July 1 2018 0 AM 9: 36

RONALD D. LEONHARDT CITY CLERK

Grant F. Langeley City Attorney 200 East Wells Street Suite 800 Milwaukee, WI 53202-3551

Milw. City Clerk 200 E. Wells St. Room 201 Milio- WI 53202

Atty. Langley,

We are appealing your letter of June 30, 2009 regarding C.I. File No. 09-S-186 based on Wisconsin Statute 779, specifically subsection 779.415(2). I would expect the City of Milwaukee is to be held to the same standard of law that we as ordinary citizens are held. While I understand your reference to statute 341.65(2)(g), which may be the relevant section for disposal, however, that doesn't relieve you of the required disbursement of funds gained from such action to the legal parties entitled to those funds based on state statute 779.415. The senior lienholder being Hall Chevrolet is to be paid after all fees are paid from the proceeds.

I ask you to review that section of statute, determine what your fees for towing and storage were, inform us of those fees, and remit the balance to us immediately. If \Box necessary, I am requesting a hearing as well. I ask for your response within 21 days from the date of this letter.

The events leading up to this problem are as follows:

Hall Chevrolet was the perfected security lienholder of a vehicle owned by Tramosia Phillips as clearly demonstrated on the registration information for the said vehicle. The vehicle in question is a 2005-Chevrolet-Malibu, Vehicle-ID#-1G1ZT54835F156462. Ms. Phillips allowed her vehicle to be towed to your city lot as the result of some mishap on July 18, 2008. After attempts to notify how she could retrieve her car, she did not respond. The vehicle in question was disposed of by the city on September 4, 2008. Monies for the vehicle were received by the city in the amount of \$4,279.87. We, as secured lienholder, were not notified of the sale nor were forwarded any of the proceed after your tow and storage fees.

Please call me if you have any questions:

Sincerely,

David A. Poch

Chief Financial Officer Hall Chevrolet Co. Inc. cc: Milwaukee City Clerk Attn: Steven M. Carini

enc: 2

WORLD CLASS CHEVY CENTER

HALL CHEVROLET CO., INC.

the motor carrier, licensed motor vehicle salvage dealer or licensed motor vehicle dealer would otherwise be entitled under <u>sub. (1)</u>.

779.415(2)

(2) At least 20 days prior to sale or junking, notice thereof shall be given by registered mail to the person shown to be the owner of the vehicle in the records of the department of transportation and to any person who has a lien on such vehicle perfected under ch. 342, stating that unless the vehicle is claimed by the owner or the owner's agent within said 20 days the vehicle will be exposed for sale or junked, as the case may be. If the proceeds of the sale exceed the charges, the balance shall be paid to the holder of the senior lien perfected under ch. 342, and if none, then to the owner as shown in the records of the department of transportation.



779.415 - ANNOT.



History: 1977 c. 29 s. 1654 (7) (b); 1977 c. 273; 1979 c. 32 ss. 57, 92 (9); Stats. 1979 s. 779.415; 1983 a. 213, 445; 1989 a. 320; 1995 a. 62.

City Hall 200 East Wells Street City Clerk, Room 205 Milwaukee, WI 53202

CITY OF MILWAUKEE May 15,2009

2009 MAY 18 AM 11: 22

Ronald D. Leonhardt

RONALD D. LEONHARD? CITY CLERK

It has come to our attention after requesting open records information that monies were given to the City of Milwaukee that legally belonged to us. The amount of our claim against the City is \$4,279.87. The circumstances surrounding our claim are described herein.

Hall Chevrolet was the perfected security lienholder of a vehicle owned by Tramosia Phillips as clearly demonstrated on the registration information for the said vehicle. The vehicle in question is a 2005 Chevrolet Malibu, Vehicle ID# 1G1ZT54835F156462. Ms. Phillips allowed her vehicle to be towed to your city lot as the result of some mishap on July 18, 2008. After attempts to notify how she could retrieve her car, she did not respond. The vehicle in question was disposed of by the city on September 4, 2008. Monies for the vehicle were received by the city in the amount of \$4,279.87. We, as secured lienholder, were not notified of the transaction nor were forwarded any of the proceeds.

