square icon containing the letters "CG" to its left.

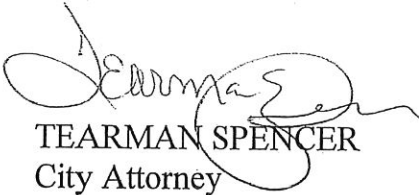


Bernice Moreno  
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There is no evidence that the City was negligent. The City would not be liable. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,

  
TEARMAN SPENCER  
City Attorney

*Steven M. Carini*

STEVEN M. CARINI  
Investigator/Adjuster

SMC/cdr

c: Jeffrey Kluslow (Forestry)

1068-2020-1397/272352