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October 18, 2010

Kelly Kincaid
4931 North 66th Street
Milwaukee, WI 53218

RE: Kelly Kincaid
C.I. File No.: 10-S-322

Dear Ms. Kincaid:

We have received your claim in the amount of \$2,994.41, relating to damage sustained to your vehicle on September 7, 2010 when branches from a City tree allegedly fell on it at 4931 North 66th Street.

Our investigation reveals that the Forestry Section (FS) responded to a call of a tree branch down. Upon arrival, the crew found the down branch, but it was not on top of any vehicle. The branch was removed by the crew. The crew leader recalled that the branch was alive and subsequent review by the FS showed no decay at the point of the branch's attachment to the tree. The FS records noted the trees in the area were last pruned in March, 2008 pursuant to the City's programmed pruning schedule. They also searched their records for the last five years and found no notice of potential hazardous conditions or requests for service for this tree. The section followed its standard procedures and this loss occurred during windy conditions, as such, we are denying your claim.


Kelly Kincaid
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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 E. LANGLEY
City Attorney



ROBERT OVERHOLT
Investigator Adjuster

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