In December of 2008, telephone calls were made to the city tow lot seeking information as to what the disposal result was and how much was received for the vehicle. This was followed up a fax on December 8, 2008 requesting information regarding the vehicles disposal. Again on February 4, 2009, seeking this information again. And again o February 18, 2009, a letter was sent to David Lawrence, the tow lot administrator. Complete information was finally received on May 14, 2009.

We are entitled to this recovery according Wis. Stats. 779 and therefore seek the amount of \$4,279.87 from the City of Milwaukee. Since time is of the essence, this amount is due us immediate The name and address these monies should be sent to is:

Hall Chevrolet Co. Inc. 11011 West North Avenue Milwaukee, WI 53226

Please call me if you have any questions. Sincerely,

David A. Poch Chief Financial Officer Hall Chevrolet Co. Inc. cc: Michael T. Simons

enc: 17

WORLD CLASS CHEVY CENTER



HILLER BIANE COUNTY

BILL TO:

CITY OF MILWAUKEE 200 EAST WELLS STREET CITY CLERK, ROOM 205 MILWAUKEE, WI 53202

AMOUNT:

\$4,279.87

REMIT TO:

HALL CHEVROLET CO. INC. 11011 WEST NORTH AVENUE MILWAUKEE, WI 53226

WORLD CLASS CHEVY CENTER



CONFIRMATION OF SECURITY INTEREST (LIEN) PERFECTION TO84 10/2004 s.342.20(3)Wis. Stats.

DEBTOR NAME AND ADDRESS This lien has been recorded with the Wisconsin Department of Transportation.

PHILLIPS TRAMOSIA S 4007 W CHAMBERS ST #4 MILWAUKEE WI 53210

County of Debtor Residence MILWAUKEE

 Year
 Make
 Body Style
 Vehicle Identification Number
 Secured Party No.
 Oate Printed

 2005
 CHEV
 4D
 1G1ZT54835F156462
 107955
 03/25/06

SECURED PARTY (LIENHOLDER) NAME AND ADDRESS

000415 HALL CHEVROLET CO INC 11011 W NORTH AVE MILWAUKEE WI 53226

Lending Agency: Retain this document until the lien has been satisfied. See reverse side of this form for removing this lien.

Valid lien release only if signed on reverse side.

OFFICE OF THE CITY CLERK

Milwaukee, Wisconstn

Instructions for filing a Claim against the City of Milwaukee

To file a claim against the **City of Milwaukee** which complies with Sec. 893.80, Stats., the following information must be submitted in writing to:

City Hall 200 East Wells Street City Clerk, Room 205 Milwaukee, WI 53202

- A document stating the circumstances of the claim, which must be signed by the claimant or his/her agent or attorney. This document should be filed within 120 days of the event.
- A document stating the address of the claimant and a statement of the relief sought. If money damanges are sought, a specific sum must be indicated.

In order to allow the City of Milwaukee to thoroughly and promptly act on your claim, the following Information should also be submitted:

- 1. Proof of the amount of the clalm by means of either two itemized estimates or itemized receipted bills.
- 2. The telephone number where you can be reached during business hours.
- 3. A detailed description of the incident, being as clear as possible as to episode of events, including the date, time and place.

RONALD D. LEONHARDT : City Clerk

CITY OF MILWAUKEE

MICHAEL T. SIMONS
PARKING CITATION REVIEW MANAGER

may be directed to : 414/286-2221

Thank you!

BII'F DF MENDINGE FUNCTION



DEPARTMENT OF PUBLIC WORKS - TOW LOT 3811 West Lincoln Avenue - Milwaukee, Wi 53215 Ph: (414) 286-2700 - Fax: (414) 286-5093 TDD: (414) 286-2025

Tuesday, February 17, 2009

Hall Chevrolet David A. Poch 11011 W. North Ave. Milwaukee, WI 53226

> RE: Public Records Request

Dear Poch:

We are in receipt of your public records request dated February 4, 2009 for Tow Number 1362991). Enclosed you will find a copy of the Tow Record.

This vehicle was sold on September 4, 2008 on J-Bid #2455. The vehicle was sold to 688 CARS INC., W230 S8895 Clark Street, West Bend, Wisconsin 53103. The vehicle was sold for \$4, 279.87.

