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December 17, 2009

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claims of K.B. Co. Investments, Inc.
and Lawrence Kofler
C.I. File Nos.: 09-L-98 and 09-L-98-1

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimants, K.B. Co. Investments, Inc., 2333 Misty Lane, Waukesha, WI 53186 and Lawrence Kofler, by Raymond Kofler, POA, 6832 Diane Drive, West Bend, WI 53090, allege that the City of Milwaukee deprived them of the property's value, utility and/or marketability of the property located at 1744 South 17th Street, due to the removal of water service.

Our investigation reveals that the Milwaukee Water Works (MWW) records reflect that this property had two homes located on it. The water service for the rear property is provided by the front property. The MWW records further reflected that there are numerous properties in the City with similar service arrangements. The MWW was advised on August 8, 2002 regarding a dispute between the property owners relative to the water service.

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On April 2, 2007, the MWW received a call from a contractor hired to raze the front property at this location. They requested that the water service be shut off so the home could be razed. A MWW crew responded and completed the requested disconnection. The MWW followed standard procedures in this matter and since the water service issues are between private parties, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

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Assistant City Attorney

JAS:ms
Enclosure

c: Alderman James Witkowiak

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