The Milwaukee Tow Lot is a subsidiary of the City of Milwaukee, Department of Public Works. Any fees or monies collected are deposited accordingly.

Please do not hesitate to contact me should you have any questions regarding this matter.

Very Truly Yours,

V. Young

City of Milwaukee

Tow Lot Assistant III

414-431-1976 Letter MASLED

Tow No.: 1362991 Reason: 15

Process Status: CONFIRMED OFF

Amount Due:

\$0.00

ACCIDENT

Ticket;

Violation:

Stolen:

Towable?

Moved to Loc: RLS TO GRUBER LAW

Location: 7200

Disp: 13

J-BID

09/03/2008

Fees Last Calculated: 09/08/2008

J-Bid No.: 2455

Bid Amt.:

\$0.00

Vendor ID:

Zone: AN

Date

Time

Placarded: / /.

.:. AM

Operator Off. Dist. Squad PR No

Dispatched: 07/18/2008:

Confirm On: 07/18/2008

Confirm Off: 09/08/2008

Authorized: 07/18/2008

06:30 PM

Cancelled: //

· · · AM

:08:33 PM TD68538

Crew: 007-CHI

Driver Name: 1345

Location of keys: NK

Arrived: 07/18/2008

06:56 PM. 08:14 PM TD68538 KELL

LDIB

Lot: 1

Row: H Space: 048NK

Released: 09/08/2008

12:19 PM

12:19 PM

Process Status: COF

Process Date: / /

Lic No.: WI

PC Exp.: Make: CHEV

Model: MAL

VIN: 1G1ZT54835F156462

Style: 4D

Year: 05

Color: RED

Property:

Inventory No.:

Surface Damage Areas (excluding rust):

Dented Areas: DVR FT END, UNDERCARRAGE

Crushed Areas:

LÖCKED

EQUIPMENT

Speakers: Y

ADDITIONAL DAMAGE

Doors: N

Radio: Y

Column: N Total Burn: N No. Flat Tires: 1

Trunk: Y Glove Comp.: N Tape Plyr.: N

Elect Locks: Y

No. Tires Missing: 0 No. Hubcaps Missing: 0

Additional Comments: DRV FT TIRE FLAT

Initial Disposition: 13

J-BID

PLATE - Name:

Address 1:

Last Notice:

Address 2:

Date: / /

Status: UNK

City:

Address 2:

State:

ZIP:

Name: PHILLIPS TRAMOSIA S

Status: ACT

Address 1; 4007 W CHAMBERS ST #4

Last Notice: 401

Date: 07/25/2008

Çity: MILWAUKEE

State: WI

ZIP: 53210

Name: HALL CHEVROLET CO INC

Status: ACT

CITY OF MILW TOW LOT

414 286 5093

ZIP: 53226

Address 1: 11011 W NORTH AVE

Last Notice: 402

Address 2:

Date: 07/25/2008

City: MILWAUKEE

State: WI

LIEN 2 - Name:

Status:

Address 1: Address 2:

Last Notice:

Date: //

City:

State: ZIP:

Entry ID: TD6853



Sales Order

REMOVAL ORDER City of MILWAUKEE

DEPARTMENT OF PUBLIC WORKS - TOW LOT 3811 WEST LINCOLN AV. MILWAUKEE WI 53215

Sold To:

688 CARS INC.

W230 S 8895 CLARK STREET

Contacts:

THOMAS L SARNOWSK PEDRO RIVERA

| | | BIG BEND,WL 53103 | | | | (414) 688-2277 | | | (414) 234-0345 | | | |
|-------|------------------------------|-------------------|-------|-------------------|------|----------------|-------|----------|----------------|------------|---|--|
| | Tow Num | Row | Spàce | VIN | Year | Make | Model | Style | Color | Price | | |
| 19 | 1362991 | Н, | 048NK | lG1ZT54835F156462 | | CHEV | MAL | 4D : | RED | \$4,279.87 |) | |
| 41 | 1363146 | Н | | 1GCGK29F6RE217631 | 94 | CHEV | TK | PK | SIL | \$676.99 | | |
| : 46 | 1363172 | G. | 023NK | WBAAK740XE9022475 | 84 | BMW | 3181 | 2D | BLK | \$527.39 | | |
| Check | c/MO number ent Recd Date | 11 | 2) | Total Cars 3 | | | Amou | ınt Due: | | 55,484.25 | | |

PAID SEP 0 8 2008

THIS MATERIAL IS TO BE REMOVED IN ACCORDANCE WITH CITY THIS MATERIAL IS TO BE REMOVED IN ACCORDANCE WITH CITY POLICIES AND BID FORM WHICH ARE PART OF THIS AWARD. PAYMENTS SHALL BE MADE IN ADVANCE BY CASH OR CERTIFIED CHECK, AFTER WHICH THE MATERIAL MAY BE REMOVED ONLY IN THE PRESENCE OF A REPRESENTATIVE OF DOW. NOTIFICATION WILL BE GIVEN WHEN THE MATERIAL IS TO BE REMOVED FROM THE DESIGNATED AREA.

Authorized Agent

Tow Lot Manager

REPRESENTATIVE OF DPW MUST BE ON HAND WHEN VEHICLES ARE REMOVED. ALL MATERIAL IS "AS IS WHERE IS"

VEHICLES MUST BE REMOVED FROM THE TOW LOT WITHIN 3 BUSINESS DAYS. OTHERWISE, A STORAGE FEE OF \$11/DAY WILL BE CHARGED.

Page 8 of 8



9DT2 TB

ZEPE EETZ

362991 of also Mad-

RECLAMATA
BID NI
TON NI

PHILLIPS TRAMOSIA S 4007 W CHAMBERS ST #

3225-6506

TO SENDER

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Track Current Shipments

A list of your current shipments appears below. A current shipment is any shipment sent by your system in the past two weeks. To view detailed shipping information, click on the tracking number.

| Postage By Phone® Account Number: 45561271 Add Account Confine your search to this date range: O Start: 19 Am 12008 5 5-4 500 55 | <u>Download</u> |
|--|----------------------------|
| C Start: 19 Aug 2008 End: 02 Sep 2008 ALL | tracking list to excel |
| Search by Tracking Number: | E-Return |
| © Tracking Number 9171082133393297670579 | receipt Signature files |
| | Frequently Asked Questions |

Results 1 of 1

| Date Shipped | Tracking Number | Dest Class | Service Delivery | Event Date | Signed Postage R | eference # Comments Ser |
|---------------------|------------------------------|---------------------------|---------------------|---------------|------------------|----------------------------|
| 07/29/08 <u>917</u> | 710821333 <u>93</u> 29767057 | <u>'9</u> 53226 <u>FC</u> | <u>CM</u> Delivered | 07/30/08 | \$4.12 | : " |
| Bester en e | | | | | | |

Results 1 of 1

Contact Us | Our Company | Investor Relations | Media Room | Careers | Site Map | Privacy Statement | Legal

Joseph Legal

Walder

Malure

Sales Order

414 286 5093

P.08

City of MILWAUKEE

DEPARTMENT OF PUBLIC WORKS - TOW LOT 3811 WEST LINCOLN AV. MILWAUKEE WI 53215

JBid 2455

Sold To:

688 CARS INC.

Confacts:

| | W230 S 8895 CLARK STREET BIG BEND,WI, 53103 | | | THOMAS L SARNOWSK PEDRO RIVERA (414) 688-2277 (414) 234-8345 | | | | | | |
|-------------------|--|-------------------|---------|---|----------|-------------|------------|--|--|--|
| Tow Num | Row Space | VIN | . Year. | Make Model | Style | Color | Price | | | |
| 19 1362991 | H 048NK | 1G1ZT54835F156462 | 5 | CHEV MAL | 4D | RED | \$4,279.87 | | | |
| | | 1GCGK29F6RE217631 | | <u> </u> | | | \$676.99 | | | |
| 46 1363172 | G 023NK | WBAAK740XE9022475 | 84 | BMW 318I | 2D | BLK | \$527,39 | | | |
| Check / MO number | 1/2,7 | Total Cars 3 | - | Amo | unt Due: | | \$5,484.25 | | | |
| Payment Recd Date | <u> 9/8/0</u> | C | • | · · · · · | | | • | | | |
| Payment Recd By | Y.E. | • | | | | | | | | |

F A T TO SEP 0 8 2008

THIS MATERIAL IS TO BE REMOVED IN ACCORDANCE WITH CITY POLICIES AND BIO FORM WHICH ARE PART OF THIS AWARD. PAYMENTS SHALL BE MADE IN ADVANCE BY CASH OR CERTIFIED CHECK. AFTER WHICH THE MATERIAL MAY BE REMOVED ONLY IN THE PRESENCE OF A REPRESENTATIVE OF DPW. NOTIFICATION WILL BE GIVEN WHEN THE MATERIAL IS TO BE REMOVED FROM THE DESIGNATEO AREA.

A REPRESENTATIVE OF DPW MUST BE ON HAND WHEN VEHICLES ARE REMOVED. ALL MATERIAL IS "AS IS WHERE IS".

VEHICLES MUST BE REMOVED FROM THE TOW LOT WITHIN 3 BUSINESS DAYS. OTHERWISE, A STORAGE FEE OF \$11/DAY WILL BE CHARGED.

Authorized Agent

Page 8 of 8

688-CARS, INC.

W23058895 CLARK STREET BIG BEND, WI 53103

DATE 9-8-08

12 2-750

PAT TO THE ORDER OF MILLY AUKER TOW LOT SHELL SH

FOR 713-2455

100 11 27 10 11 0 750000 221 18 23 73 25 45 45 45 10



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A list of your current shipments appears below. A current shipment is any shipment sent by your system in the past two weeks. To view detailed shipping information, click on the tracking number.

Postage By Phone® Account Number: 45561271 Add Account Confine your search to this date range : Meter Number tracking list to O Start: 19 Aug 2008 End: 02 Sep excel 圖 Search by Tracking Number: receipt Signature © Tracking Number 9171082133393297670586 fles Frequently Asked Questions

Results 1 of 1

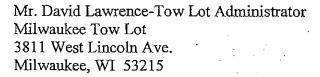
Date Dest. Class Service Delivery Event Signed Tracking Number Postage Reference Comments Shipped Status Date See \$4,12 Add <u>Adc</u> <u>T</u>able

Results 1 of 1

Contact Us | Our Company | Investor Relations | Media Room | Careers | Site Map | Privacy Statement | Legal

Investor Relations | Me.

The Survey of the



February 18, 2009

Re: Tow Number 1362991 and J-Bid # 2455

Mr. Lawrence,

I am requesting a complete accounting for the funds you received and how they were disbursed as they relate to a vehicle in your possession and which you ultimately sold thru Bid #2455.

The reason for this request is that, since we are the perfected lienholder on this vehicle, we are entitled to all excess funds over and above your towing and storage costs as defined by Wis. Stats. 779.415. I have attached a copy herein of the statute and our lien perfection.

Please respond as soon as possible. And if you have any questions, do not hesitate to call me at 414-778-1500.

Sincerely.

David A. Poch

Chief Financial Officer

WORLD CLASS CHEVY CENTER



DEPARTMENT OF PUBLIC WORKS - TOW LOT 3811 West Lincoln Avenue - Milwaukee, WI 53215 Ph: (414) 286-2700 - Fax: (414) 286-5093

TDD: (414) 286-2025

Monday, February 09, 2009

Hall.Chevrolet David A. Poch 11011 W. North Ave. Milwaukee, WI 53226

RE: Public Records Request

Dear Poch:

We are in receipt of your public records request dated February 4, 2009 for "complete information as to who the vehicle was sold to, date of sale and the disbursements of the sale, their name, address, etc" for Tow Number 1362991.

This letter is to inform you that we will comply with our statutory obligations and provide our response to your public records request as soon as practicable. We are seeking advice from the City Attorney's office. We will respond to your records request as soon as we receive advice from that office.

Please do not hesitate to contact me should you have any questions regarding this matter.

Very Truly Yours,

David A. Lawrence City of Milwaukee Towing Manager

GFL:bl 68618 1077-2002-732

2nd Request 2-4:09

12-3-08

City of Milwowlee

Tow hot - 3811 w. Lincoln

Milw WI 53215

Frat # 414-286-5093

3 pages

To whom it may concern,

re: Tow # 1362991

we are regulating complete details of the disposal of the following vehicle:

2005 Chevrolet

VIN # 1612T54835 F156462

We are the licaholder on this achide.

Please include how much the vehicle was

sold for, to whom, the date of sole and

how the proceeds of the sale were

dis bressed and to whom and when.

Please mail the into to my attention.

That you Down Cro Dougla Noch Cro Hall Cheroslet Co. 11011 W. North Ave. Milwowkee, WI 53226

WORLD CLASS CHEVY CENTER



DEPARTMENT OF PUBLIC WORKS - TOW LOT 3811 West Lincoln Avenue - Milwaukee, WI 53215 Ph: (414) 286-2700 - Fax: (414) 286-5093 TDD: (414) 286-2025

HALL CHEVROLET CO INC 11011 W NORTH AVE

MILWAUKEE, WI

53226

NOTICE DATE: 07/25/2008 RECLAMATION DATE: 09/03/2008

BID NUMBER: 2455 TOW NUMBER: 1362991 DATE OF TOW: 07/18/2008

LICENSE NUMBER:

VEHICLE YEAR AND MAKE: 05 CHEV VIN NUMBER: 1G1ZT54835F156462 TOW ADDRESS: 7200 N 107TH ST

REGISTERED OWNER:

VIN OWNER. PHILLIPS TRAMOSIA S

SECOND NOTICE - CERTIFIED NOTICE OF VEHICLE DISPOSAL

/ehicle listed above has been towed and impounded at the City of Milwaukee Tow Lot located at 3811.W. Lincoln Avenue, Milwaukee Wisconsin and has unclaimed for 7 days.

uant to Section 105-65 of the Milwaukee Code of Ordinances, your vehicle has been appraised and found to have a scrap value of more than \$200. have until the close of business on the above listed RECLAMATION DATE to reclaim your vehicle or it will be sold or destroyed by the City of vaukee. (If the reclamation date is a Sunday or a holiday, you have until the close of the next business day to reclaim your vehicle.) PLEASE ACT MYTLY!

IR FAILURE TO RECLAIM THE VEHICLE SHALL BE DEEMED A WAIVER OF ALL RIGHT, TITLE AND INTEREST IN THE VEHICLE I A CONSENT TO THE SALE OF THE VEHICLE BY THE CITY.

may obtain your vehicle at 3811 W. Lincoln Avenue any time during regular business hours.

Tow Lot hours of operation are 8:00 a.m. to 6:00 p.m., Monday through Friday, and Saturday from 8:00 a.m. to Noon. The Tow Lot is closed on the wing holidays: January 1st, Martin Luther King Jr. Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after nksgiving, Christmas Eve, Christmas Day and December 31.

RECLAIM YOUR VEHICLE, YOU MUST BRING THE FOLLOWING TO THE TOW LOT:

Vehicle title (must be in owner's name).

A valid driver's license (if you are driving the vehicle from the lot). "If you do not have a driver's license; you must have a photo ID and be accompanied by someone with a valid driver's license.

To retrieve a vehicle on behalf of an owner, you must have the vehicle title; a driver's license or photo ID and be accompanied by someone with a valid license and have a <u>signed</u>, notarized letter or release form from the vehicle owner authorizing you to pick up the vehicle. The <u>notarized</u> letter and release form must identify the vehicle by color, make, model, VIN; license plate number and tow number. Insurance companies and tow companies must have a notarized letter or signed release form.

Cash, cashier's check, money order, VISA or Mastercard are accepted for payment. The vehicle reclamation fee is \$95 plus \$20 per-day for storage. You are not required to pay for open citations in order to reclaim your vehicle.

u may reclaim loose or personal property from within the vehicle by presenting proof of ownership and a valid picture ID at the tow lot. Personal property in vehicle will be returned free of charge during posted business hours, but will be destroyed if your vehicle is unclaimed.

DISPUTE THE LEGALITY OF YOUR TOW, YOU MAY OBTAIN A REVIEW BY THE CITY ATTORNEY AT 951 N. JAMES LOVELL STREET, OM 205.

700 are no longer the owner or lienholder of this vehicle, or have any questions about this notice, please contact the City of Milwaukee Tow Lot at (414) 5-2700 during the business hours listed above.

WTOW-402-L